

OPERATING PRINCIPLES IN COMPLEX EMERGENCIES: REPORT FROM THE GRANTS AND PERFORMANCE COMMITTEE

For Decision

Please note: Board papers are deliberative in nature and, in accordance with the GPE Transparency Policy, are not public documents until the Board has considered them at the Board meeting. It is understood that constituencies will circulate Board documents among their members prior to the Board meeting for consultation purposes.

1. STRATEGIC PURPOSE

1.1 The purpose of this paper is to ask the Board to approve recommendations from the Grants and Performance Committee (GPC) to approve operating principles for GPE engagement in complex emergencies¹. The recommendation partially responds to a request from the Board in the Financing and Funding Framework² to develop an approach to engagement in regional crises.

1.2 This paper proposes a first set of revisions to the *Operational Framework for Effective Support in Fragile and Conflict-Affected States*³ adopted in 2013 (Operational Framework). Given the variation in contexts across crises, the recommended approach is to take a principle- and risk-based approach to determine how to operate in these circumstances. Further adaptations to the Operational Framework will be considered by the Grants and Performance Committee over the next six to twelve months to ensure GPE's operating and funding model is responsive to contexts and effective in fragile and conflict-affected contexts.

¹ A **Complex Emergency** is defined as: a) 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; b) a humanitarian crisis which requires an international response which goes beyond the mandate or capacity of any single agency; c) a humanitarian crisis where the IASC assesses that it requires intensive and extensive political and management coordination.

² <https://www.globalpartnership.org/content/board-decisions-march-2017>

³ <https://www.globalpartnership.org/content/gpe-operational-framework-effective-support-fragile-and-conflict-affected-states> ,

2. BACKGROUND

2.1. GPE's Board of Directors adopted an Operational Framework for Effective Support in Fragile and Conflict-Affected States through two decisions, in November 2012 and June 2013. At the November 2012 Board meeting, it adopted an Accelerated Funding mechanism that allows countries to access up to 20 percent of its Maximum Country Allocation through an accelerated process in cases of emergency education needs. At the June 2013 meeting it adopted the remaining Operational Framework, which includes principles, modalities and procedures relating to Education Sector Program Implementation Grants (ESPIG) and revisions in response to fragile situations.

2.2. In March 2017, the Board requested the Secretariat to develop an approach for providing support in regional crises and situations of cross-border displacement. In consultation with the GPC, the Secretariat embedded the Board's request within a broader update of the existing Operational Framework. The Operational Framework is still relevant to adapt ESPIGs to accommodate emergency situations. However, the funding model introduced in 2014 has led the Secretariat and GPC to raise questions around the adaptability of the funding model in highly fragile contexts. The Operational Framework needs to be expanded to take such adaptations into consideration, as well as to accommodate the 2017 Board decision.

2.3. In April 2018, the Secretariat contracted a consultant to support the identification of necessary modifications to the Operational Framework in general, and to suggest approaches for engagement in regional crises and situations of cross-border displacement, in particular.

2.4. In June 2018, the GPC discussed possible areas for improving GPE's response in regional crises and situations of cross-border displacement. Overall, the Committee supported the development of approaches that would allow GPE to build on its core mandate of systems building and harmonization around sector plan development and implementation. The Committee agreed that currently, GPE's best mechanism to address cross-border situations is to leverage for education sector policies and plans to integrate education provision for displaced populations, and that incentives could be considered in this regard.

2.5. The Committee further highlighted the urgent challenge of how to continue GPE funding in situations of civil conflict, with specific focus on Yemen and Syria, which the Operational Framework currently does not fully address. The Committee noted that the current Operational Framework does not sufficiently clarify the role, mandate and response of GPE in situations where continuous strife and deterioration shift interventions from systems building towards measures to mitigate deterioration or collapse of education services. Complex emergencies provide specific operational

challenges to providing support to education, in particular in areas where actors on the ground include parties not recognized by the international community but who control territories where the education of children is at risk. The Committee requested that a risk-based approach be taken to determine where adaptations beyond those proposed in the current Operational Framework would be warranted, and to use the Operational Risk Framework to clarify situations where such adaptations would be applied.

