PRINCIPLED HUMANITARIAN PROGRAMMING IN YEMEN A 'PRISONER'S DILEMMA'?

December 2021

ACKNOWLEDGEMENTS

CONTENTS

LIST OF ABBREVIATIONS

CD	Country Director
DFA	De Facto Authorities
DRC	Danish Refugee Council
ECHO	Directorate-General for European Civil Protection and Humanitarian Aid Operations
EU	European Union
FGD	Focus Group Discussion
HAWG	Humanitarian Access Working Group
HC	Humanitarian Coordinator
HCT	Humanitarian Country Team
HNO	Humanitarian Needs Overview
HRP	Humanitarian Response Plan
HQ	Headquarters
IASC	Inter-Agency Standing Committee
ICCG	Inter-Cluster Coordination Group
ICRC	International Committee of the Red Cross
IDP	Internally Displaced Person
(I)NGO	(International) Non-Governmental Organisation
IPC	Integrated Food Security Phase Classification
IRG	Internationally Recognised Government
KI(I)	Key Informant (Interview)
MSF	Médecins Sans Frontières
NDC	National Dialogue Conference
OCHA	UN Office for the Coordination of Humanitarian Affairs
RC	Resident Coordinator
RC/RC	Red Cross/Red Crescent
RRM	Rapid Response Mechanism
SCMCHA	Supreme Council for The Management and Coordination of Humanitarian Aid
SOM	Senior Officials Meeting
STC	Southern Transitional Council
TMG	Technical Monitoring Group
ToR	Terms of Reference
UK	United Kingdom of Great Britain and Northern Ireland
UN	United Nations
UNGA	United Nations General Assembly
UNSC	United Nations Security Council
US	United States

EXECUTIVE SUMMARY

Commissioned with the support of ECHO, this piece of research comes at a time when serious concerns about the effectiveness of the humanitarian response in Yemen have forced humanitarian actors to reconsider the role that humanitarian principles (should) play in their decision-making. Six years into the conflict, and after billions of dollars spent on the humanitarian response, several individuals and groups of people are still excluded from humanitarian assistance. This is due not only to elements linked to the external context, such as conflict dynamics and social and cultural norms and structures, but also to issues linked to the humanitarian response itself. Recognised as a cornerstone of aid effectiveness, applying humanitarian principles can in theory not only help set the parameters for engagement with non-humanitarian actors but also contribute to securing access and tailoring humanitarian responses to the specificities of each context. Why does this not seem to have worked in Yemen?

The research behind this report has aimed to develop an understanding of the challenges and decisions related to negotiations, access, and coordination that organisations pursue to uphold principled humanitarian action in Yemen. The purpose has not been to review a specific organisation's programme or operations, but to look at the work of various partners representing a significant sample of the Yemen humanitarian response. This has been done through more than 50 semi-structured interviews with key informants, representing INGOs, UN agencies, the Red Cross/Red Crescent Movement, donors, and independent experts; 12 focus group discussions with affected people across

Yemen; and an analysis of approximately 110 documents provided by ECHO partners.

The overarching finding of the research is that a lack of trust and communication about how each agency/organisation operationalises the principles is hindering the effectiveness of the response. Whether implicitly or explicitly, principles are an everyday reference for all humanitarian actors in the country, and **a coordinated principled approach is considered by most as the best way to reach the people most in need with good quality assistance and protection. Still, organisations tend to navigate the context from their own individual perspective, and without consideration of the way their decisions impact the principled humanitarian programming of others, or in the future.**

This tension between agency-specific action and cooperation is reminiscent of a popular image in game theory, the so-called 'Prisoner's Dilemma'. The game explains why two fully rational individuals, unable to communicate, may not cooperate, even if it would appear that it is in their best interest to do so. This captures the predicament that the humanitarian community in Yemen finds itself in well. Like the protagonists in the 'prisoner's dilemma', the members of the humanitarian community each opt for their own agency-specific approaches in the operationalisation of the principles thinking it will bring them most benefit – i.e. greater access and continued funding. And like in the 'prisoner's dilemma', the lack of communication between the protagonists means that the authorities can divide and

conquer. If one organisation compromises on the principles for an immediate gain in terms of access, for example, it will be more difficult for other organisations to hold their stance.

Ultimately, to get out of the dilemma, there is a need to recognise that the game is repeated over time; the short-term gain can only last so long before the long-term implications are felt. Recognising that the members of the humanitarian community will in the long run be better off by communicating with each other around their choices, and coordinating their approaches as much as possible is key. **More meaningful and strategic exchanges around how to approach the context in Yemen in a principled manner would improve the collective leverage of the humanitarian community, and could ultimately make humanitarian action more effective for people in need.**

I. INTRODUCTION

Principled humanitarian programming can never be taken for granted. The delivery of humanitarian aid in complex environments is by nature a balancing act: political and military priorities, institutional dynamics, and donor agendas frequently clash with humanitarian goals. The humanitarian response in Yemen offers a clear example of the challenges humanitarian actors are often called to face. During six years of war, hundreds of thousands of deaths, and the displacement of over four million people,[1] humanitarian actors have been required to navigate a fluid conflict dynamic, significant bureaucratic access constraints, and a myriad of political interests. While these challenges are on paper the same as those of many other crisis contexts, their scale, and the way they come together in Yemen make humanitarian action particularly difficult there.

Within the domain of humanitarian action, the values of life and the worth and fundamental dignity of every human being have been translated into the four core humanitarian principles of humanity, impartiality, neutrality, and independence. These principles are enshrined in various international instruments, including UN General Assembly Resolution 46/182 (1991) and subsequent resolutions (e.g. UNGA Res. 58/114 – 2004); and, especially relevant for the European Union (EU), the 'European Consensus on Humanitarian Aid' adopted by the EU institutions and the Member States in December 2007.[2] Over 600 organisations worldwide have also signed up to them through the Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organisations (NGOs) in Disaster Relief,[3] which includes the principles of humanity, impartiality, independence and neutrality in its first four core principles. The principles serve humanitarian actors both as a compass to navigate difficult decisions and as an essential tool to obtain political acceptance and open access to people in need.[4] In the highly politicised context of Yemen however, there appears to be a trade-off between negotiating access and reaching Yemenis caught in warzones while upholding humanitarian principles.

Commissioned with the support of ECHO, the research behind this report has aimed to develop an understanding of the challenges and decisions related to negotiations, access, and coordination that organisations pursue

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1   UN OCHA, 'Humanitarian Response Plan Yemen 2021'.

2   The four core principles find their origin in the Fundamental Principles of the International Red Cross and Red Crescent Movement, proclaimed in Vienna in 1965 by the 20th International Conference of the Red Cross and Red Crescent Movement. For NGOs, the principles are laid down in the 1994 Code of Conduct for the Red Cross and Red Crescent Movement and NGOs.

3   IFRC and ICRC, Code of Conduct for the International Red Cross and Red Crescent Movement and Non- Governmental Organizations in Disaster Relief.

4   Macdonald and Valenza, 'Tools for the Job: Supporting Principled Humanitarian Action'., Slim, Humanitarian Ethics: A Guide to the Morality of Aid in War and Disaster; Magone, Neuman, and Weissman, 'Humanitarian Negotiations Revealed: The MSF Experience'; HERE-Geneva, 'The Universality and Application of Values and Principles Underpinning Humanitarian Action. Report on the Working Meeting Held on 13 October 2015.'; Egeland, Harmer, and Stoddard, 'Good Practice for Humanitarians in Complex Security Environments'; Haver and Carter, 'What It Takes: Principled Pragmatism to Enable Access and Quality Humanitarian Aid in Insecure Environments'; FDFA, UN OCHA, and CDI, 'Humanitarian Access in Situations of Armed Conflict - Practitioner's Manual'.

to uphold principled humanitarian action in Yemen. The vast literature on the role, history, and challenges surrounding the humanitarian principles[5] has long tended to be of a general and secondary nature rather than based on empirical, field-level research into how humanitarian organisations put the humanitarian principles in practice.[6] More recently, however, resources have been invested to understand the perceived and actual challenges humanitarians face in operational contexts as they apply the principles.[7] By adding to this type of real-time, evidence-based considerations of how humanitarian principles are, could, or should be operationalised, this research hopes to contribute an important piece to what is a complex puzzle.

a. Scope and approach

As specified in the terms of reference (ToR) for the research behind this report, the purpose has not been to review a specific organisation's programme or operations, but to look at the work of various partners representing a significant sample of the

Yemen humanitarian response. While the research has therefore investigated the programmes and approaches to the humanitarian principles of individual organisations (focusing on ECHO partners), the analysis has considered them as an aggregate.

The research has hinged on two main tasks: 1) capturing how ECHO partner organisations in Yemen approach the humanitarian principles conceptually and practically;[8] and 2) identifying the challenges/obstacles and enablers ECHO humanitarian partners face in providing principled humanitarian programming, and assessing to what extent it is possible to infer linkages between these challenges/obstacles, and

a) their approach to the humanitarian principles;

b) their access, presence, and perceived acceptance in Yemen; and

c) the interface between their individual organisation's approach and a coordinated one within the wider humanitarian architecture.

Methods

An overview of the process and methods for data collection and analysis can be found in Figure 1, with a more detailed account given in Annex 1. This report draws from qualitative research, based on semi-structured interviews with key informants (including INGO, UN Agency, and donor representatives), focus group discussions with affected people, and document analysis.

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5   See e.g. Broussard et al., "Challenges to Ethical Obligations and Humanitarian Principles in Conflict Settings: A Systematic Review"; Egeland, Harmer, and Stoddard, "To Stay and Deliver: Good Practice for Humanitarians in Complex Security Environments"; Hilhorst and Pereboom, "Multi-Mandate Organisations in Humanitarian Aid."; Labbé and Daudin, "Applying the Humanitarian Principles: Reflecting on the Experience of the International Committee of the Red Cross"; NRC, "Principles Under Pressure. The Impact of Counterterrorism Measures and Preventing/Countering Violent Extremism on Principled Humanitarian Action".

6   Schreter and Harmer, 'Delivering Aid in Highly Insecure Environments – A Critical Review of the Literature 2007-2012', 13.

7   See e.g. NRC and Handicap International, Challenges to Principled Humanitarian Action: Perspectives from Four Countries; Shenkenberg and Wendt, "Principled Humanitarian Assistance of ECHO Partners in Iraq"; Dyukova and Chetcuti, "Humanitarian Principles in Conflict."

8   The analytical framework in Annex 1 provides more details with regard to how the organisational approach to the humanitarian principles was assessed.

2021

May

June

July

August

September

October

November

Objective
- Develop an understanding of the challenges and decisions related to negotiations, access, and coordination that organisations pursue to uphold principled humanitarian action in Yemen.

Approach
- Not a technical review but a research and learning exercise
- Look at individual and collective experiences and efforts in negotiating access and delivering principled humanitarian action
- Sample of 12 ECHO partners, 7 of which also part of research Steering Committee

DATA COLLECTION PHASE

Document review
- Systematic review of 114 documents provided by ECHO partners part of the sample

Key informant interviews
- 53 interviews conducted remotely.
- 37 interviewees from 12 ECHO partner organisations, 9 interviewees from 5 non-ECHO partner operational agencies, 9 interviewees from OCHA or donor agencies.

