OPERATIONAL FRAMEWORK FOR EFFECTIVE SUPPORT IN FRAGILE AND CONFLICT-AFFECTED STATES

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GPE Transforming Education

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Please note that this document contains revisions approved by the Board of Directors in December 2018 (Section 3) and further revisions are expected to be approved in the course of 2019.

1. INTRODUCTION

1.1 Background

It is imperative for the global community to provide greater and more effective support to education in fragile and conflict-affected states ("FCAS"), including emergency and early recovery situations, in order to achieve the Education for All goals and education SDGs. 75 million children aged 3 to 18 live in countries facing war and violence and are deprived of their right to education. GPE helps countries strengthen and rebuild their education systems during and after a crisis so that children can continue with their education.

Although fragile contexts vary enormously in their characteristics, they present specific challenges in various forms and to different degrees. These include:

- **Issues of governance**, which may include unrecognized governments, political instability, accountability issues and corruption, situations where governments prohibit access to segments of populations, politicization of aid agendas, situations where segments of the population are in conflict with each other, etc.

- **Issues of capacity**, for example in terms of ability to collect and analyze data, make sound policy decisions, develop sector plans and implement and report on plans and programs. The level of development partner presence and capacity of Local Education Groups (LEGs) may also vary.

- **Issues of security**, which can affect access to schools and communities and limit the implementation of sector programs as well as increase implementation costs. Insecurity can also expose schools, teachers and school children to violence and attacks.

- **Issues around donor policies and coordination**, in terms of donors' ability to finance programs; donors' and implementers' ability to remain operational and work in a country as a whole or in parts of a country; and the existence of coordination mechanisms to ensure coherent, coordinated support.

All of these challenges present risks — however, GPE recognizes the need to take risk given its mission to mobilize global and national efforts to contribute to the achievement of equitable, quality education and learning for all. GPE is particularly committed to focus its resources on the most marginalized children and youth, including those affected by fragility and conflict. GPE believes that considerable risk taking is justified to achieve its goals in fragile and conflict affected states, and it is willing to accept potential negative impacts arising from working in these environments.

A key element of success will be that GPE support is adjusted to the context and contributes to build capacity and to capitalize on the potential role of education in reducing conflict and building stability. The Operational Framework for Effective Support in Fragile and Conflict-Affected States

(Operational Framework) outlines modalities that allow GPE to support new countries affected by fragility and conflict entering the partnership and also continue supporting education needs of young people when stable countries experience crises and disasters.

1.2   Objective

Within the broader scope of the GPE 2020, this Operational Framework sets out specific adaptations to GPE processes in FCAS. The Operational Framework includes principles, modalities and procedures relating to Education Sector Program Implementation Grant (ESPIG) applications, as well as revisions to programs in response to fragile situations during implementation. The objective is to provide clear guidance to LEGs and Development Partner Groups (DPGs, which include local development partners but not the local government) to ensure efficient support in these situations.

1.3   Scope

The situations listed below will lead to consideration of adapted operational modalities. In the event any of these circumstances arise, the Secretariat will contact the Coordinating Agency (CA) to call attention to the Operational Framework and facilitate discussion on whether adaptations should be made:

- Coup d'état or other unconstitutional government change
- Situations of large-scale violence or armed conflict within the country, including at sub-national levels in federal states, or across borders
- Situations where the international community has raised serious concerns involving human rights violations
- Large-scale emergencies as defined by United Nations Office for the Coordination of Humanitarian Assistance (OCHA)
- Situation where corruption, lack of adherence to international conventions or other issues lead to donor suspension of aid
- Situations where low administrative capacity calls for a phased approach to supporting education sector activities while gradually building government capacity

The above criteria will draw on information from relevant international bodies including OCHA/Education Clusters, Transparency International and the United Nations Human Rights Council.