2.6. In light of the above and with further work by the consultant and inputs from a range of partners, the Secretariat and the GPC consider that sequencing the work to modify the Operational Framework is desirable. This first proposal to the Board of Directors therefore focuses on the expansion of the Principles of Engagement in Fragile and Conflict-Affected States to integrate specific Operating Principles for Engagement in Complex Emergencies. This proposal will be followed by a proposal on other necessary modifications to the Operational Framework, which will also reflect any relevant recommendations of the Effective Partnership Review.

3. OPERATING PRINCIPLES IN COMPLEX EMERGENCIES

3.1. For GPE to support education in complex emergencies in a timely and efficient manner, it is suggested that the Board adopt a set of operating principles to guide decision-making. The GPC considers that adopting a principled approach to engagement in such environments is preferable, as contexts vary greatly from one to another. The Committee recognizes the need for contextual analysis as the starting point for any GPE engagement in such environments.

3.2. Among the aspects of complexity that impact directly or indirectly on the nature of GPE engagement are:

- The nature of the crisis: whether the crisis is recent or long-standing; whether conflict-driven or precipitated or exacerbated by natural or manmade disasters; whether foreign, civil or interstate conflict is country-wide or affects only parts of the country.
- The status of the government: whether recognized or with limited national or international legitimacy, whether extended or limited control over national territory, centrally coordinated service delivery or very dispersed service delivery including by unrecognized authorities or local communities.
- GPE status: whether a country is a GPE member country or is eligible for funding without having attained membership.

3.3. The Operational Framework adopted by the Board in June 2013 already notes that in some instances, for example in cases of coup d'état, situations of large-scale violence or emergencies, or donor suspension of aid, the Local Education Group or Development Partners Group can make decisions on GPE grants. The Principles proposed in Annex 1 go further in clarifying how to balance the need to apply GPE's operating model flexibly in complex emergencies with attention to the risk of random or inconsistent approaches.

3.4. The main advantage of the Principles is that they would allow GPE's support to be consistent and timely while also being flexible and responsive to shifting needs. The Principles should reduce transaction costs and time associated with country-level partners, the Secretariat and GPE's governing bodies' examination of engagement scenarios and alignment in each situation, both initially and as contexts change.

3.5. The main risk of not approving the proposed operating principles is that GPE is not able to intervene or provide effective support to children's education needs in complex emergencies such as in Yemen and Syria. This can also result in a negative reputational impact considering that GPE will have failed to support some of the most marginalized and vulnerable children in the world. Given that the GPC has recommended that the Secretariat further work on the operationalization of the Principles under the Committee's guidance, the risks in approving the Principles are limited. Ultimately, the decision to provide a grant to any complex emergency rests with the Board of Directors, further reducing risks associated with approving these Principles.

3.6. The Committee agreed that the proposal on the Principles should be accompanied by an illustration of how the principles might be applied in the two pressing cases of Syria and Yemen. Annex 3 provides an initial illustration that will be taken into further discussions with partners working in those contexts.

3.7. Since the geographical coverage of GPE and Education Cannot Wait (ECW) converges in many instances, the Committee also requested the Secretariat to clarify how the GPE Secretariat is working with the ECW Secretariat to distinguish between roles and approaches and identify complementarity. Annex 4 therefore provides an update on current collaboration between the two Secretariats, and an illustration of the complementary roles in building the bridge from humanitarian to development work.

4. NEXT STEPS

4.1. If adopted, the Principles will be integrated in the Operational Framework for Effective Support in Fragile and Conflict-Affected States and applied in the development of a grant proposal

for Syria and a grant revision in Yemen in the first instance, which will help inform more operational guidance. Pending the GPC's recommendation on further adaptations to the Operating Framework in April 2019, the Secretariat will come back to the Board of Directors in June 2019 to propose other modifications that it considers necessary or desirable, including on potential incentives for including measures for delivery of education services to internally displaced people, refugees, asylum seekers, returnees and stateless peoples in national sector policy and planning.