Focus Group Discussions
- 12 Focus Group Discussions with affected people (55 women and 44 men) conducted in 8 locations in Yemen, in Dhamar, Hajah, Taiz, Lajh, and Aden governorates

CONSOLIDATION PHASE

Analysis
- Coding of documents and interview notes, using qualitative data analysis software
- Regular exchanges Steering Committee, and team leader of ongoing Inter-Agency Humanitarian Evaluation to anchor findings

Validation Workshop
- Workshop with ECHO partner representatives to discuss findings and consider potential recommendations collectively

Final Report
- Steering Committee validation of final report
- Research intended for the use of the commissioning partners as well as the wider humanitarian community in Yemen

Dissemination
- Findings shared with key stakeholders for uptake and learning
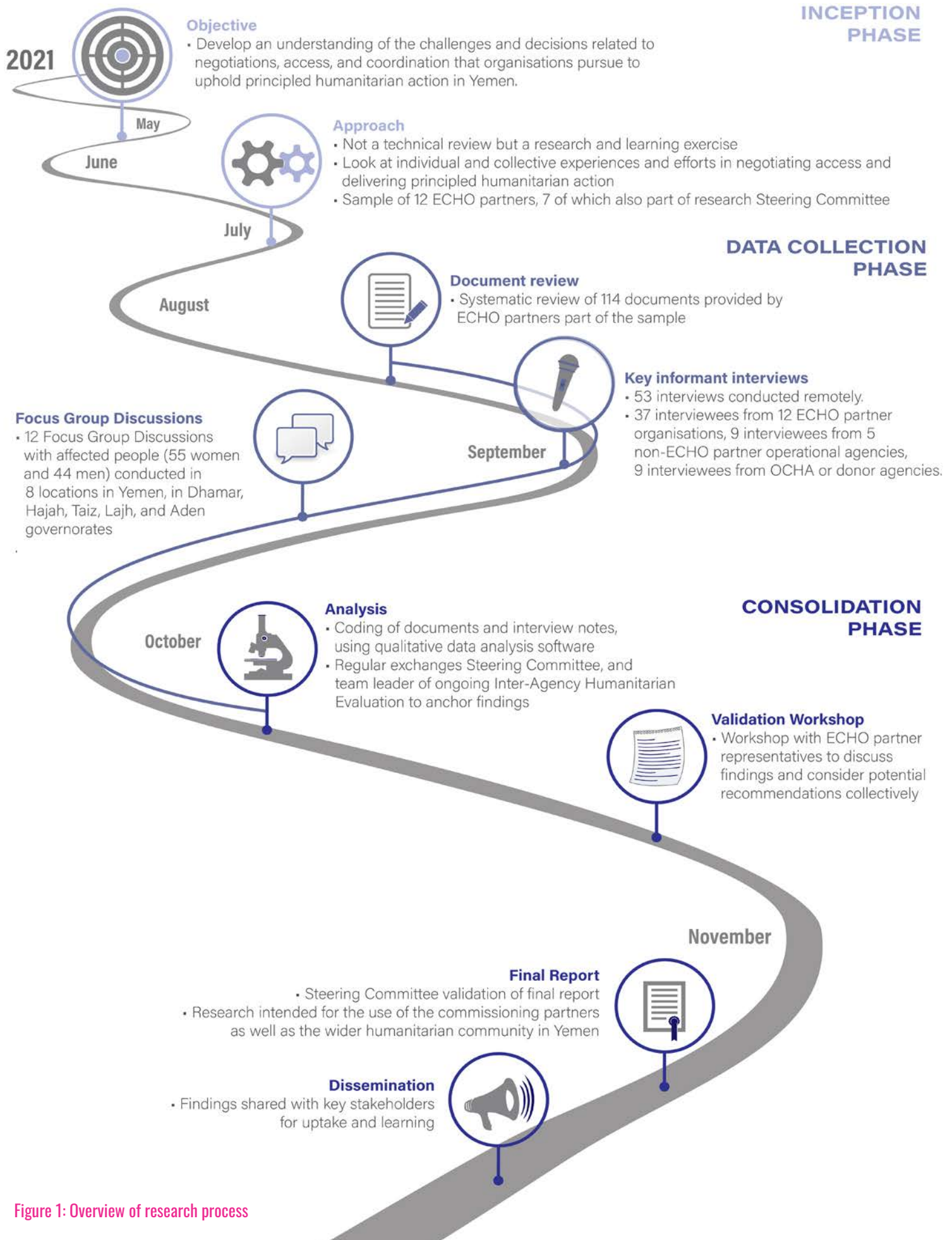
Figure 1: Overview of research process

While a consultation with local authorities would have provided an important insight into the perception they have of humanitarian actors, it was decided in the Inception Phase not to include it within this research. The decision was made as the scope of the study mainly focuses on the perspective of humanitarian organisations themselves. Furthermore, to have a meaningful input from local authorities, the Research Team would have required a good understanding/mapping of the key stakeholders in the different areas of Yemen, which is currently not available. The research team suggests that any relevant findings be used for bilateral discussions with relevant local authorities as a follow up to this research.

b. The Yemeni context

Applying the humanitarian principles of humanity, impartiality, neutrality, and independence in a relevant manner depends highly on the specific operational setting. Before delving into the findings of the research, it is therefore important to understand the context in which the international humanitarian community has been operating in Yemen, in particular with regard to three aspects: the history of the conflict, the international community's engagement in Yemen, and the current conflict dynamics.

The history of the conflict

The conflict in Yemen finds its roots in a failed political transition meant to bring stability to Yemen after an Arab Spring uprising in 2011, which forced its longstanding authoritarian president, Ali Abdullah Saleh, to hand over power to his deputy, Abdrabbuh Mansour Hadi.[9] Taking advantage of Hadi's weaknesses, a separatist Houthi movement (formally known as Ansar Allah) took control of Saada province, and eventually the capital Sanaa as well, between late 2014 and early 2015, forcing Hadi out. Alarmed by the rise of a group they believed to be backed militarily by the regional Shia power in Iran, a Saudi-led coalition of mostly Sunni Arab states began air strikes in March 2015. The coalition received logistical and intelligence support from the US, UK, and France.[10] Hadi's government established a temporary home in the southern city of Aden while the president found refuge in Saudi Arabia.[11]

The international community's engagement in Yemen

As a result of the unrelenting bombing campaign, all UN agencies and INGOs (except for MSF and the ICRC) evacuated Yemen at the end of March 2015. Many did not return until July of that year,[12] or in some cases early 2016. Amman, in Jordan, became the coordination hub for the Yemen response. The international humanitarian response was further delayed by the need to transition from the prevalent development-oriented programmes to an emergency response.

9   'Yemen Crisis: Why Is There a War?'

10   Ibid.

11   RULAC, 'RULAC: Non-International Armed Conflicts in Yemen'.

12   Cunningham, 'Emergency Gap 02 To Stay and Deliver? The Yemen Humanitarian Crisis 2015'.

The UN humanitarian chief declared a Level 3[13] emergency response for Yemen in July 2015 as INGOs and UN agencies began to reorient their programming and staffing to increase their emergency capacity. Since the 2011 uprising, the UN has also been engaged in helping Yemenis find a peaceful solution. The April 2015 UN Security Council (UNSC) Resolution 2216 has recognised Hadi as Yemen's legitimate president and restricted the UN's mandate to a two-party (the Houthis and their allies and Hadi) negotiation framework. Since then, the Special Envoy has facilitated consultations to resume the political transition process.[14]

The National Dialogue Conference (NDC) included a constitutional process and was part of the post-Arab Spring transition.[15] The National Dialogue would agree on the key questions of state and governance reforms. The constitutional process was supposed to be merely a "technical" translation of the NDC outcomes to transform these into constitutional text. De facto, however, the constitutional drafting committee worked mostly in secret, outside of the country, and with no public consultations. A federal map detailing areas of political and economic control (which had already been prepared well before the constitutional drafting started) was imposed. Despite clear warnings, the UN, US, UK, and EU did not encourage Hadi's government to avoid what was clearly a provocative step. The UN Security Council endorsed the process and

officially sanctioned its outcome. The lack of transparency in this process has reportedly led the Ansar Allah to judge the UN as unreliable.[16]

The current conflict dynamics

After six years of war, hundreds of thousands of deaths, and the displacement of over four million people, Yemen is a highly fragmented country. While UNSC Resolution 2216 refers to an idea of Yemen in a pre-1990s north-south divide and a two-party model, there are now multiple tiny statelets and zones of control held by an expanding number of armed groups.[17] The Houthis who control Yemen's populous north-west are joined by a wide array of local forces, both non-state armed actors and political factions, who have turned to regional actors for support.[18] Political analysts have pointed to the UN inability to keep up with the pace of change[19] while Yemen's rival armed and political actors sign internationally-backed accords to gain new advantages.[20] A new pro-southern independence political force, formed in 2017, the Southern Transitional Council (STC) joined Hadi's internationally recognised government as part of a Saudi-brokered deal in 2019.[21] As of 2021, the conflict has intensified along existing frontlines and in the border areas of Marib.[22] The impact of the conflict has been compounded by a severe

16   Based on feedback from KII.

17   Johnsen, 'The End of Yemen'.

18   Salisbury, 'A New UN Envoy Is an Opportunity for a New Approach in Yemen'.

19   Salisbury, 'Yemen's Southern Transitional Council: A Delicate Balancing Act'.

20   Ibid.

21   Ibid.

22   'Crisis in Marib: Averting a Chain Reaction in Yemen'.

13   The classification used for the most severe, large-scale humanitarian crises.

14   'Special Envoy Yemen'.

15   For more details, cf. Gaston, 'Process Lessons Learned in Yemen's National Dialogue'.

economic crisis, disease outbreaks, and natural disasters. This report will consider the whole of Yemen while highlighting the differences across the areas as appropriate.

Finally, the funding landscape largely reflects regional and international conflict dynamics. The Gulf countries – in particular, Saudi Arabia and the United Arab Emirates – have been among the top five humanitarian donors since 2016 alongside the US and the UK.[23] Between 2017 and 2019, the Yemen Humanitarian Response Plan (HRP) was funded at approximately 75% – 85% of the total requested.[24] With the Yemen HRP funded as of November 2021 at a little over 50%, the focus of the international community has turned towards trying to meet the outstanding funding requirements. As in other contexts, whether directly or indirectly, money greatly influences the choices being made in Yemen.

Why look at principles now?

This piece of research comes at a time when serious concerns about the effectiveness of the humanitarian response in Yemen have forced humanitarian actors to reconsider the role that humanitarian principles (should) play in their decision-making.[25] Recognised as a cornerstone of aid effectiveness, applying humanitarian principles can in theory not only help set the parameters for engagement with non-humanitarian actors but also

contribute to securing access and tailoring humanitarian responses to the specificities of each context.[26] However, despite Yemen being one of the most well-funded humanitarian responses in recent years, a recent study found that several individuals and groups of people – prevalently IDPs, the Muhamasheen minority group, people with disabilities, older people and women – are excluded from humanitarian assistance for a multiplicity of factors.[27] These include not only elements linked to the external context, such as conflict dynamics and social and cultural norms and structures, but also issues linked to humanitarian action itself: the focus group discussions (FGDs) conducted as part of this research project have also highlighted that there is a perceived gap between the needs and the assistance received. The data collected did not point to major differences between the areas controlled by the de facto authorities (DFA) in the northern and central governorates and those under the control of the internationally recognised-government (IRG).

The overarching finding of this research is that a lack of trust and communication about how each agency/organisation operationalises the principles is hindering the effectiveness of the response. Each organisation tends to approach the principles from its own individual perspective, without consideration of the way their decisions impact the principled humanitarian programming of others, or in the future. More meaningful and

23   According to the financial data reported through FTS at https://fts.unocha.org/countries/248/summary/2016.

24   Data available through the financial tracking system at https://fts.unocha.org/countries/248/summary/2019.

25   An Inter-Agency Humanitarian Evaluation of the response to the humanitarian crisis in Yemen was also launched in 2020, and this report should be read in conjunction with the forthcoming IAHE report.