2.   PRINCIPLES OF ENGAGEMENT IN FRAGILE AND CONFLICT-AFFECTED STATES

2.1   Adaptations of Global Partnership Principles

All GPE engagement is informed by the GPE Guiding Principles articulated in the GPE 2020 Strategic Plan:

The GPE 2020 Guiding Principles:
- Education as a public good
- Focus on learning, equity and inclusion of the most marginalized
- Gender equality
- Inclusive, evidence-based policy dialogue
- Country ownership and nationally identified priorities
- Improving development effectiveness and aligning aid to country systems
- Mutual accountability and transparency
- Inclusive partnerships

In addition, the Operational Framework for Effective Support in Fragile and Conflict-affected States (Operational Framework) is informed by two further sets of principles that address engagement in FCAS. The principles are summarized below. The Operating Principles in Complex Emergencies clarify how some of the GPE Guiding Principles, such as country ownership and nationally identified priorities, may be adapted in exceptional circumstances in order to minimize disruption to education.

2.2   OECD Principles for Good International Engagement in Fragile States and Situations

The Global Partnership adheres to the OECD's Principles for Good International Engagement in Fragile States and Situations, which provide a set of guidelines for actors involved in development co-operation, peace building, state building and security in fragile and conflict-affected states:

- Take context as the starting point
- Do no harm
- Focus on state-building
- Prioritize prevention
- Recognize links between political, security and development objectives
- Promote non-discrimination
- Align with local priorities
- Agree on practical coordination mechanisms between international actors
- Act fast but stay engaged long enough to give success a chance
- Avoid creating pockets of exclusion

Two of these principles, alignment to local priorities and coordination among international actors, are inherent in the Global Partnership's processes and procedures and need no further

elaboration in this Operational Framework. Additional measures that support the application of the OECD principles are:

- Engage in ongoing efforts to identify and agree on conflict analysis and resilience tools to support the development of conflict-sensitive Education Sector Plans ("ESPs") and transitional ESPs, with particular attention to guidance on actions needed in the education sector;
- Support countries to develop transitional ESPs when applicable and appropriate; and to work to develop full ESPs during the implementation of the transitional plans;
- Utilize the Inter-Agency Network for Education in Emergencies ("INEE") Minimum Standards and other tools including conflict analysis and resilience, as appropriate, in the development of transitional education sector plans; and
- Strengthen Education Cluster-LEG collaboration at country level.

Moreover, the Global Partnership's Guidelines for Education Sector Plan Preparation and Appraisal support the OECD principles as follows:

- The Plan Preparation Guidelines emphasize that:
  - a credible ESP must be sensitive to the context and include an analysis of the vulnerabilities specific to a country, including conflicts, natural disasters, economic crises, etc., and that an ESP must address preparedness, prevention, and risk mitigation; and
  - education sector analysis should include data on marginalized groups: girls, children with disabilities or children living in extreme poverty, working children, and so on;

- The Appraisal Guidelines ask whether:
  - the education sector analysis identifies the vulnerability of the education system to political, economic, social, and environmental risks and whether a vulnerability analysis has been conducted;
  - the proposed strategies mitigate the vulnerability of the education system to political, social, and environmental impacts as identified in the sector analysis; and
  - targets are set for each of the marginalized and at-risk groups identified (such as underserved communities, girls, the poor, children with disabilities, orphans, children in hard to reach communities, ethnic minorities, refugee and internally displaced populations, and children affected by HIV and AIDS), and whether the

ESP includes a strategy to ensure equity in the provision of basic inputs across these groups, including targeted fiscal transfers as appropriate.

The GPE adheres also to the peace-building and resilience building principles of the Busan Declaration (New Deal Principles).

2.3 Operating Principles in Complex Emergencies

Experience has shown that even within this framework of principles, further guidance is required for operating in situations where there is no legitimate or recognized government, where a government does not have authority over large sections of its territory, or where other groups have authority over education. Accordingly, the Operational Framework includes a set of Operating Principles in Complex Emergencies. These principles may be invoked when a complex emergency exists according to the Inter Agency Standing Committee (IASC) for Humanitarian Affairs definition:

A Complex Emergency is defined as: *a humanitarian crisis which occurs in a country, region, or society where there is a total or considerable breakdown of authority resulting from civil conflict and/or foreign aggression[2].*

In such cases the following operating principles are intended to provide a basis for decisions:

Basis for engagement	***(i) The best interests of children*** Ensuring the protection of children's rights, as enshrined in the UN Convention on the Rights of the Child, is the first consideration in all engagements. This overarching principle applies in all situations of GPE engagement but is particularly cogent when standard GPE principles and operating arrangements present practical challenges, such as government leadership of: (i) stakeholder consultation, (ii) development partner coordination, (iii) sector plan development and adoption, and (iv) GPE program development, implementation and monitoring. GPE engagement will build on existing guidance on education in emergencies, including INEE Minimum Standards, the Education Cluster approach, and UNHCR guidance as relevant.
	(ii) Saving the system When it engages in complex emergencies, GPE's particular mandate is to help ensure that the functional elements of the system, particularly those closest to the schools and communities, do not collapse and that they provide a basis for system recovery and reconstruction under a new, or reconstituted, central or decentralized authority.[3]

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[2] The IASC definition includes two other types of situations that can be defined as a complex emergency. However, as these are more specific to ensuring UN inter-agency coordination, they have not been included for GPE's purposes. https://interagencystandingcommittee.org/system/files/legacy_files/WG16_4.pdf

[3] This approach is in line with the concept of shadow alignment, which is a state-avoiding approach. It does not give an authority or government control over resources, but does use funding mechanisms that are parallel but compatible with existing or potential organization of the state. It aims to avoid creating a diversionary institutional legacy that can undermine or impede the development of a more accountable and legitimate future relationship between the people and their governments (WHO Health Systems Strengthening Glossary 2011).

	(iii) Humanitarian principles
	GPE adopts the humanitarian principles of humanity, neutrality, impartiality, and independence in its engagement in complex emergencies.
Alignment and interim authority	**(iv) Non-political engagement** GPE engagement with any parties to further the interests of children and their learning does not imply political endorsement of, or support for, any individual, authority or group.
	(v) Alignment with UN/International arrangements The starting point for GPE engagement is to follow the legal and institutional arrangements that the UN has put in place, including the Office of the UN Special Representative (where one has been appointed), the Office of the Humanitarian Coordinator, and the Education Cluster where it has been constituted[4].
	(vi) Interim authority on GPE processes Where direct participation of government in standard GPE processes is not practical or feasible, the remaining LEG can fulfill these functions, in alignment with existing UN/International institutional arrangements, until formal participation of authorities is re-established. Where an education cluster is established, the LEG should coordinate closely with the cluster.
	(vii) Function over form Where the country level arrangements to ensure donor coordination and wide stakeholder consultation are not possible through the standard mechanisms such as a LEG, country level partners should ensure that as far as possible donor coordination and stakeholder consultation are achieved through alternative arrangements and the processes followed reflect GPE guidance.
Working with others	**(viii) Complementarity** GPE engagement is based on an analysis of available and potential funding and support to maximize resource allocation, minimize duplication, and optimize complementarity. Particular attention will be paid to ensuring complementarity with interventions of Education Cannot Wait.
	(ix) Commitment to a shared plan endorsed by key stakeholders as the basis for interventions GPE support should be located within a wider plan that is endorsed by key stakeholders and ensures donor coordination and alignment of GPE and other donor interventions within a single plan, as part of the Humanitarian Response Plan and/or agreed Transitional Education Plan as relevant. GPE partners should work to ensure coordination mechanisms are harmonized and streamlined.

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[4] The UN system abides by UN Resolutions, and thereby GPE would also be following UN Resolutions as a result of aligning with existing UN arrangements.

3.   MODALITIES FOR PROGRAM IMPLEMENTATION IN FRAGILE CONTEXTS

> *Please note that this section is being updated. Revisions are expected to be approved in the course of 2019.*

4.   PROGRAM REVISIONS RESULTING FROM SITUATIONS OF FRAGILITY

When an ESPIG has already been approved by the Board of Directors, whether or not a Grant Agreement between the Grant Agent and government has been signed, and the context changes from (relative) stability to instability, such as when there is a coup d'état or conflict breaks out, there must be flexibility to revise programs to changing circumstances, including the modality of support and the content of programs.