5. RECOMMENDED DECISION

5.1 The Grants and Performance Committee recommends the Board approve the following decision:

BOD/2018/12-XX–GPE Operating Principles in Complex Emergencies: The Board of Directors:

1. Adopts the revisions to the *Operational Framework for Effective Support in Fragile and Conflict-Affected States* set out in Annex 2 to BOD/2018/12 DOC 05 on principles for GPE engagement in complex emergencies. The Board notes that acting on these principles requires a risk-based approach for each specific context.
2. Requests the Secretariat to develop guidelines for the operationalization of the principles under the guidance of the Grants and Performance Committee (GPC). The operational guidelines should include approaches and protocols that apply when Education Cannot Wait operates in the same context as GPE.
3. Requests the Secretariat to continue work on other modifications to the Operational Framework, under the guidance of the Grants and Performance Committee.
4. Requests the Secretariat to proceed with the development of support to Yemen and Syria according to the application of the Principles illustrated in Annex 3 to BOD/2018/12 DOC 05, and for the Grants and Performance Committee to review and approve or recommend approval of concrete funding proposals in accordance with its delegated authority.

6. **PLEASE CONTACT** Nilse Ryman (nryman@globalpartnership.org) in case of any questions.

7. ANNEXES

7.1 This paper includes the following annexes and further information:

Annex 1: Summary of GPC Deliberations

Annex 2: Principles of GPE Engagement in Fragile and Conflict Affected States

- Annex 3: Application of proposed GPE Operating principles in Complex Emergencies: Cases of Yemen and Syria**
- Annex 4: GPE and ECW Complementarity**

ANNEX 1 - SUMMARY OF GRANTS AND PERFORMANCE COMMITTEE DELIBERATIONS October 2018

The Committee welcomed the introduction of Operating Principles for Complex Emergencies (the Principles) in the revised Principles of GPE Engagement in Fragile and Conflict-Affected States and indicated that the Principles provide reasonable guidance for GPE's engagement in such contexts. The Committee emphasized the importance of a principled and risk-informed approach to GPE's engagement in complex emergencies. However, while recognizing that the operationalization of the Principles would vary from context to context, the Committee agreed that their recommendation to the Board should be accompanied by concrete examples of how the Principles would be operationalized. The Committee therefore requested that the Secretariat develop illustrations of how the Principles would be applied under the current conditions in Yemen and Syria.

The Committee discussed whether GPE should intervene in all circumstances, in particular in contexts where a government is harming its citizens. The Secretariat noted that the decision to engage in any context lies with the Board of Directors, and the Grants and Performance Committee retains its authority to recommend (or not) grants to the Board. The Secretariat further noted the Board's approval of a Maximum Country Allocation for Syria in February 2018, underpinned by GPE2020's strategic principle to focus resources on securing learning, equity and inclusion for the most marginalized children and youth, including those affected by fragility and conflict.

The Committee enquired whether Local Education Groups (LEGs) without government representation (defined as development partner groups) could have oversight over GPE grants in some circumstances based on these Principles. The Secretariat responded that the Board of Directors already made this decision in 2013 when it approved the Operational Framework for Effective Support in Fragile and Conflict Affected States, which outlines that there are certain situations in which the development partner group can make decisions without the government.

The Committee emphasized the importance of the humanitarian principles already agreed by the international community and suggested that GPE formally adopt these as a foundation for its engagement in complex emergencies. The Secretariat has revised the proposed Principles to integrate the humanitarian principles.

The Committee also requested that GPE's operational framework incorporate existing guidance on education in emergencies adopted by INEE and the Education Cluster, as well as UNHCR. In addition, the Committee agreed that GPE's role in complex emergencies would need to be clearly distinguished from that of Education Cannot Wait (ECW). The Secretariat updated the Committee on ongoing collaboration with ECW to articulate the distinctions between GPE and ECW in the areas of planning, coordination, and grant support, and on this basis to develop protocols for joint engagement in emergency situations. The Committee requested that an annex detailing this accompany the Principles for submission to the Board.