26   Labbé, 'How Do Humanitarian Principles Support Humanitarian Effectiveness'.

27   DRC, 'For Us but Not Ours - Exclusion from Humanitarian Aid in Yemen'.

strategic exchanges around how to approach the context in Yemen in a principled manner would improve the collective leverage of the humanitarian community and could ultimately make humanitarian action more effective for people in need. The sections below illustrate this main finding. Section 3 first discusses the way different organisations understand and use the principles. Section 4 looks specifically at access and presence to reflect the perceived tensions between the different principles, and how short-term gains may have long-term implications. Section 5 shows how the lack of cooperation and coordination is a significant obstacle to principled humanitarian programming. The final section concludes with a brief summary of the findings and key recommendations.

II. OPERATIONALISING THE HUMANITARIAN PRINCIPLES IN YEMEN

The Research Team found a high level of literacy in the conceptual understanding and use of the humanitarian principles in Yemen. Most could name and elaborate on their meaning, and an overwhelming majority also specifically emphasised the importance of the principles for the particular context, with one respondent summarising it as "*Day in day out, in Yemen, we talk of principles, and how to engage, and where you stop and where you go*" (INGO respondent). Previous experiences of the Research Team have indicated that it is not in all contexts that respondents know precisely which four principles are referred to as the 'humanitarian

principles', but in this case, this was clear to a large majority. Unquestionably, the humanitarian principles have a given place in the consciousness of humanitarian actors in Yemen. At the same time however, there was a large variation in the way respondents interpreted them, both in terms of how they understood the role the principles play – or can or should play – in Yemen (a), and in terms of how they understood what being neutral, impartial, and independent looks like in practice (b).
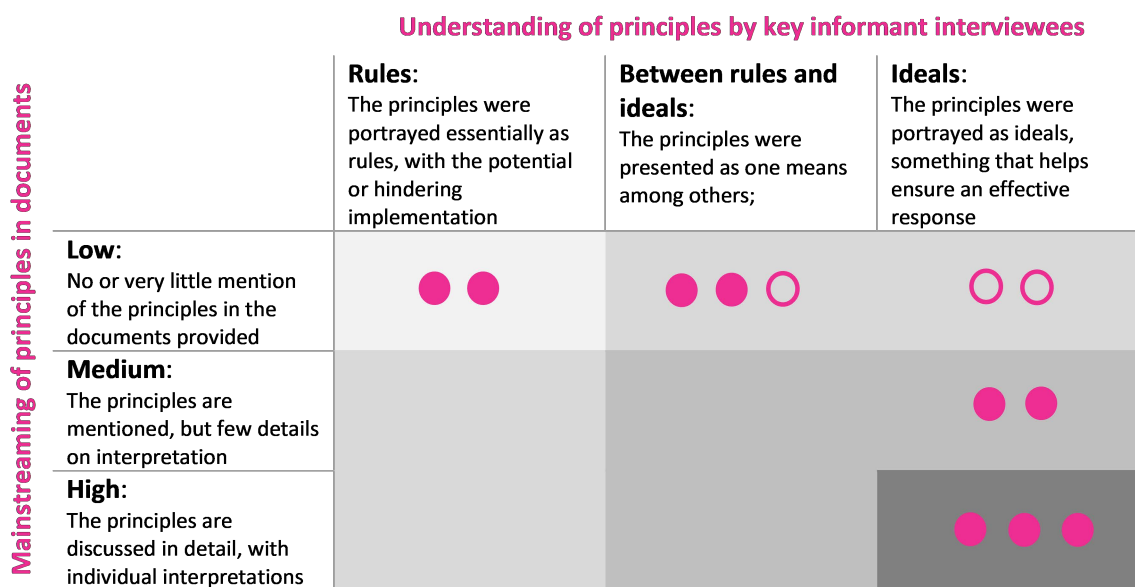
a. The role of the humanitarian principles: rules or ideals?

It is noteworthy that respondents whose organisations operate across Yemen tended to instinctively find the principles more relevant with regard to the DFA-controlled areas, as this is where they saw organisations to be confronted with hard choices more often. All respondents agreed, however, that the principles play an important role in their day-to-day operations, though there were significant variations as to the interpretation of that precise role.

Some clearly saw the principles as a prerequisite for working in Yemen in the first place, saying for example that: "*If you are not neutral, you cannot survive in Yemen;*" (INGO respondent) or "*Without the principles we cannot implement anything*" (UN respondent). To them, principled humanitarian programming is the only type of programming possible. Others saw the principles not necessarily as the means to work in Yemen in the first place, but as the means for a better humanitarian response: "*Making sure that all needs are covered is the*

value provided by humanitarian organisations, and it is based on humanitarian principle adherence" (INGO respondent). Many emphasised that in this case the principles can even be a hindrance to working in Yemen, highlighting for example that: *"Being principled limits your access in this context. This is the reality."* (INGO respondent); or *"In a context like Yemen, being neutral would mean that you would not be able to work like you would like"* (UN respondent). Some respondents portrayed the principles not as a tool for humanitarian response at all, but on the contrary, as an added constraint: *"We are trying to follow principles, at the same time we need to ensure to implement programmes on the ground, we are here to save lives."* (UN respondent); *"In a place like Yemen, it's really hard to maintain the principles, and it causes us sometimes/cripples us sometimes from intervention"* (INGO respondent).

In short, the way in which the respondents approached the principles ranged from those who saw them as the ideals to work towards and to help them frame their day-to-day decisions, to those who saw them as rules to abide by, not as tools to fulfil their humanitarian mission. As can be seen on the horizontal axis in the simplified overview in Figure 2, respondents from seven of the 12 ECHO partners part of the sample tended to see the principles, and in particular humanity and impartiality, as that which ensures the response is truly humanitarian in its reach. Respondents from three organisations emphasised that in a context like Yemen, principled humanitarian programming is only one avenue of many, and that arguments of independence and neutrality are not necessarily always helpful. Respondents from two organisations tended to either ignore the principles as relevant for humanitarian action, or frame them as a hindrance for implementation.

Understanding of principles by key informant interviewees

	Rules: The principles were portrayed essentially as rules, with the potential or hindering implementation	**Between rules and ideals:** The principles were presented as one means among others;	**Ideals:** The principles were portrayed as ideals, something that helps ensure an effective response
Low: No or very little mention of the principles in the documents provided	● ●	● ● ○	○ ○
Medium: The principles are mentioned, but few details on interpretation			● ●
High: The principles are discussed in detail, with individual interpretations			● ● ●

Mainstreaming of principles in documents

Legend: Each dot represents an ECHO partner part of the sample. The three dots that are unfilled are the three partners that did not submit any documentation for analysis, consequently categorised as "low" on the document analysis axis.

Figure 2: Level of mainstreaming of the principles in the document analysis/understanding in KIIs

The vertical axis of Figure 2 indicates the level of mainstreaming of the principles in the documents provided for analysis by ECHO partners in the sample. Four of the partners were categorised by the Research Team as "low" on this axis – i.e. little or no attention was given to the principles in the documents provided for analysis – and two were seen as "medium", i.e. mention was given to the principles in the documents, but there were few details with regard to how to interpret them or incorporate them in practice. Interestingly, the five organisations that scored "medium" or "high" on the document analysis axis are also the ones where respondents consistently saw the principles as key to providing an effective humanitarian response in Yemen.[28]

The importance of nuance

Noting these differences, the Research Team did hear respondents from different organisations criticise the approaches taken by others, and there were tendencies among them to consider their own approach to the humanitarian principles as sacrosanct. **For any successful collective endeavour towards principled humanitarian programming to be possible, it is important to recognise the nuances in approaches, and the fact that different organisations may agree on the role the principles play, but still consider their practical application very differently.** For example, to say you have to be neutral to work in Yemen hinges on what you understand neutrality to mean, e.g., do

human rights play a role in an organisation's understanding of neutrality? Is neutrality intended as a way to shape an organisation's relationship with the parties to the conflict casting doubt on their neutrality towards victims? When looking at all needs, is the aspect of non-discrimination overshadowing the fact that impartiality also dictates that agencies prioritise those most in need? The focus on saving lives seems to reflect a difference in the way temporality is interpreted with regard to the applications of the principles. These differences all have specific implications in terms of the choices agencies/organisations make both individually and collectively, as we will see below and more in detail in sections 3 and 4.

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Key Take-Aways

- Humanitarian actors in Yemen find that principles play a large role their day-to-day operations, but there are significant variations in terms of what that role is seen to be – rules to abide by, or an ideal to be guided by and work towards. There is a tendency for different stakeholders to consider their own approach to the humanitarian principles as sacrosanct.

- Too polarised a discussion around the principles is detrimental to a successful collective approach to principled programming. The recognition of possible nuances allows for a reflection on what type of compromises may be necessary, and what safeguards may consequently be needed.

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28   This does not include the two organisations that scored "high" on the interview axis, but which did not provide any documents for analysis, i.e. the two unfilled dots in Figure 2.

b. The humanitarian principles in practice

What, then, does principled humanitarian programming look like in practice in Yemen? The research revealed that, this too, differs from organisation to organisation in varying degrees. Here below, we will look at the principles one by one, considering how individual organisations in Yemen tend to approach them.

Humanity

Only four of the 37 ECHO-partner respondents specifically referred to the principle of humanity per se when asked the open question of what principled humanitarian programming means in practice in Yemen. However, reflections around the need to ensure that access and activities are motivated by needs were prevalent. Most interviewees explained that being a principled humanitarian actor primarily means intervening to address needs and being present in a given humanitarian context. As such, the principle of humanity appeared intended as the humanitarian imperative in the minds of respondents, and it was then in turn further reduced to efforts to negotiate access and presence. This may

not be very surprising, given the prevalence of the access discussion for the context of Yemen, but it appears worrying that the other facets of the principle of humanity (notably protection, and engagement with affected communities) generally appeared to have taken a backseat. This is confirmed by the document analysis, which showed that while the 'humanitarian imperative' is mentioned relatively frequently, how beneficiaries perceive humanitarian actors – which is crucial to acceptance and relevance of services delivered – is rarely discussed. Indeed, the documents from many of the partners indicated a higher concern for the perception of authorities than that of affected people.

The FGDs undertaken for this research also indicated that affected people – be it in IRG or in DFA-controlled areas – were rarely, if ever, consulted or informed of services available to them; they tended not to be aware of which organisations provide them with services and why; and generally found the conditions in which they live to be below any threshold for human dignity. This situation also indicates that there is a very fine line – if any – between what can be considered principled humanitarian protection and assistance, and what is simply good programming (see text box 1).

TEXT BOX 1 - Principled humanitarian programming as simply good programming?

The focus group discussions with affected people in Yemen – both in IRG and DFA-controlled areas – saw a recurring complaint about a basic programming element of any humanitarian response: the toilets. Men and women's toilets were generally located next to each other. In one camp in Lahj, a woman complained that she would not use the toilets at night because she would not feel safe. This has caused serious health problems. Such conditions infringe on the principle of humanity both in terms of the lack of adequate attention to protection concerns and aspects of human dignity. It is also to be acknowledged simply as bad programming, and a basic issue that should simply not be found in a modern humanitarian response.

For the large majority of ECHO partners in the sample, **ensuring access and presence appears to have taken over how they frame the principle of humanity, at the expense of a concern for dignity and for accountability** to affected populations.[29]

Impartiality

The principle of impartiality was prevalent in the interviews and the Research Team saw that it is at the forefront of most actors' considerations, both in terms of the principle's non-discrimination facet, and the efforts to reach those most in need. Again, however, different organisations had different ways of defining what impartiality looks like. This also had specific implications on the choices made (see text boxes 2 and 3).

First, organisations had different understandings of **what** 'greatest needs' mean, depending on their specific mission. Both the KIIs and the document analysis indicated that most of the organisations of the sample start from their own sectoral focus and palette of interventions available to identify priority needs. An organisation focusing on food security and nutrition will find that Yemen is in a state of famine. An

organisation that focuses on health will find that cholera needs to be prevented. This appears to have led to gaps in the response, between aid given and actual needs. "E*ach organisation come and they already decided what they will give us*" (FGD participant in Crater, Aden). It should be noted that some of the organisations of the sample specifically highlight the importance of a multi-sectoral approach, precisely to ensure that the identification the "greatest needs" is not biased by any organisation's mandate. This is also in line with ECHO's Humanitarian Intervention Plan (HIP) for 2021.