The following procedures will be applied in these situations:

i.   **Notification:** If an emergency situation leads a Grant Agent to suspend activities in a country in accordance with its own regulations, the Grant Agent will inform the LEG or DPG and the Secretariat in writing within 24 hours. Upon such notification, this process will become applicable immediately (if not already applicable) and the Grants and Performance Committee (GPC) will be informed accordingly.

ii. **Communication with countries under suspension:** From the moment of the notification of suspension of activities, Secretariat communications to the country may be directed through the Coordinating Agency to the DPG rather than the LEG. The DPG will determine the extent to which formal or informal communications are advisable with current authorities.

iii. **Assessment period:** For a period of no less than two and no more than four weeks following the notification, the DPG (or LEG where feasible) will monitor the situation in the country to determine if there is a reasonable likelihood of stabilization. No decision will be taken regarding grant signature (in cases where a Grant Agreement has not already been signed), program revision or other program implementation or monitoring activities during this period. The Secretariat will engage in discussions with the DPG (or LEG where feasible) about possible alternative arrangements for program implementation.

iv. **Determination of appropriate course of action:** At the end of the assessment period, the DPG (or LEG where feasible) will agree whether the previously approved

program can be implemented as planned, or whether restructuring or redesigning the approved program is necessary. The following options apply:

a. In the event that the previously approved program was to be implemented in SE mode, the other Options listed in Section 3.2 above must be considered. If appropriate, the DPG (or LEG where feasible) may present a rationale for maintaining a SE mode and relying on national financial management systems.

b. If the DPG (or the LEG where feasible) has determined that the program needs to be revised, the Secretariat will work with the DPG (or the LEG where feasible) to develop a timeline for revision that is reasonable given the context and will inform the GPC of the new timeline   to enable a revised recommendation and approval of the revisions.

c. A program may be redesigned and remain under the SE mode, following the instructions in section *a* above, **or** may be redesigned and moved to a ME mode either under the existing SE partner or a different agency. Alternatively, a hybrid modality may be adopted using a mix of SE and ME modes, either under the same agency or with two different agencies. In either case, the *Policy on Education Sector Program Implementation Grants* (the "Policy on ESPIGs") will apply. Anticipated timelines under the Policy on ESPIGs may be abbreviated upon agreement of the GPC.

d. In all cases, due attention will be given to existing Grant Agreements and the legal commitments incurred by the Grant Agent prior to the emergency situation.

e. If a Grant Agreement has not been signed, any proposed revision will need to be finalized before the six-month (or up to twelve-months upon request) deadline to sign the Grant Agreement, in accordance with the Policy on ESPIGs. In the event a Grant Agreement has not been signed within this six-months interval (or up to twelve months upon request), the developing country partner is to provide the Secretariat with information on the status of implementation of the Education Sector Plan (ESP), to advise whether the implementation status of the ESP requires an update of the Program and its timeline—specifically the indicators, related actions and their justification, including the results chain, to access the Variable Part of the Maximum Country Allocation., in line with the Policy on ESPIGs. The information provided by the Grant Agent should include progress with regard to these indicators in comparison with the

baseline provided in the Application Package.

The GPC reviews the information received and may approve a revision of the Program in terms of: (i) the grant duration, if requested; (ii) activities to be funded, including material revisions, if requested; (iii) the actions and indicators that will be the basis for the release of the Variable Part and its disbursement modality (ex-post or ex-ante, if applied for); (iv) requirements for funding and/or (v) observations and report-back items where appropriate. The GPC may refer a proposed revision to the Board for decision.

5.   ACCELERATED FUNDING FOR EMERGENCY AND EARLY RECOVERY SITUATIONS

The Accelerated Funding mechanism allows countries to access up to 20 percent of its Maximum Country Allocation through an accelerated process in cases of emergency education needs, using the *Guidelines for Accelerated Funding in Emergency and Early Recovery Situations*. Accelerated Funding can also be used in cases where the country will need to reapply because of case 4.e above. The remaining allocation may then be applied for using the normal application procedure.

OFFICE LOCATIONS

Washington
1850 K Street NW
Suite 625
Washington, DC 20006
USA

Paris
66 Avenue d'Iena
75116 Paris
France

Brussels
Avenue Marnix 17, 2nd floor
B-1000, Brussels
Belgium

MAILING ADDRESS

Global Partnership for Education
MSN IS 6-600
1818 H Street NW
Washington, DC 20433
USA

www.globalpartnership.org