ANNEX 2 - PRINCIPLES OF GPE ENGAGEMENT IN FRAGILE AND CONFLICT AFFECTED STATES

Note: Section 2 of the Operational Framework (focused on principles, currently pages 4-6), would be replaced by the following text:

Foundational principles of engagement in FCAS

All GPE engagement is informed by the GPE Guiding Principles articulated in the GPE 2020 Strategic Plan:⁴ In addition the Operating Framework for Effective Support in Fragile and Conflict-affected States (Operating Framework) is informed by two further sets of principles that address engagement in FCAS⁵. The principles are summarized below. The new Principles for engagement 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.

(i) The GPE2020 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

(ii) The OECD principles for good international engagement in fragile states and situations

- Take context as the starting point
- Do no harm
- Focus on state-building
- Prioritize prevention
- Recognize links between political, security and development objectives
- Promote nondiscrimination
- 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

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 OF-FCAS includes in addition to the above principles of engagement, a set of Operating Principles in Complex Emergencies.

⁴ These have been updated from those cited in the 2013 OF-FCAS document.

⁵ The OF-FCAS also commits the GPE to the peace-building and resilience building principles of the Busan Declaration (New Deal Principles)

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 aggression⁶.

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

Basis for engagement	<p><i>(i) The best interests of children</i> 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.</p>
	<p><i>(ii) Saving the system</i> 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.⁷</p>
	<p><i>(iii) Humanitarian principles</i> GPE adopts the humanitarian principles of humanity, neutrality, impartiality, and independence in its engagement in complex emergencies.</p>
Alignment and interim authority	<p><i>(iv) Non-political engagement</i> 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.</p>
	<p><i>(v) Alignment with UN/International arrangements</i> 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 constituted⁸.</p>

⁶ 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

⁷ 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).

⁸ 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.

	<p>(vi) Interim authority on GPE processes</p> <p>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.</p>
	<p>(vii) Function over form</p> <p>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.</p>
<p>Working with others</p>	<p>(viii) Complementarity</p> <p>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.</p>
	<p>(ix) Commitment to a shared plan endorsed by key stakeholders as the basis for interventions</p> <p>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 with partners to ensure coordination mechanisms are harmonized and streamlined.</p>

ANNEX 3 - EXAMPLES OF THE APPLICATION OF PROPOSED GPE OPERATING PRINCIPLES IN COMPLEX EMERGENCIES: CASES OF YEMEN AND SYRIA

At the request of the Grants and Performance Committee (GPC), the following examples have been outlined to illustrate the operationalization of the proposed Principles. The first example is ongoing support in Yemen, currently a GPE member with an active Education Sector Program Implementation Grant (ESPIG). The second example is Syria, which is not a GPE member, but for which a Maximum Country Allocation (MCA) has been approved by the Board, and where the Partnership has not yet provided support.

Yemen

Yemen has been a GPE member since 2009 and has so far received over US\$120 million in GPE grants. The current grant of US\$72.6 million, of which 45% has been disbursed, is intended to support Yemen in improving access, quality and equity in education. The grant was approved by the GPE Board in May 2013 with UNICEF as the Grant Agent (GA). As a result of the conflict which started in early 2015, and after consultation with development partners and the internationally recognized government of Yemen, the grant has been reprogrammed twice to include an education in emergencies response. The GA is now working on the third reprogramming to reflect the continuously deteriorating circumstances and high risk of system collapse, and to respond to the establishment of a de-facto government in Sana'a in addition to the internationally recognized government operating from Aden.

Under the current implementation mechanism, the GA faces serious constraints in ensuring smooth implementation of GPE grant activities across political lines, as well as lack of clarity on expectations around reprogramming. These constraints also limit the Partnership's capacity to effectively support coordination and dialogue on education needs.

The application of proposed "GPE Operating principles in Complex Emergencies" will allow greater clarity for GPE's engagement to further the interests of children and their learning in Yemen.