Second, the understanding of **where** those most in need are – whether at the programme or at the country level – is influenced by an organisation's operational space and established presence. The Research Team found that organisations operating only in a specific area in IRG-controlled territories apply the principle of impartiality at the micro level. They naturally focus on ensuring that their programmes target those most in need in their area(s), in a non-discriminatory way, and according to their mission. Only a small minority of the sample of the organisations with a country-wide presence noted that to assist those

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29   For more on this, see the section on presence and proximity.

TEXT BOX 2 - Impartiality: same principle, different outcomes

In DFA-controlled areas, organisations have been faced with requests for 'incentives', paid to the Supreme Council for The Management and Coordination of Humanitarian Aid (SCMCHA). Some organisations made the strategic choice to pay these incentives, essentially to ensure their impartiality in the short-term. By paying, they saw themselves able to reach those people most in need. Other organisations made the choice not to pay the incentives, also motivated by the principle of impartiality. In their view, the incentives would challenge their independence, and ultimately they would no longer be able to guarantee in the medium term that they would be able to provide assistance to the priority groups they would like to provide assistance to. Different decisions lead to different expectations in terms of outcomes which can have implications on the overall humanitarian response as well as on the stances of the local authorities.

most in need they prioritise being along the frontlines. The others highlighted how they aspire to be impartial from a whole-of-country perspective but access constraints confine them to applying impartiality mostly at the programme level as well. "*Huge gap between where are the needs, and where to we have space to operate rather than at country level*" (INGO respondent). Many resources, for example, tend to be shifted to IRG-controlled areas, where the space to operate is considered relatively easier, as one respondent noted.[30] The notion of 'most in need' is thus challenged and becomes 'all are in need.'

Third, there is a subtle divergence among organisations in the understanding of **who** the most in need are. ECHO's HIP for 2021[31] does not provide concrete guidance, noting its priorities as emerging needs due to the ongoing violence and sudden natural disasters and the acute needs of the most vulnerable affected communities and protracted IDPs. For agencies with a specific population mandate (e.g. refugees, migrants people with disabilities,...) the question of who are the most in need appeared somewhat moot. These organisations highlighted that for them, impartiality is to ensure that these groups remain a priority in the response. For the other organisations, the Research Team often heard respondents conflate 'most vulnerable' with 'most in need.' This conflation was also reflected in the document analysis. It was justifed by interviewees in view of the idea that needs in Yemen are in any case prevalent everywhere, and have been since before the conflict. However, as the Research

Team saw in Iraq in 2017, the logic should arguably be the opposite: because all are in need and because all cannot possibly be served, aid agencies must prioritise those most in need. Alongside IDPs more generally, some organisations in the sample have prioritised specific groups such as the Muhamasheen, based on the understanding that they were already orginally cut off from services due to pre-existing socio-cultural discrimination. Defining who is most in need has specific programmatic implications. For the provision of health services, for example, organisations prioritising the Muhamasheen and other often discriminated groups focus on a balance between interventions in existing health centres and mobile clinics. The latter are important to reach and assist these groups where they are.

Finally, adherence to the principle of impartiality in Yemen is complicated by **a fragmented view of existing needs**. The Research Team found that there is no reliable data in Yemen, and that everyone is constantly running after information. While a building block, most respondents did not consider the HNO helpful to inform operations. As one respondent put it: "*The HNO is not up-to-date and comprehensive, nor detailed enough, the aggregated severity indicators are confusing and not accurate, we can't base our decision on them*" (INGO respondent). Similarly, as a UN respondent mentioned, the Integrated Food Security Phase Classification (IPC) is based on projections and not hard data and that projection ended in June 2021. Similarly, an INGO respondent added that "*Figures used are based on very rough estimations but are used as hard figures. The operational COVID treatment centres, gives you the impression it's a centre with nurse and doctors etc., but it's not the case*". In any

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30   Other respondents however challenged the view that it is 'easier' to work in the IRG-controlled areas, and that the needs there are lower is in fact not correct, since while there may be less bureaucratic impediments, the lack of a stable interlocutor and basic services makes it an equally difficult area to navigate, with an equal amount of needs.

31   ECHO, 'Humanitarian Implementation Plan (HIP) - Yemen'.

need-based response, needs assessments play an essential role, not only from an individual organisation's perspective but also from a systemic one. Humanitarian needs overviews (HNOs) are an integral part of the humanitarian programme cycle together with monitoring and evaluation. Yet without accurate data, can anyone truly adhere to the principle of impartiality?

Independence

Both the document and the interview analysis saw that the principle of impartiality was often linked with that of independence, as seen in text box 3 below. The perceived constant intervention of authorities, especially in the DFA-controlled areas, means that organisations find it impossible to conduct independent needs assessments and develop programmes independently, which was ultimately seen as hindering impartial aid delivery. Interference with beneficiary lists was the single most mentioned example by all respondents. *"We should be allowed to select beneficiaries without interference: independence and impartiality are key. Biggest struggle is the independence for NGOs. And then this impacts impartiality, too. So not sure if we meet certain most pressuring needs because we can't be independent"* (INGO respondent). *"Mid 2019, we had a targeting issue, we wanted to target those most in need, and then of course they [DFA authorities] don't like it: because sometimes we have an obligation to update beneficiary lists, and they object to that. When you think about it, it's a very basic thing actually. But it's key"* (UN respondent).

The document analysis has showed that several organisations part of the sample have produced general issue-based guidance on e.g., data sharing/data confidentiality, or access strategies, and some mention is

made of the importance of independence, but with little practical indication of what that means. Only a few have developed guidance to support staff in terms of maintaining their independence when facing authority interference. One organisation, for example, mentioned a communication package translated into Arabic for the use of all staff. It provides a matrix on what to respond to authorities, contingent to their request. This includes examples of a variety of questions and answers.

In interviews, the large majority of respondents did raise the fact that to ensure their operational independence, they had organisational red lines in place. Among respondents, it was mostly the INGOs who highlighted that sharing beneficiary lists with authorities is a red line. Other types of red lines included being restricted in the type of programmes to be carried out or being forced to work only in one area over another. While some organisations appeared to favour an approach whereby red lines are consistently used to inform operational decision-making, others appeared to apply them more reactively, when confronted with a specific incident. Generally, there was an understanding that receiving instructions from the authorities as to whom to target was something to be looked at on a case-by-case basis. Most respondents saw that compromises were possible provided that a minimum set of requirements were in place. These, however, (may) change from organisation to organisation.

With some exceptions, the document analysis revealed very few mentions of the issue of financial independence. Of the documents that do discuss it, only two consider the role that their donors play in the conflict, and the perception that this creates. Generally, in interviews, all respondents

acknowledged that they are still very much relying on what funding is available to inform their operational priorities. With regard to ECHO as a donor specifically, the large majority of their partners were very positive in their view of ECHO as a knowledgeable and present donor. They did not find that their willingness or inclination to mainstream the humanitarian principles throughout their programmes and coordination was necessarily influenced by ECHO. They felt that there was already a general alignment in terms of their respective views of the importance of the principles in a context like Yemen, and they appreciated ECHO's support in pushing for space for principled humanitarian action. It should be noted that a non-ECHO partner respondent did voice a concern that ECHO was too focused on its specific view of what principled humanitarian action looks like in Yemen. To them, ECHO contributes to a polarised discussion around the principles to the detriment of a reflection on what type of compromises may be necessary and what safeguards may be needed.

Neutrality

The content analysis of the interview notes indicates that the principle of neutrality was the one most often referred to by respondents when asked what it means to be a principled humanitarian actor in Yemen. The document analysis also indicates frequent references to neutrality, though a closer look shows that it is essentially used as general rhetoric, with little detail in terms of what being neutral in Yemen actually means or looks like. The Research Team saw that organisations in the sample put forward two main elements as contributing to shaping an organisation's perception of neutrality among authorities and affected populations. One is funding, the second is where you operate.

First, in terms of funding, as mentioned above, the document analysis showed that only two organisations reviewed grants in light of the perceptions this may create of their independence and neutrality. In interviews, the source of the funding was raised as an issue of concern. Some organisations do accept funding from donors involved in the conflict as they see it as the donors' duty to address some of the needs they have contributed to create. The others, even though this was not raised as a red line per se, perceive the source of funding as potentially problematic. This fragmentation of views was particularly evident in the case of the Famine Relief Fund. Set up in 2021, to alleviate hunger and prevent famine, a number of INGOs decided not to work with the Fund because of the lack of transparency around its governance and source of the funding.[32] There were also concerns around the requirement – in an otherwise largely unrestricted set-up – to spend the large grants within a four-month period, as opposed to the usual 12 months.

Second, in terms of where humanitarian actors operate, all respondents reported that authorities (both in IRG and DFA-controlled areas) tend to leverage the principle of neutrality to prioritise funding contributions to the areas under their control. Respondents from some organisations did emphasise that they work both in DFA and IRG-controlled areas, as a requirement in terms of the principle of neutrality, but few other safeguards appeared to be in place. Among the respondents, some questioned whether the only fact of being an international organisation already infringed on their ability to be seen as neutral, especially in DFA-controlled areas. Some respondents, for example, mentioned that the international

32   Parker and Slemrod, 'The Biggest Yemen Donor Nobody Has Heard Of'.

humanitarian community had become the target of significant negative media campaigns, particularly in DFA-controlled areas.

Generally, there appeared to be little reflection around how to ensure international humanitarian actors are perceived as neutral in Yemen – be it by authorities or affected people.[33] No one raised perception surveys as a tool to help them in assessing changing stances towards humanitarian actors and in facilitating community acceptance.[34] The perception of neutrality calls for careful consideration of any issue that could potentially play a negative role, particularly in a context that already sees ongoing negative media campaigns against the international humanitarian community. Only one organisation in the sample had documentation indicating that advocacy is seen as a tool to ensure they are perceived as neutral in Yemen. Their advocacy capacity is used to distance itself from the UN-narrative of Yemen as "the worst humanitarian crisis in the world", while emphasising the need for evidence-based needs analysis.

In conclusion, in Yemen, there may be general agreement around the goal of being neutral, impartial, and independent, but the path on how to get there may differ depending on the individual approach of each organisation. For some, principled humanitarian programming is first and foremost a matter of constantly pushing back on authority interference, to ensure complete independence in choosing which activities to carry out, where, and for whom. For others, carrying out principled humanitarian programming is primarily a question of negotiation, and of continuous engagement that allows to navigate between acceptable compromises and red lines. For others still, being a principled actor in Yemen should be seen in terms of building a true field

presence, which enhances both acceptance and the true understanding of needs, ultimately allowing for access to those most in need. Arguably, none of these answers are 'wrong', as it is essentially a question of interpretation. And, as discussed in a previous study on principled humanitarian action in the context of Iraq, the ultimate interpretation of what being principled means matters less than the degree to which humanitarian actors show that they have considered and weighed the principles in their decision-making in the first place.[35] Such consideration and weighting should bear in mind that there may be tensions between the principles, and that a decision made in regard to one may have implications in regard to another. These implications may be immediate, or they may be felt in the longer term, either by the organisation making the decision itself or by other organisations, in their endeavour to operationalise the principles. This will be discussed more in detail in the next section, looking particularly through the lens of access and presence.

Key Take-Aways

- Ensuring access and presence appears to have taken over how humanitarian actors in Yemen frame the principle of humanity, at the expense of a concern for dignity and for accountability to affected populations. This has also specific implication on the principle of impartiality.

