

Principled Humanitarian Action

1. **Purpose.** The aim of this paper is to outline what our humanitarian principles are and to explain some of the challenges that result from them. It is to act as a discussion for the Board to determine whether it wishes to adhere to these principles and to use them to inform the strategic direction of travel.
2. **Background.** Team Rubicon UK functions in an increasingly complex operating environment. Current and future operating environments will differ on an operation by operation basis. Interventions are now funded and governed via a range of architectures responding to this complex environment. Over the next 30 years climate change, growing populations, urbanisation, competition for land, proliferation of non-state actors and increased threats to the rules based international order will predominate. Team Rubicon UK will be confronted with numerous challenges and constraints as it tries to deliver operations. These will need to be understood to optimise aid effectiveness.
3. **What are the humanitarian principles?** The humanitarian principles are designed to ensure humanitarian organisations can secure safe and sustained access to affected communities. The principles work to build confidence and trust with all parties to a conflict or disaster. Compliance with, and promotion of the principles are essential elements of effective humanitarian coordination as they provide organisations with a code of conduct.

HUMANITY

Human suffering must be addressed wherever it is found. The purpose of humanitarian action is to protect life and health and ensure respect for human beings.

NEUTRALITY

Humanitarian actors must not take sides in hostilities or engage in controversies of a political, racial, religious or ideological nature.

IMPARTIALITY

Humanitarian action must be carried out on the basis of need alone, giving priority to the most urgent cases of distress and making no distinctions on the basis of nationality, race, gender, religious belief, class or political opinions.

INDEPENDENCE

Humanitarian action must be autonomous from the political, economic, military or other objectives that any actor may hold with regard to areas where humanitarian action is being implemented.

These four principles have been re-affirmed by the UN General Assembly, which originally endorsed them through two resolutions passed in 1991 and 2004. The humanitarian principles are also enshrined in the European Consensus on Humanitarian Aid. (Signed December 2007 by the Council of the EU, the European Parliament and the European Commission).

This consensus is the core framework which guides EU humanitarian aid policy, providing a common vision as well as a practical approach for programme delivery. It ensures programmes carried out by the European Commission's Civil Protection and Humanitarian Aid Operations (ECHO) comply with the principles and provide assistance to those who need it most.

Humanitarian action almost always occurs in complex political and/or militarised environments. The principles are used to distinguish humanitarian actions from activities and objectives of political and/or military actors. They are key to establishing consent and safeguarding 'humanitarian space'.

4. **Principles in Action.** The principles are fashioned to govern humanitarian actor's conduct. Compliance (or non-compliance) affects organisations and other humanitarians' credibility both locally and globally. Actions taken by one organisation have consequences for others; humanitarian actors are interdependent. Maintaining principled humanitarian action in the face of many pressures to compromise

principled action will become increasingly difficult. Each principle will experience different pressures and challenges, as elaborated below.

i) **Humanity.** Widely acknowledged as the most important principle that drives any intervention. Humanity is inherently intuitive and the 'right to life' is a fundamental virtue which must be protected and is explicated in International Laws (2 International Humanitarian Laws, Human Rights Law and Refugee Law.).

It is also a universal principle that is considered a global contract to protect the humane treatment of people. The principle underpins everything humanitarians do, but it is not always the main driver for humanitarian action. The principle is therefore not the sole guide for organisational decision-making. Organisations may have to accept a moral compromise when considered in parallel with the other principles.

ii) **Impartiality.** The primary principle utilised for decision-making purposes is widely accepted to be impartiality. Assistance is provided in accordance with need, and priority should be directed to the most urgent cases. Only an *impartial* action can portray an organization that can then be trusted by communities. It also enables humanitarians to explain aid provision to all stakeholders. It is the humanitarian's 'moral compass'. For instance, accusations of biased interventions would jeopardise any future operations and effectiveness.

iii) **Neutrality.** Operational compliance with this principle enables organisations to enjoy the confidence of all stakeholders (communities, national agencies, donors etc). The principle is intended to shelter relief organizations from hostilities. It is a means to an end; being able to deliver impartial aid. Organisations can abandon *neutrality*, but still remain impartial. For example organisations can criticise a country's politics and also place blame for starting a war, but still provide medical relief. It is worth noting though that a determined attempt to maintain neutrality may still fail at securing impartiality. It is a matter of perception and humanitarians need to manage both the neutrality of actions and how these are perceived.

iv) **Independence.** This is a principle designed to increase the ability of organisations to deliver aid. It is in effect an operational enabler. The *independence* principle is a question of what degree of autonomy an organisation operates with. An organisation should strive to retain decision-making ability based on priority needs and the ability to operate without undue influence by external actors. It can primarily be viewed through two lenses; humanitarian independence and financial independence.

Challenges. Adherence to principled interventions poses challenges for all humanitarians and will be context specific. This can increase insecurities and can lead to situations where affected populations do not receive the aid needed due to compromised principles.

i) **Access.** Humanitarian organisations that are known to be impartial and neutral will have better access to areas most affected by conflict. Positive perceptions are an essential factor to be able to maintain a presence and operations, key for successful delivery of aid action. Insecurity has a profound impact on an affected population's access to aid. Where governments' relief, rehabilitation and development activities are coordinated centrally, humanitarians also face principled action challenges and have to negotiate excessive bureaucracy. Trust is essential and will continue to be a pre-requisite for delivering aid effectively.

ii) **Humanitarian and development nexus.** Tension between humanitarian versus development and post-conflict agendas is evident throughout numerous countries. The UN integrated approach, which aims to coordinate humanitarian response alongside peacekeeping missions and political negotiations, can prove problematic. TRUK holds true to the humanitarian principles of impartiality and neutrality whilst working alongside supporting structures.

ii) **Aid politicisation.** Despite most donors supporting the humanitarian principles through the 'Good Humanitarian Donorship Initiative' and the 'European Consensus on Humanitarian Aid', it can be argued that aid has never been given by nation states without a political purpose. Security, counter-terrorism and foreign policy objectives will therefore continue to sit uncomfortably with the principles of humanitarian action. Donor allocations are ultimately influenced by strategic geopolitical priorities, historical ties and the prioritisation of high profile emergencies. TRUK relies on a philanthropic funding model to enable us to remain independent.

5. **Alternative Funding.** It can be argued the world needs more financial independence for aid so humanitarian assistance can be delivered proactively rather than reactively. To achieve this, organisations have begun to explore innovative funding solutions i.e. the GAVI model or the RAPID fund. Flexible financing models i.e. START fund, Global Innovation Fund, H2H, or led by NGOs at the request of donors such as DfID, aim to restore financial independence in order to maintain impartiality, neutrality, operational independence and resolve humanity imperatives globally. Currently TRUK is exploring avenues to work with these organisations.

6. **Operationalising the Humanitarian Principles.** Principled humanitarian action does improve security for humanitarians. However, the principles are not easy to implement in practice and lead to difficult choices. These choices however can be resolved via a genuine understanding of their application. In order to adapt and respond to the challenges facing the provision of humanitarian assistance in complex environments it is widely accepted that the humanitarian principles do remain relevant. However, TRUK has always prided itself on not being dogmatic, pursuing instead what might be termed '*committed humanitarianism*'.