Basis for engagement - Principle # 1: The best interests of children; Principle # 2: Saving the system; Principle # 3: Humanitarian principles

1. GPE will base its continued engagement in Yemen in the best interest of children in all parts of the country. Based on this principle, the Partnership through the GA (UNICEF) and the Coordinating Agency (UNESCO) will be able to continue support to prevent the education system in Yemen from collapse, immediately through the reprogramming of the current grant within the OCHA-led Yemen Humanitarian Plan (YHRP) and in the longer term within the context of the Transitional Education Plan. The revised Principles will guide reprogramming with a focus on continued support to critical system saving activities required for the delivery of inclusive quality education. Areas of support would be aligned to GPE's core agenda of systems strengthening and capacity building but would be provided at school and community levels to minimize political risks.
2. In providing this support, the Partnership will follow the humanitarian principles of humanity, neutrality, impartiality, and independence.

Alignment and interim authority - Principle # 4: Non-political engagement; Principle # 5: Alignment with UN/International arrangements; Principle # 6: Interim authority on GPE processes; Principle # 7: Function over form

1. GPE's engagement in Yemen will be aligned with UN resolution 2216, which calls for "*all parties to facilitate the delivery of humanitarian assistance, as well as rapid, safe and unhindered access for humanitarian actors to reach people in need of humanitarian assistance.*" The alignment of GPE support with UN principles of engagement and the YHRP will ensure a clear, internationally agreed framework for GPE's support. The risk of politicization is mitigated through explicit adherence to recognized humanitarian principles and non-political engagement.
2. The Partnership's coordination with both the internationally recognized government in Aden and the de-facto authority in Sana'a will enable delivery of education support to Yemeni children regardless of who controls the territory they live in.
3. In alignment with the Principle related to interim authority, the Development partners (DPs) including Civil Society Organizations (CSOs) and the education cluster through the CA will be able to organize dialogue around and endorsement of appropriate revisions of GPE support, especially for the territories not under the control of the recognized government. This will also provide the possibility of the direct implementation of the ESPIG by the GA.

Working with others – Principle # 8: Complementarity; Principle # 9: Commitment to a shared plan endorsed by key stakeholders as the basis for interventions

1. The Partnership will continue its support to UNESCO/IIEP in developing a three-year Transitional Education Plan (TEP) for Yemen, focusing on interventions in basic education. The development of the TEP is financed by the ESPIG. The plan aims to ensure the alignment of all international support behind one plan. It will also estimate education funding needs as a basis for advocacy and fundraising by the government and partners.
2. GPE facilitated the development of Education Cannot Wait's (ECW) first grant to Yemen by organizing dialogue with the Local Education Group (LEG). The GPE Secretariat will continue to seek collaboration with ECW to ensure complementarity both in terms of coordination and funding. The single planning framework under development by UNESCO/IIEP will mitigate the risk of duplication of efforts.

Syria

Syria is currently not a GPE member. In February 2018, the GPE Finance and Risk Committee in its delegated authority from the Board of Directors approved a maximum country allocation of US \$25 million for the Syrian Arab Republic. The allocation was made based on the new eligibility and allocation formula, and with the expectation that a new regional approach to financing in cross-border conflict and crisis situations would shape the decision on how to use GPE resources intended for Syrian children. In February 2018, the GPE Secretariat participated in the Syrian Education Dialogue Forum (EDF) meeting as an observer and shared information on the MCA. The Secretariat sought inputs from EDF members (bi-lateral donors, UN agencies and Save the Children) on possible GPE engagement in Syria.

In response to the Secretariat's request, the EDF leads (DFID, UNICEF, Save the Children) on behalf of EDF members submitted a Concept Note for potential GPE engagement in Syria, which included

a potential request for accelerated funding while the overall approach was being worked out. The GPC reviewed the Concept note and decided that accelerated funding could not be provided until the GPE Board has agreed the overall approach, as Syria does not currently meet the GPE membership or funding model requirements and the development of an approach to financing in cross-border conflict situation was at a nascent stage. The committee suggested that EDF wait until the Board approves Operating principles for engagement in complex emergencies.

The proposed “GPE Operating Principles in Complex Emergencies” will provide flexibility to adapt engagement appropriately to the circumstances in Syria, furthering the interests of children in line with GPE’s Strategic Goals while managing risks. A risk analysis would need to be conducted as a basis for support, considering political and fiduciary risks, as well as potential risks to beneficiaries and implementing partners.