- Organisations find it impossible to conduct independent needs assessments and develop programmes independently, which was ultimately seen as hindering impartial aid delivery. At the same time, only a few organisations have developed guidance to support staff in terms of maintaining their independence when facing authority interference.

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33   The document analysis revealed some degree of thinking around the perception of authorities.

34   This aspect will also be looked at more in detail in the section on presence and proximity.

35   Schenkenberg and Wendt, 'Principled Humanitarian Assistance of ECHO Partners in Iraq'.

III. NEGOTIATING ACCESS AND PRESENCE: THE PRINCIPLES AT PLAY

Taking note of the diversity in approaches to the humanitarian principles is particularly helpful when looking at access considerations. The Research Team found that not only can the principles be seen as a tool to secure and maintain access, but the institutional and operational choices made by humanitarian actors to gain access can ultimately undermine the humanitarian community's calculation of impartiality. Humanitarian access is the ability of humanitarian actors to reach those most in need in any given crisis, and for those most in need to avail themselves of humanitarian assistance and protection.[36] It is therefore a fundamental prerequisite to implementing an effective and principled humanitarian response.

It is important to acknowledge that the access landscape in Yemen may vary substantially, both as a function of the evolving conflict and power balances between the different actors involved, and the interpretation of an organisation's mandate and their choice of operational modalities and target groups. An organisation providing mostly assistance at the household level would have a different experience to one focusing on assisting and protecting child soldiers, for example.[37] Notwithstanding the individual experience of each organisation, there is an intimate link between humanitarian access and the principle. As each principle is operationalised, the types of compromises made, and the understanding of where, and for whom the

needs are greatest has specific implications on the ability of the humanitarian response as a whole to be impartial. This will be illustrated below from three perspectives: the importance of considering that short-term gains may have long-term implications; the significance of considering what access is in fact meant to achieve; and the role the donors (can) play in opening space for principled humanitarian programming.

a. Short-term gains and long-term implications

As in other contexts, humanitarian aid in Yemen is highly politicised and used for both economic and political leverage across all the different areas of the country. This research has revealed that **humanitarian actors rarely recognise the long-term implications of their choices in access negotiations and mostly focus on the issue at hand or the short-term gains.** Agencies and organisations have been treading an increasingly fine line between maintaining independence and ensuring their perception of neutrality and ability to be impartial. They have been caught between seemingly intractable trade-offs and seem 'stuck' with the consequences of past decisions, be it their own, or those of other organisations, INGO or UN alike. The situation is not helped by the high turnover of staff in the Yemen response, which has weakened the institutional memory of negotiations with authorities and **leaves organisations prone to repeating past mistakes**.

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36   OCHA, 'OCHA on Message: Humanitarian Access'.

37   Given the focus of the Office of the UN Special Representative of Children and Armed Conflict on Yemen, all parties to the conflict are allegedly interested in downplaying their role in the recruitment of children limiting international actors' access to them. Cf. UN GA/SC, 'Children and Armed Conflict - Report of the Secretary-General'.

The Research Team found that access negotiations in Yemen mainly focused on bureaucratic impediments,[38] bringing to the fore the question of the interplay, or perception of a trade-off, between the principles of independence and impartiality. Access negotiations have oscillated over time along a spectrum, with a purely transactional approach at one end (i.e., letting go of any consideration of impartiality and independence/neutrality for the sake of access) and a principled one at the other. In the interviews, as reflected in the table in Annex 3, respondents consistently reflected on how some of the blockages they are facing now when negotiating with authorities (mostly referring to DFA but also increasingly IRG) stem from past decisions that have edged more towards the transactional rather than the principled approach. Concessions, which in many cases compromised the adherence to the principles, were made to unblock administrative constraints, and it is now difficult to rewind. Examples range from prioritising assistance versus protection of

vulnerable groups, accepting beneficiary lists without building in verification measures, or sharing data and information regarding both beneficiaries and humanitarian staff.

The perceived trade-off between timeliness and principles

It appears from the research that **a systemic[39] pressure to deliver as well as competition for funding among humanitarian actors has resulted in a general focus on short-term gains**, i.e., actors strive to show they are able to deliver here and now. Very little consideration is given to the long-term implications of the choices/compromises made. The way in which humanitarian actors in Yemen tend to make a trade-off between the timeliness of their response and adherence to the principles appears to illustrate this point well. Timeliness is an important element of any humanitarian response and something that access can ensure. However, given the authorities' obstructionist behaviours,

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38   Access challenges are commonly categorised as bureaucratic impediments, intensity of hostilities, and deliberate attacks on aid workers.

39   This includes a combination of incentives stemming from donor priorities, UN leadership and internal HQ-county office dynamics.

TEXT BOX 3 - Balancing independence and impartiality

In DFA-controlled areas, authorities routinely pressure organisations to prioritise one population group over another to be granted access. While both populations may require assistance, the lack of an independent assessment is likely to have an impact on the ability of humanitarian actors to be impartial. Organisations have been weighing the tension between these two principles by looking in different ways at the expected implications in the short and long-term. While it may be a red line for one, for another complying with the DFA request may mean opening access to their designated target population afterwards. Common mitigation measures have included requesting ways to independently verify this new population group's needs and/or merge to the extent possible the two groups.

The work of the think tank Frontline Negotiations provides an example of how to assess the impacts of compromises in a structured approach in similar circumstances.

the principles (or maintaining a level of independence that allows the ability of humanitarian actors to be impartial) requires time.[40] Negotiations over sub-agreements for programme/project implementation, for example, can take months. It appears that in the perceived choice between the two, actors in Yemen tend to choose timeliness, which, not unlike the humanitarian imperative, appears to trump considerations for lengthy negotiations and calls for compromises. It is the short-term gain. Instead of looking at principles as a tool to achieve timeliness, as an element of an effective humanitarian response, the two become unreconcilable. **The narrative that stands out in the research is that if you want to be principled, you have to sacrifice the timeliness of the response.** In reality, it is important to recognise that this is a trade-off between two goods forced by the context and it is the job of an organisation to decide how they want to approach these trade-offs. Compromises may be necessary. It is okay to do it on an ad hoc basis as long as the leadership of each organisation is clear on what long-term implications those choices

will have and as long as these choices are documented for future reference. This is essential, not only for their ability to operate but also for that of others and ultimately for those most in need to receive the assistance and protection they require.

The need to analyse and readjust

The tendency to see humanitarian principles as sacrosanct and access as a goal in itself and not as a means to ensure effective and principled humanitarian action has contributed to a lack of internal documentation practices of the choices and compromises made and hindered a more strategic analysis of the consequences of these compromises in both the short and the long-term. There are often no easy choices and compromises may be necessary. Having a structured process to evaluate the necessity and impact of compromises and documenting them is helpful when re-evaluating the assumptions made for both the short-term and the long-term to be able to readjust not only access negotiation strategies but also operational and programmatic decisions.

Finally, seeing access negotiations in terms of trade-offs only risks removing attention from the fact that gaining access rests on a composite of different elements. Quality, relevance, and consistency, as well as trust

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40   It is not just the humanitarian principles that are at stake, but it may also be commitments that organisations have made to the standard of timely relief, such as commitment 2 in the Core Humanitarian Standard. The question to be constantly explored is how organisations balance the goal of timeliness with that of effectiveness which go hand in hand. Ultimately, it is about whether organisations value adherence to the principles as an element of effectiveness.

TEXT BOX 4 - Balancing neutrality and impartiality

The decision for INGOs to establish a presence in Yemen post-2015 has involved the need to balance the perception of neutrality with the ability to remain impartial, not just at the programme-level, but more importantly country-wide. The de facto authorities have reportedly been leveraging the principle of neutrality to block INGOs from establishing a presence in the areas under their control –having a presence in IRG-controlled areas is seen as a political stance towards the legitimacy of their political claims. Whether consciously or unconsciously, INGOs have had to decide whether to set up operations in IRG-controlled areas even if it would jeopardise having a wider presence or wait to obtain the green light from the DFA. Given the more rapid turnaround of registration requests in IRG-controlled areas, for many the calculation has been to start with what was already possible.

in the actors providing the response are all important elements to gain access to people in need. Respondents from across the sample mentioned how in negotiations with the parties to the conflict, and especially with DFA, consistent engagement as well as delivering on what was promised were important enablers for opening access.[41]

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Key Take-Aways

- A systemic pressure to deliver as well as competition among humanitarian actors has resulted in a general focus on short-term gains.
- Humanitarian actors rarely recognise the long-term implications of their choices in access negotiations and mostly focus on the issue at hand or the short-term gains. Concessions made to unblock administrative constraints are now difficult to rewind.
- High turn-over and the tendency to see humanitarian principles as sacrosanct and access as a goal in itself have contributed to a lack of internal documentation practices of the choices and compromises made and hindered a more strategic analysis of the consequences of these compromises in both the short and the long-term.
- A weak institutional memory of negotiations with authorities leaves organisations prone to repeating past mistakes.

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b.   Presence ≠ proximity

What is access actually meant to achieve? The Research Team found that **a lack of proximity to affected communities is a great obstacle to principled humanitarian programming in Yemen**. A map of the international presence in Yemen shows that organisations are neatly represented across the five operational hubs of Sana'a, Al Hudaydah, Ibb, Sa'ada, and Aden. The feedback from affected populations collected through FGDs, however, points to a rather different reality. It tells a story of organisations being known at best through the logos painted on tents and toilet doors or printed on NFI kits. Even in camps in Lahj or the IDP sites in Crater where organisations have easier access, their presence is inconsistent. Overall, international presence is presented in the FGDs as unpredictable, detached – "*no one sits with us, they just take a tour, take photos and go*" (FGD participant, Crater, Aden) – and ineffective – "*one staff from an organisation came, only sat with one family, took photos and they generalise the need to all of us*" (FGD participants in Hajah).

Some humanitarian staff recognise this gap. "*There is a lack of honesty as to where actors are present*" (UN respondent). Humanitarian action, however, goes beyond simply providing assistance and protection. As Larissa Fast puts it: "[it is about] the profound value of knowing that others are paying attention."[42] That cannot happen if even when present, staff from international humanitarian organisations maintain a distance. For example, if – as was observed[43] – staff from INGOs remain in an air-conditioned vehicle while their colleague does a distribution, and the people in need are outside in unbearably hot conditions, there is little to no space for a shared humanity. It also questions the whole notion of accountability to affected populations, one that goes beyond the sole use of complaints boxes and call centres.

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41   They all also highlighted the difficulties faced to regain knowledge of the context, and rebuild networks and trust after the UN and most INGOs withdrew in 2015, or anytime critical security incidents meant the cessation of operations in a particular area.

42   Fast, 'Unpacking the Principle of Humanity: Tensions and Implications'.

43   Direct observation by national researcher in Al Ateera Camp, Tuban Lahj.

The principle of humanity and the quality of the presence

A clear sub-product of access, proximity to people in need is essential for humanitarian actors to understand the context and the specific needs and plan an adequate response. It has an intrinsic value that goes beyond simply being a means to an end. External access constraints – be they bureaucratic impediments or conflict dynamics – make it objectively difficult for humanitarian actors to operate in Yemen. Yet, there are factors that organisations can control. One of them hinges on a specific operationalisation of the principle of humanity. The principle of humanity is the one of the four principles that most tends to be taken at face value and which "is often lost as an operational or orienting principle".[44]

Humanity is often assumed through the simple act of presence of a humanitarian organisation in a crisis context. Yet, the value of **humanity cannot be reduced to a mere pin on a map. It is the quality of the presence that matters**.[45] As mentioned in the sections above and

in line with previous research,[46] the most common operationalisation of the principle of humanity is its translation into the humanitarian imperative that justifies action no matter what. In the context of Yemen, the notion of proximity comes in handy as a proxy for another way of looking at the principle of humanity: it challenges the core rationale for an international presence in the country and forces humanitarian actors to question the quality of their engagement not only with people in need but also with the parties to the conflict and humanitarian actors themselves.