Basis for engagement - Principle # 1: The best interests of children; Principle # 2: Saving the system; Principle # 3: Humanitarian principles

1. GPE’s engagement in Syria would be based on the best interest of children and would seek to ensure that education provision is available to children and youth in need.
2. To support both immediate and medium-term educational needs and promote continuity of education support to children and youth, GPE’s engagement should keep its focus on the core GPE mandate to strengthen systems and capacity. This would mean support to sector planning (likely transitional), data collection, and activities such as teacher capacity development and support to school management. The focus would be as close to schools as possible. Implementation mechanisms would be adopted according to UN resolutions and would follow the humanitarian principles of humanity, neutrality, impartiality, and independence.

Alignment and interim authority - Principle # 4: Non-political engagement; Principle # 5: Alignment with UN/International arrangements; Principle # 6: Interim authority on GPE processes; Principle # 7: Function over form

1. Non-political engagement, UN arrangements and interim authority principles, as well as the function over form principle and the best of interest of children principle, would enable GPE to allocate the resources through agreed channels without the Syrian government’s engagement and process to become a GPE member.
2. GPE’s engagement would be aligned with current UN Resolutions 2165 and 2393, which call for all parties to the conflict to comply with international humanitarian laws. In particular, Resolution 2165 emphasizes that, *“...all Syrian parties to the conflict shall enable the immediate and unhindered delivery of humanitarian assistance directly to people throughout Syria, by the United Nations and their implementing partners, on the basis of United Nations assessments of need and devoid of any political prejudices and aims, including by immediately removing all impediments to the provision of humanitarian assistance.”*
3. The Principles would allow GPE to align its support with the “Whole of Syria” approach, which has been established to provide humanitarian assistance directly to the populations in need through two hubs based in Damascus and Gaziantep.

4. In line with existing UN arrangements⁹, GPE could ensure that no funds are transferred to any party to the conflict including the Government of Syrian Arab Republic as well as the authorities in areas controlled by the Syrian Interim Government and Kurdish authorities. Any decision to revert to a normal ESPIG implementation mechanism in collaboration with government authorities could only be made by the GPE Board once the conflict is over and according to future UN resolution/s. This would include the requirement that Syria go through normal membership procedures and commitments to become a GPE member.

Working with others – Principle # 8: Complementarity; Principle # 9: Commitment to a shared plan endorsed by key stakeholders as the basis for interventions

1. GPE could support UNICEF and UNESCO to continue the development of a TEP for Syria. They have been working on the data collection for the Education Sector Analysis (ESA). The Partnership's support through an Education Sector Program Development Grant (ESPDG) may be provided under the conditions that the ESA and the TEP cover government and non-government-controlled areas, and that no funds are disbursed to any party to the conflict.
2. GPE would engage in dialogue with development partners including non-political Syrian and international CSOs to ensure that views of key stakeholders are considered in the planning of GPE supported activities for Syrian children.
3. GPE would be able to process the ESPIG to a nominated Grant Agent under an independent education coordination mechanism such as the Education Dialogue Forum.”
4. GPE facilitated the development of ECW's first grant to Syria by coordinating dialogue between the humanitarian and development partners, leading to the formation of EDF. The ESPIG would be developed in alignment with other initiatives including ECW support.

⁹ Under UN Security Council Resolution (UNSCR) 2165 (2014), which was subsequently renewed through UNSCR 2393 passed in 2017, UN agencies and their implementing partners have been able to provide cross-border and cross-line humanitarian assistance in hard-to-reach areas. UNSCR 2165 suspended the normal rules of an international system premised on state sovereignty and legitimacy. The resolution allowed UN agencies to provide direct assistance and play a coordinating role in the broader response, as well as lending international legitimacy to cross-border work by local and international non-governmental organizations. In the education sector, under the Whole of Syria mechanism, the UN does not provide direct support to the Ministry of Education in Damascus or to the Education Directorates in areas under the control of the government. UN agencies follow a sub-grant financing modality to transfer funds to NGOs according to the Syrian Humanitarian Response Plan (SHRP). However, there are currently also mechanisms where the UN can and does provide financial support to the Government in Damascus for specific education activities.

ANNEX 4 – GPE AND ECW COMPLEMENTARITY

Background

GPE has prioritized education in fragile and conflict-affected states for the past decade. Currently, approximately half of GPE's developing country partners are classified as fragile and conflict-affected countries (FCACs) and 60% of GPE's grant funding supports these countries. The Financing and Funding Framework adopted by the Board of Directors in 2017 strengthened GPE's focus on education preparedness and resilience in emergencies. The Maximum Country Allocation (MCA) formula was revised to explicitly include a weighting for fragility, making new FCAS eligible for GPE support and focusing more resources to existing FCACs.

The Global Partnership for Education (GPE) shares the objective of ensuring quality education for children affected by conflict and crisis with Education Cannot Wait (ECW). ECW was established at the 2016 World Humanitarian Summit by international humanitarian and development aid actors to help position education as a priority on the humanitarian agenda, promote a more collaborative approach, and foster additional funding for crisis-affected children and youth. ECW has so far invested in 19 crisis-affected countries. Of these, 13 are GPE member countries (Afghanistan, Bangladesh, Central African Republic, Chad, Democratic Republic of Congo, Ethiopia, Madagascar, Nepal, Nigeria, Papua New Guinea, Somalia, Uganda, and Yemen); three are GPE eligible (Indonesia, West Bank and Gaza, Syria) and the remaining three are not eligible for GPE support (Lebanon, Peru, Ukraine).

GPE and ECW play different roles in seeking to bridge the gap between emergency and development from opposite ends. GPE focuses on strengthening education systems through sector policy dialogue, strengthened national planning and implementation, and support to the implementation of education sector plans or transitional education plans. Its role in bridging emergency and development education support is derived from its core focus on context-sensitive education policy, planning and implementation and its equity goal that drives attention to the most excluded populations. Working with humanitarian actors and development partners, ECW was established to specifically fill a gap in crises and protracted crisis contexts. ECW has a specific mandate to ensure the bridging of humanitarian and development work, with a focus on both lifesaving activities and system strengthening.

Institutional Links and Collaboration

GPE played a key role in establishing ECW, providing staff support before the ECW secretariat was staffed. GPE continues to be closely involved in ECW's governance mechanisms: GPE's Board Chair is a member of ECW's High-Level Steering Group and supports advocacy and coordinated efforts to secure future funding for ECW. The GPE Secretariat is represented in the Executive Committee of ECW and supports the Strategy Development Group, Finance, and Risk Task Teams. GPE's Board of Directors and ECW's High-Level Steering Group have significant overlap in institutional membership which should provide harmonized guidance to ensure continued guidance for complementarity.

GPE and ECW both have mechanisms for coordination, planning, and funding. The secretariats have therefore worked together over the past year to map out these mechanisms and identify complementarity and links, and on this basis to develop clarity on messaging and protocols for

collaboration. Multiple joint missions have been organized to help link together support in specific countries.

Coordination Mechanisms

GPE's country level coordination mechanism is the national forum established for education sector dialogue. This is referred to as the Local Education Group (LEG) in GPE guidance, but the group has different names in different contexts. One of GPE2020's three country level objectives is to strengthen policy dialogue through effective, inclusive LEGs. When providing accelerated funding for emergencies, GPE requires the LEG to collaborate with the Education Cluster.

ECW's entry points to coordination are OCHA and the Education Cluster, and UNHCR in the case of refugee emergencies. In addition, a country level steering committee is established to oversee multi-year resilience plans. While the humanitarian coordination mechanism is ECW's main entry point, ECW also ensures LEG representation in the development of the multi-year resilience programs, where the government is also engaged as one of the driving forces.

Complementarity

To establish a bridge between emergency and longer-term education support, links between the various coordination mechanisms are needed. On one end, ECW has the ability to mobilize partners around emergency and resilience plans and can do so quickly within the established UN response architecture. At the other end of the 'bridge', when providing Accelerated or reallocation of funding for emergencies, GPE requires the LEG to link with the Education Cluster and to use the cluster needs assessment as a basis for defining activities. Apart from exceptional cases, GPE also requires government involvement, which is essential to connect emergency with longer-term sector development. Through collaboration protocols, GPE and ECW can work together to facilitate these connections.