Looking at the principle of humanity through the lens of proximity also challenges security measures or risk management approaches that separate humanitarians from people in need. An aspect raised consistently by UN respondents as an obstacle to principled humanitarian programming, for example, is the UN 'bunkerisation' approach (see Annex 3). UN staff are subject to security measures – use of armed escorts, need to notify Coalition members 48 hours ahead of any planned movement, UN compounds as forts – that inhibit any meaningful attempt to better understand the context and develop not only networks but the trust and acceptance of the communities in which they are meant to operate. The current UN classification of certain areas as hard-to-reach is being out of touch with actual conditions on the ground.

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44   Fast, 'Unpacking the Principle of Humanity: Tensions and Implications'.

45   Cf. the 2015 Whole-of-System Protection Review: "Research shows that the protective value of an external presence will depend, in part, on the dynamics of particular armed conflicts and the actual role of such external actors. A "presence" that is not proactive in challenging or attempting to counter patterns of harm runs the risk of appearing complacent, or worse, when egregious violations put lives at risk. A passive presence may also contribute to a false sense of security among at-risk groups and reduced reliance on self-protection measures." Niland et al., 'Independent Whole of System Review of Protection in the Context of Humanitarian Action'.

46   Schenkenberg and Wendt, 'Principled Humanitarian Assistance of ECHO Partners in Iraq'; Montemurro and Wendt, 'Losing the Forest for the Trees? HERE "Mandates" Study Myanmar Report'.

TEXT BOX 5 - The impact of COVID-19 on presence

At the outset of the COVID-19 pandemic, UN agencies evacuated a significant part of their international staff. The health response was mainly left to be managed by the local health authorities. In IRG-controlled areas, ventilators were reportedly sent to hospitals where there were no staff members trained to operate them. On-the-ground visits were put on hold and there was no way to verify that humanitarian assistance was reaching those most in need.

Operational modalities and proximity

Besides UN-specific security rules, differences in operational modalities across organisations influence the degree of proximity that is prioritised. For organisations working through partners, for example, proximity is assumed through their work. For those providing assistance through state and local institutions, presence is mostly exercised through funding. No matter the approach, however, proximity cannot be entirely delegated. A response that places sufficient weight on humanity (in concert with the other principles) requires a careful evaluation of the intangible costs[47] these different modalities and choices involve. In Yemen, they entail distancing, not only from people in need but also between the humanitarian actors themselves, hindering informal channels of communication and opportunities for building trust. "*Here in Yemen I feel a bit cut off, usually I would know the operational modalities of others, in Yemen I don't*" (INGO respondent).

The COVID-19 pandemic has reportedly deepened the sense of disconnect among humanitarian partners in recent months (see text box 5 above). This also has specific implications on the ability of the humanitarian response overall to be an impartial one: how can humanitarian actors know they are addressing those most in need when they are not truly aware of what the situation is on the ground?

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Key Take-Aways

- The lack of proximity to affected communities is a great obstacle to principled humanitarian programming in Yemen. Humanity is often assumed through the simple act of presence of a humanitarian organisation in a crisis context. Yet, the value of humanity cannot be reduced to a mere pin on a map. It is the quality of the presence that matters.

- External access constraints – be they bureaucratic impediments or conflict dynamics – make it objectively difficult for humanitarian actors to operate in Yemen. Yet, organisations can control their operationalisation of the principle of humanity, through appropriate security measures, risk management approaches, and operational modalities.

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c.   The role of donors

The research has indicated that donor funding goals largely mirror the spectrum of approaches humanitarian actors have adopted in access negotiations: from a transactional/maximum visibility expectation to principled/needs-based ones. **Money does influence the behaviour and the perceived negotiation space of humanitarian actors in Yemen and donors have an important role to play in support of a principled humanitarian response.**

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47   Cf. Fast, 'Unpacking the Principle of Humanity: Tensions and Implications'.

While principled humanitarian programming should not depend on the level of funding available, there seems to be an understanding in the Yemen context that the two are interconnected, for good or bad. In interviews, the relative availability of funding until now has either been seen as an opportunity to be leveraged in negotiations with authorities for principled humanitarian programming (i.e., "we have the money, and we will spend it if we get to decide where and how"), or as an enabler of a largely transactional approach instead of a principled one (i.e., "we agree to your conditions if you unblock administrative constraints"). The more funding received, the greater the pressure on humanitarian actors to implement and disburse.

Highlighting the role funding plays as an enabler or an obstacle to principled humanitarian programming also helps situate the current lack of communication and competition within the humanitarian community in Yemen. **Dynamics internal to humanitarian organisations as well as the relative sectoral allocation of the funding available contribute to a clearer picture of how money challenges principled humanitarian programming** in Yemen. It appears from the research that internal incentives are geared essentially towards rewarding senior country leadership for their ability to fundraise and to position the organisation alongside others in the country. "*The expectation is that if one organisation is there, you need to be there as well*" (INGO respondent). The unequal allocation of the funds available for the humanitarian response in Yemen (Figure 3) has also meant that the footprint of some organisations is much bigger than that of others. Respondents from both UN agencies and INGOs highlighted that on the one hand, this bigger footprint entails a greater

degree of responsibility, and increases the pressure to continue delivering. On the other hand, respondents also explained that the uneven footprints skew the type of needs that are being met. As discussed above, organisations tend to focus on the type of needs their mandate gears them towards, and if a sector-specific organisation receives a disproportional part of the funding, the implications on the ability to remain impartial are clear. "*Of the 50% funding, the majority is for the food security cluster [...] and that for me will be our next constraints- very poorly funded health and WASH programming*" (UN respondent).

While ECHO partners valued the possibility of discussing the challenges encountered with ECHO, very little to no conversation about challenges to the principles is happening between UN agencies as donors and their INGO partners. Both UN and INGO respondents acknowledged it in interviews. Conversations are mostly focused on specific programmatic details rather than strategic questions about each other's comparative advantages in access negotiations, clarity around common red lines and the short and long-term implications of compromises. Respondents read this lack of discussions simply as an example of the different role UN and INGOs play in Yemen. "*A lot of UN agencies are insulated from the pressures because they are not the ones delivering*" (INGO respondent).

Some donors have tried to use contract conditions to support their partners in negotiations particularly with the DFA's Supreme Council for The Management and Coordination of Humanitarian Aid (SCMCHA) to improve the timeliness of the response. By including a specific time-related clause – 150 days – to clear sub-agreements for programme implementation, the expectation has been that SCMCHA

would be presented with an either/or option: approve the sub-agreement within that time window or expect funding to be redirected elsewhere. Based on partners' reporting, this approach seems to have paid off: all of the partners' sub-agreements were cleared by the 150-day cut off. There is no open conversation, however, between donors and partners on what implications such a contractual detail may have had on the partners' negotiation relative positioning. Has it created additional pressures to compromise? Interviews with INGO representatives have pointed to appreciation for the active role played by the donors, but also unease at being 'cornered'. Holding a red line becomes more difficult if it may potentially lead to closing a sub-office/ programme and laying off staff.

> ## Key Take-Aways
>
> - Money does influence the behaviour and the perceived negotiation space of humanitarian actors in Yemen and donors have an important role to play in support of a principled humanitarian response.
> - Dynamics internal to humanitarian organisations, as well as the relative sectoral allocation of the funding available, challenge the principle of impartiality by skewing the type of needs covered by the response.
> - Conversations between UN agencies as donors and their INGO partners are mostly focused on specific programmatic details rather than strategic questions about each other's comparative advantages in access negotiations, clarity around common red lines and the short and long-term implications of compromises.

Countries in 2021	Funding received	Funding requested	People in need	Most funded clusters/sectors	# of humanitarian organisations
Yemen	2.08 bn (54%)	3.85 bn	20.7 m	Food Security (1.031 bn, 50%)	170 (11 UN, 42 INGOs, 118 NNGOs) ⌈3W OCHA June 2020⌉
Syria	1.57 bn (37%)	4.22 bn	11.06 m	Food Security (252 m, 24%)	170 (9, 19, 126; others 16)
South Sudan	1.06 bn (63%)	1.67 bn	8.3 m	Food Security (301 m, 30%)	163 (9, 65, 89) ⌈3W OCHA, August 2021⌉
DRC	657 m (33%)	2 bn	9.6 m	Food Security (210 m, 32%)	259 (8, 72, 172; others 8) ⌈3W OCHA, July 2021⌉
Iraq	304.2 m (50%)	607 m	4.1 m	Protection (54 m, 18%)	123 (7, 53, 50; others 13) ⌈3W OCHA, August 2021⌉

Source: HERE-Geneva based on FTS and 3w OCHA data

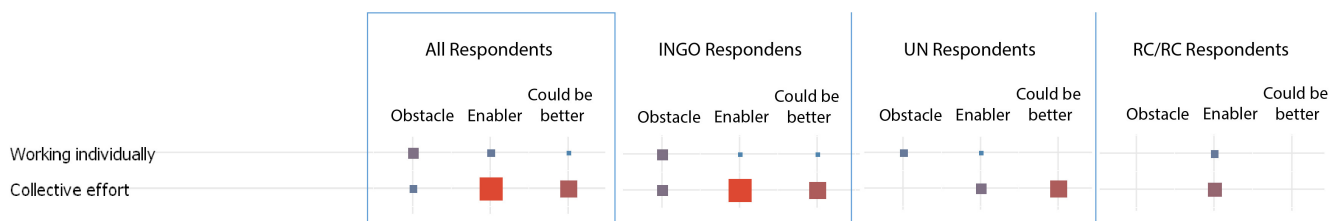Figure 3: Funding of humanitarian respondes in 2021

IV. A 'PRISONER'S DILEMMA'?

No respondent outright rejected the value of a principled response in a context like Yemen. Whether implicitly or explicitly, principles are an everyday reference for all humanitarian actors in the country. The Research Team saw, however, that while the principles are given consideration at the level of the individual organisations, collective strategic thinking around the principles is lacking. Significantly, 84% of the respondents across the sample valued cooperation among humanitarian actors as an enabler towards better principled humanitarian programming. Collective action for principled humanitarian response in Yemen has also been the cornerstone of the Senior Officials Meeting, hosted byECHO and Sweden, since February 2020.[48] As one of the respondents put it: *"Yemen is the ultimate testing ground for humanitarian principles. If there is anywhere in the world where the humanitarian community should sit down together and reflect on [what it means to be a principled humanitarian actor], this is it"*
(RC/RC Movement respondent). Yet, a large majority of the respondents also emphasised the lack of truly helpful collective efforts in Yemen (see Figure 4).

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48   ECHO and Govt. Sweden, 'Humanitarian Community Reaffirms Commitment to Yemen'.

TEXT BOX 6 - The 'Prisoner's Dilemma'

In very short terms, the 'Prisoner's Dilemma' game posits that two members of a criminal organisations are arrested on a smaller charge. Each is given the offer of being set free by betraying the other, and hence giving the prosecutor the evidence needed to convict their companion of a higher charge. If neither of the prisoners betrays the other, they would collectively be better off, as they would both only be convicted on the lesser charge. However, as the betrayal appears to offer a greater individual reward, and since the prisoners cannot communicate with each other and are hence not aware of the choice of the other, both prisoners – acting rationally – will opt for betrayal. The outcome is that they are both convicted at the higher charge, i.e., worse off than had they mutually cooperated and not betrayed each other.

In Yemen, the existing incentives – both internal to agencies and external in terms of funding priorities – and the lack of communication among humanitarian actors hamper cooperation. The main difference with the prisoner's dilemma is that the ultimate price in Yemen is paid by people in crisis. It is not the agencies who are going to 'prison.'

Legend: The larger the square, the more interviewees indicated this area as an enabler/obstacle to principled humanitarian programming in Yemen. See Annex 3 for the full results.