Planning

One of GPE's three country level objectives is to strengthen education sector planning and policy implementation. A credible education sector plan (ESP) or transitional education plan (TEP) is a prerequisite for GPE funding. Guidance developed jointly with UNESCO IIEP for ESPs and TEPs includes context risk assessment, mechanisms for emergency preparedness as relevant, and the promotion of inclusion of refugees and other excluded populations in sector plans.

ECW works on the basis of humanitarian response plans. For longer term support in protracted crises, ECW also supports the establishment of Multi-Year Resilience Plans. The MYRPs are aligned to the humanitarian strategy as well as national education plan and strategies.

Complementarity

If not connected effectively to government-owned sector plans, emergency plans or MYRPs risk disconnecting children and youth from longer term education opportunities that require specific language skills, curriculum content and certification. Conversely, ESPs or TEPs may not always provide sufficient attention to emergency response activities or education for refugees or other affected communities. Together, ECW and GPE can help facilitate these links. When possible, a single medium-term plan should be in place. If ESP/TEPs and MYRPs are separate, efforts to clarify links are essential.

Funding Mechanisms

Under its Operational Framework for Effective Support in Fragile and Conflict-Affected States, adopted by the Board of Directors in 2013, GPE can provide funding to emergencies through its Education Sector Program Implementation Grant (ESPIG), either by providing Accelerated Funding (up to 20 percent of an MCA that has not yet been accessed) or by rapid restructuring of an existing ESPIG funded program. The Operational Framework also provides for adaptations to coordination and collaboration with government in cases of unrecognized or sanctioned governments. Moreover, GPE's Education Sector Plan Development Grant (ESPDG) has supported the development of transitional education plans in multiple crisis-affected contexts, followed by ESPIG funding for the implementation of transitional plans. The Principles for engagement in complex emergencies will provide greater clarity on how to engage in the most complex contexts eligible for GPE support.

In the early phases of an emergency, ECW has a dedicated first response funding window. This window responds to the most immediate and urgent needs at crisis onset or escalation. It provides rapid funding against inter-agency coordinated proposals and is aligned with inter-agency planning and resource mobilization strategies, such as Flash Appeals and Humanitarian Response Plans. In addition, ECW's Multi-Year Resilience window provides funding for protracted crises. Integrating immediate and medium-term responses that are mutually reinforcing, it is geared towards bringing in longer-term predictable financing and thereby bridging relief to development. Finally, ECW's Acceleration Facility is being developed to enable field-driven research, innovation and best practices, and strengthened partnership around education in emergencies—much as GPE's Knowledge and Innovation Exchange (KIX) will do for education technical issues.

Complementarity

Unless specific exceptions apply, GPE requires a host government's request and endorsement for ESPIG funding to be approved in emergency situations, while ECW can operate without government approval and channel emergency funds directly in response to humanitarian crises. While ECW has greater flexibility to target its programs to support education service provision to crisis-affected children and youth in a short timeframe, GPE has an explicit mandate for bringing governments on board, and for establishing essential links to longer-term education opportunities within the national education system.

Conclusion

Both GPE and ECW are working to address the funding gap of education support in emergencies. ECW was established to address the funding gap in emergencies, while GPE aligns its funds to fill this gap in situations where the countries it is working in become crises countries. Usually, needs are far greater than the resources available and both partnerships' resources are needed. If coordination mechanisms and plans are integrated, as discussed in the above sections, optimal support to children and youth can be provided in the short, medium and longer term. GPE and ECW's secretariats have started a process to jointly define complementarity and develop protocols to optimize opportunities for coordinated, inter-linked support that helps bridge the gap between emergency and longer-term education provision.

Fulfilling the education rights of children in conflict and crisis requires the flexibility to act quickly and to link first response to predictable medium-term response, as provided by ECW. It also requires strategic and sustained efforts to ensure children and youth affected by emergencies have access to government-operated, formal education systems so their education is certified for access to higher levels of education, as promoted by GPE.