Figure 4: Overview of how KII valued working individually vs. working collectively in Yemen

This tension between agency-specific action and cooperation is reminiscent of a popular image in game theory, the so-called 'Prisoner's Dilemma'. It explains why two fully rational individuals, unable to communicate, may not cooperate, even if it would appear that it is in their best interest to do so (see text box 6 above). This captures well the predicament that the humanitarian community in Yemen finds itself in. Overall, a coordinated principled approach is seen by humanitarian actors as the most effective way to reach people most in need with good quality assistance and protection. Still, the different organisations tend to navigate the context mostly distinctly. The lack of communication on the thinking informing humanitarian operational choices is hindering more meaningful and strategic exchanges around how to approach the context in Yemen in a principled manner, and ultimately make humanitarian action more effective. The dilemma is well illustrated by the way in which different organisations have endeavoured to ensure and maintain access in Yemen. A lack of trust and communication between humanitarian actors is influencing organisations to focus on what they can control as distinct agencies, but overall, as in the prisoner's dilemma, cooperation may yield greater outcomes, in this case for affected populations.
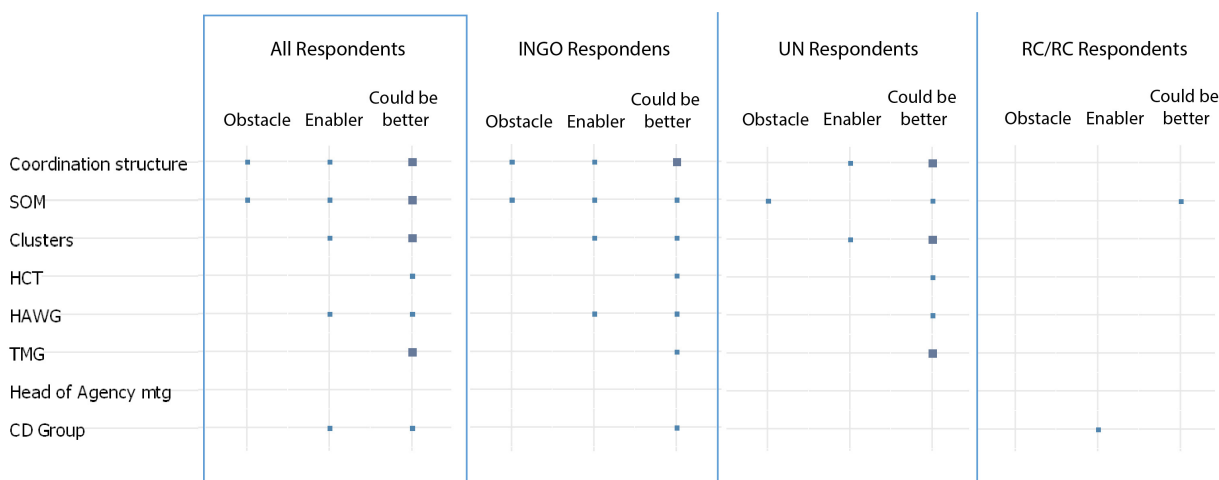
a.   Coordination as an enabler

The research found that in Yemen, the reality of coordination does not appear to hold its promise. Coordination should in theory be an enabler towards principled and effective humanitarian action. Within the parameters of the traditional humanitarian architecture, coordination is supposed "to meet the needs of affected people by means that are reliable, effective, inclusive, and respect humanitarian principles".[49]

The lack of a space for strategic exchange around the principles

In the interviews, respondents across the sample reviewed whether existing coordination fora in Yemen support them either directly or indirectly in delivering principled humanitarian programmes. Overall, none of the mechanisms fared well in the responses (see Figure 5). The cluster system is seen as unable to translate technical operational discussions into strategic collective positions. The Humanitarian Access Working Group (HAWG), while considered helpful in conducting technical access analysis on how to reach areas and identify trends based on recent incidents, is said to be unable to translate its conclusion

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49   IASC, 'Guidance - Cluster Coordination at Country Level', 7.

Legend: The larger the square, the more interviewees indicated this area as an enabler/obstacle to principled humanitarian programming in Yemen, or as an area in need of improvement. See Annex 3 for the full results.

Figure 5: Overview of how KII valued existing coordination structures in Yemen

into common positions. The HAWG can provide guidance, but common positions need to be agreed and held at the country director/heads of agencies level. Importantly, 'common positions' are not necessarily common rules on what agencies will/ must do in a given situation, but could for example be a common strategic orientation or involve a common understanding of the criteria to be prioritised in taking a decision, or in the definition of a red line. Participation is also inconsistent, as few organisations have dedicated access advisors who can attend. UN heads of agencies meetings as well as informal NGO coordination groups – both in Sana'a and in Aden – are considered important spaces for touch-ins but they appear to be approached in silos: UN separate from INGOs, and Sana'a-based groups separate from Aden-based ones. **The Humanitarian Country Team (HCT) should play the role of raising the technical discussions into more strategic ones and tackle the question of what choices being a principled humanitarian actor entails in Yemen.** Respondents were, however, unanimous in discarding the HCT as an effective forum. It is too big, too UN-focused and mostly geared towards information sharing.

Following the first SOM in February 2020, a Technical Monitoring Group (TMG) was put in place to fill the void in leadership and strategic discussion, and while it has been generally felt as a good safe space, the perception of some respondents is that it too is losing its added value, with some questioning the choice of members and the overarching focus of the discussions on challenges in DFA-controlled areas. There is also no established connection between this forum and the more traditional ones, including the HAWG, even though some of the issues discussed overlap.

TEXT BOX 7 - Coordination and principled programming - bad assistance?

In IDP sites Lahj, in IRG-controlled areas, the lack of coordination across food security partners is resulting in disparities in aid value and type. The Food Security and Agriculture Cluster has a Minimum Food Basket value recommendation of 71,000 YER for the South. This is designed to cover only the cost of food for one family of seven members for one month. Some organisations are pegging the value of the cash contributions to the household size, while others are distributing the full food basket cash amount to all households, while others still are distributing in kind-assistance. Beneficiary lists are not updated on a regular basis, which means new arrivals are cut off from any assistance at all. FGDs highlighted how IDPs either don't know the criteria for receiving assistance at all, or understand it to be based on when you arrived. If you were the first to arrive, then you are assisted. Ultimately, such misconceptions lead to tensions between affected people and challenge both the principles of humanity and impartiality.

The lack of collective fora where strategic discussions can meaningfully take place and common positions be formulated has contributed to the fragmentation of approaches in Yemen. The COVID-19 pandemic and the lack of face-to-face interaction has only heightened the sense of distance (see text box 8). "*Us as INGOs are less united now than we used to be. Let's say pre-corona. Until 2019, we were still very much all on the same line and united, and there were potentially different reasons for this. At that time, all long in the country, we grew up together*" (INGO respondent).

Among INGOs, the in-country absence of international staff during the pandemic has also been coupled with the establishment of new actors in the IRG-controlled areas as of 2019. Among donors too, a lack of concerted decisions among them (e.g., when one decided to withhold funding to send a strong message on the lack of access and pressures on independent humanitarian programming in DFA-controlled areas, no other donor supported them publicly through a similar stance) and lack of communication especially between the Gulf donors and the others appear to have contributed to a feeling of fragmentation within the humanitarian community.

Geographical fragmentation

The fragmentation is reflected and driven forward by a division of the coordination mechanisms between 'north' and 'south.' While the UN Humanitarian Coordinator and most of the UN heads of agencies and INGO country directors are based in Sana'a, a sizeable INGO community is established in IRG-controlled areas. A Deputy Humanitarian Coordinator was recently appointed to be based in Aden. The understanding among some of the respondents is that the UN is going to encourage a more central narrative focusing on economic recovery[50] while the Deputy Humanitarian Coordinator will focus on humanitarian needs. **While there are undisputable differences in actors and challenges across the different geographical regions of Yemen, the lack of a whole-of-country consistent analysis and positioning hinders communication across the humanitarian community as a whole and encourages polarisation.** "*In Sana'a they only focus on challenges in the north but we have our own challenges in*

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50 There is a growing understanding that humanitarian responses alone are not sufficient. Cf. OCHA, 'Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Martin Griffiths, Opening Remarks on the High-Level Side Event on the Humanitarian Crisis in Yemen, at the 76th United Nations General Assembly'.

TEXT BOX 8 - Coordination in times of COVID-19

With the start of the COVID-19 pandemic, coordination mechanisms in Yemen – as elsewhere – changed their meeting modalities from in-person to virtual. With time passing, however, staff from different organisations working on the West Coast felt the need for closer contact, to more effectively come to a shared analysis of the context and its challenges. While remaining dependent on the Protection Cluster established in Aden, organisations on the West Coast decided to establish a sub-cluster there. It was seen as more effective than joining broader meetings virtually and/or to travel to Aden on a regular basis.

the south" (INGO respondent). "*In the south, they are trying to reinvent the wheel, we had discussed red lines before, they should be relevant for across the country*" (INGO respondent). The HRP does provide a unified whole-of-country analysis but it is a one-off document mostly used for external communication purposes.

The research found that such fragmentation forces a very narrow use of the principles: non-discriminatory aid at the programme level, such as in a given camp, health or feeding centre rather than principles as a flexible guide to support the humanitarian community's objective to deliver assistance and protection whenever there are needs across the entire country. While considering the principles at the programme level is an important measure of their effectiveness, this needs to be balanced with broader country-wide analysis. This is where the coordination mechanisms are reportedly failing the most.

Key Take-Aways

- Overall, a coordinated principled approach is seen by the humanitarian actors as the most effective way to reach people most in need with good quality assistance and protection. Still, the different organisations tend to navigate the context mostly distinctly.

- There is a lack of adequate space for communication on the thinking informing humanitarian operational choices, and for formulation of common positions. This has contributed to the fragmentation of approaches in Yemen. The fragmentation is reflected and driven forward by a division of the coordination mechanisms between 'north' and 'south', and it forces a narrow, programme-level use of the principles.

b.   Leadership

The Research Team found that besides the traditional coordination structures, the more informal communication and coordination across actors inside and outside of Yemen are an important tool towards principled humanitarian programming. In a social ecosystem such as the humanitarian one, leadership plays an important role in creating spaces where reflections on principles can be ensured. The Humanitarian Coordinator and OCHA have a substantial responsibility in guiding such a fluid ecosystem. As an example, respondents across the sample recognised how the gap in leadership following the departure in 2020 of both the Humanitarian Coordinator and the Head of OCHA in Yemen left the humanitarian community without a reference. The Research Team heard that both UN and INGO actors focused on procedural rather than substantive issues, with energy being put into the drafting of the HRP and the HNO. Questions around targeting, how to balance the principles of independence and impartiality were left unanswered. The clusters and the Inter-Cluster Coordination Group (ICCG), where the principle of impartiality should be ultimately collectively discharged, were found by the respondents to be overall largely ineffective in aligning priorities and elevating existing challenges to the policy level. Limited capacity and high turn-over are the reasons that were often cited to explain their limited effectiveness.

The new UN Resident Coordinator/ Humanitarian Coordinator can in particular leverage his position to ensure a shared analysis from the different efforts and roles the UN plays in the country: the operationalisation of the humanitarian-development-peace nexus. With the UN playing a facilitation role in the peace negotiations, for example, understanding how

these intersect with humanitarian access negotiations and the impact it has on the perceptions of the humanitarian community as neutral and independent actors can be a powerful enabler.

Ultimately, in an ecosystem, leadership is distributed. 'It takes a village' to ensure effective humanitarian action. **It is not only about horizontal communication and collaboration with other agencies and actors, but also about vertical alignment.** Headquarters (HQ), for example, (should) play an important role in guiding and/ or supporting and backing their country-based senior leadership both in terms of the use of the principles as a framework for decision-making and the choices made. Respondents highlighted how delegating responsibility to HQ, for example, has taken off a certain amount of pressure on in-country staff in access negotiations and allowed them to stave off pressures on their independence. HQs, however, can play an even more meaningful role both in the choice of appropriate leadership – for example by leveraging senior UN leadership that is fluent in Arabic and can relate to cultural norms – and in relieving funding pressures. The ability to fundraise needs to be balanced against other criteria in performance reviews of senior leaders. It is also about continued leadership from donors in encouraging and supporting honest and transparent communication about the challenges faced to adhere to the principles and the ways around them.

c.   Accountability for adherence to the principles

The Research Team found that one of the more significant obstacles to a collective discussion on principled humanitarian programming in Yemen is the lack of a functional accountability framework, both internal to individual organisations and collective. What are the consequences beyond the impact to the affected populations of unprincipled action? Most respondents across the sample highlighted that there is no specific consequence for any decision/compromise made. The integration

of the principles in operational decision-making is used as a criteria to evaluate neither agency-specific, nor collective performance. **There is no mechanism within organisations that staff can use to report behaviours/decisions they believe go against adherence to the principles.**

With distributed leadership the risk is that accountability is diluted. Collective accountability is based on the idea that if decisions are made in multi-stakeholder fora, the actors involved should be held accountable as a group, both to people of concern, and to each other.[51] There is a risk that such an approach would defer or weaken accountability by allowing for individual actors to hide behind the decisions of the collective. Both forms of accountability, however, are not mutually exclusive: collective and agency-specific accountability should coexist. Collective decisions/choices towards principled humanitarian action need to be based on clearly defined roles and responsibilities. In this sense, "we must think of accountability not just in terms of performance, but in terms of the legitimacy of the decision-making process".[52]

Key Take-Away

- There is no functional accountability framework for principled humanitarian programming in Yemen either at the agency or collective level.

V. CONCLUSIONS AND RECOMMENDATIONS

Six years into the conflict in Yemen, after billions of dollars spent on the humanitarian response, serious questions remain as to its effectiveness. The humanitarian principles can play an important role in supporting effective humanitarian responses by guiding strategic engagement with different stakeholders and providing programmatic direction. Most humanitarian organisations in Yemen do consider the principles in their day-to-day work but there is a divergence in how each organisation operationalises them. **Like the protagonists in the 'prisoner's dilemma', the members of the humanitarian community each opt for their own agency-specific approaches in the operationalisation of the principles thinking it will bring them most short-term benefit** – i.e. greater access and continued funding. **And like in the 'prisoner's dilemma', the lack of communication between the protagonists means that the authorities can divide and conquer.** If one organisation compromises on the principles for an immediate gain in terms of access, for example, it will be more difficult for other organisations to hold their stance. Ultimately, to get out of the dilemma, there is a need to recognise that the game is repeated over time; the short-term gain can only last so long before the long-term implications are felt. Recognising that the members of the humanitarian community will in the long run be better off by communicating with each other around their choices, and coordinating their approaches as much as possible is key.

Principles are a tool to enable humanitarian assistance. They are not rules to be enforced, however. As such, they are subject to contextual interpretation and application by different actors in different settings. The

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51   Montemurro and Wendt, 'Whose Responsibility? Accountability for Refugee Protection and Solutions in a Whole-of-Society Approach'.

52   DuBois, 'Accountability: Moving from Rhetoric to Reality'.

same principle can be used to arrive at opposite decisions, as has been the case with the decision to pay incentives or share beneficiary lists. Having a space to hold a collective reflection on what it means to be a principled humanitarian actor in any given context is an important enabler towards a better humanitarian response. There is no shame in finding it challenging to apply the principles, and compromises may be necessary. There is value in discussing these challenges collectively and use a common framework to embed principles into operational decision-making. Red lines are helpful to guide staff across the organisations. Equally helpful is to develop potential consensus on specific access negotiation positions.

It is the pressure to deliver, the competition for funding, and a lack of trust among humanitarian actors in Yemen that have been pushing the humanitarian community into a prisoners' dilemma. There is wide agreement that coordination is essential to ensure that the principles fulfil their role and support effective humanitarian responses. Yet, the lack of meaningful communication among actors makes it hard for organisations to see that they are not islands in the response. Everyone is connected – even if by the simple programmatic link of case referrals – and agency-specific choices and collective ones need to be more closely aligned for the ultimate benefit of better assistance and protection to people in need. One's ability to be impartial and reach those most in need without discrimination rests on another's ability to do so as well. This is also a question of ensuring that the deliberations, whatever decision they may ultimately reach, must at the very least consider the potential for negative consequences in the long-term.

If principles are tools, they alone are not enough to ensure meaningful access to people in need: good quality programming and consistent networking with the actors controlling the different geographical areas are equally important. External constraints in Yemen have a substantial impact on the ability of humanitarian actors to operate. There are, however, elements of the response that humanitarian actors can control. Managing staff turnover by ensuring that organisations' choices and decision-making processes are documented, integrating dedicated access advisors who are knowledgeable about integrating principles in decision-making to accompany programme staff in their decisions are but a few elements that UN agencies and INGOs can implement. Facilitating a better exchange among humanitarian actors by strengthening and streamlining existing coordination fora should also be a priority.

Finally, any discussion around the role of principles in humanitarian programming in Yemen should go hand in hand with a review of the quality of that response. This report should therefore be read in conjunction with the report of the Inter-Agency Humanitarian Evaluation of the response to the humanitarian crisis in Yemen, launched in 2020. While understanding that protection as a stand-alone activity in Yemen is difficult to implement given the obstruction from the authorities, for example, protection mainstreaming should not be compromised. Understanding the principle of humanity as the humanitarian imperative that prioritises assistance-related programmes at the expense of protection activities, should not mean in any case letting go of basic protection considerations.

FINDING

- A lack of trust and communication about how each agency/organisation operationalises the principles is hindering the effectiveness of the humanitarian response in Yemen, as organisations navigate the context from their own individual perspective, and without consideration of the way their decisions impact the principled humanitarian programming of others, or in the future.

RECOMMENDATION

To Operational Agencies	To Humanitarian Leadership	To Donors

ECHO, Steering Committee Members for this research project, HC and Head of OCHA:

- Ensure that relevant analysis and recommendations from this report are integrated into the evaluation report of the Inter-Agency Humanitarian Evaluation of the response to the humanitarian crisis in Yemen, launched in 2020 to ensure appropriate follow up.

- Initiate a review of the progress made on these recommendations and of the new/existing opportunities and challenges to principled humanitarian programming within 12/18 months from the publication of this report.

Agency HQs:

- Provide strategic support to navigate hard choices at the field level and review and mitigate HQ pressures that can undermine a collective approach to principled humanitarian programming, such as for example an overarching focus on fundraising outcomes in the review of the country leadership.

The Humanitarian Coordinator:

- Encourage an overall collective narrative of the situation in Yemen, which takes into account the whole spectrum of needs to enable an impartial response where all sectors are appropriately supported.

The HC, the Head of OCHA, and the ICCG:

- Ensure there is a common agreement on what the most important criteria are in terms of decisions that have an impact on principled humanitarian programming.

- Facilitate discussions on the different agency-specific decisions made based on the common language developed through the common agreement achieved.

- Ensure that high turn-over in key coordination positions, such as cluster coordinators, are mitigated through a thorough and consistent onboarding of new staff, which includes previously agreed positions.

All donors

- Encourage an open conversation with funding partners on the perceived trade-off between the timeliness of the response and the principles.

- Mitigate any measure that may create perverse incentives to prioritise agency-specific approaches to the principles (e.g. timeliness at the expense of principled humanitarian programming) over collective ones, which ultimately hamper the effectiveness of the response.

- Ensure there are opportunities for dialogue across different donors to understand each other's positions and the programmatic implications these have on the humanitarian response in Yemen.

FINDINGS

- Overall, a coordinated principled approach is seen by the humanitarian actors as the most effective way to reach people most in need with good quality assistance and protection. Still, the different organisations tend to navigate the context mostly distinctly.

- Too polarised a discussion around the principles is detrimental to a successful collective approach to principled programming. The recognition of possible nuances allows for a reflection on what type of compromises may be necessary, and what safeguards may consequently be needed.

- There is a lack of adequate space for communication on the thinking informing humanitarian operational choices, and for formulation of common positions. This has contributed to the fragmentation of approaches.

- A systemic pressure to deliver as well as competition among humanitarian actors has resulted in a general focus on short-term gains. Humanitarian actors rarely recognise the long-term implications of their choices.

- A high turn-over of staff, and a lack of internal documentation practices of choices and compromises made have led to a weak institutional memory. This hinders a more strategic analysis of the consequences of these compromises and means humanitarian actors are prone to repeat past mistakes.

To Operational Agencies

Internally:

- Ensure a structured process to evaluate the necessity and impact of compromises; consistently document the decision-making process behind them to enable future review of past decisions/ choices; and re-evaluate the assumptions made for both the short-term and the long-term to be able to readjust not only access negotiation strategies but also operational and programmatic decisions.

Contributing to the collective:

- As part of the standard practice in humanitarian coordination mechanisms (including the clusters, inter-cluster mechanism, and HCT), organisations should share and discuss their views and explain their terms of engagement based on the principles.

To Humanitarian Leadership

The Humanitarian Coordinator:

- Review the functioning of the HCT to make it a more effective space for coordination based on principles.
- Elevate internal agency discussions and lead humanitarian organisations in the development of a collective access strategy that takes into account also the risks of compromising on the principles and the appropriate mitigation measures.

The HC and the Head of OCHA:

- Lead a review of the different coordination mechanisms to identify their existing strengths and weaknesses and where the different challenges to principled humanitarian programming can be tackled collectively.

- Ensure a structured process to evaluate the necessity and impact of compromises on the overall humanitarian response in Yemen; consistently document collective decisions and establish a clear accountability framework.

- Encourage/facilitate face to face meetings to build trust and strengthen relationships that have been damaged/limited by remote working through the COVID-19 pandemic and through a prisoners' dilemma mentality.

Cluster Lead Agencies:

- Ensure reduced turnover of cluster coordinators and greater understanding of the role humanitarian principles can play in technical/programmatic decision-making.

To Donors

All donors

- Establish a calendar of regular visits in both DFA and IRG-controlled areas. Donor proximity is important to build trust as it can facilitate more honest discussions on the challenges to principled humanitarian action. It also enables a reality check on where the biggest obstacles are as well as an improved understanding of the actual leverage donors can exercise, both in Yemen and outside, to calibrate in-country expectations on what they can influence/ facilitate.

- Clarify in the grants that the humanitarian principles are not seen as rules, but as ideals. Compromises are necessary but it is expected that they be made following a decision-making framework based on an analysis of what each choice implies in light of the principles. The decisions made should be acknowledged collectively.

- Ensure your funding support to the humanitarian response in Yemen takes into account the whole spectrum of needs to enable an impartial response where one sector is not unduly overly supported at the expense of the others.

ECHO and Sweden:

- Review the ToR of the Technical Monitoring Group to clarify criteria for membership and linkages with other coordination bodies.

UN agencies acting as donors:

- UN agencies should fulfil their role as donors to encourage discussions/an exchange with their implementing partners not only on programmatic details but also around the decision-making framework informing those details.

FINDING

- Ensuring access and presence has taken over how humanitarian actors in Yemen frame the principle of humanity, at the expense a concern for dignity and for accountability to affected populations. This has specific implications also on the principle of impartiality.

RECOMMENDATION

To Operational Agencies	To Humanitarian Leadership	To Donors
Internally: - Advocate for/include in budget proposals/invest in dedicated access specialists and in activities that contribute to realising access, such as developing contacts at checkpoints; networking, gathering and analysing context-related information; devising joint strategies for access negotiations. - Maintain a focus on continuous engagement with authorities. - Recognise that risk management is an inherent feature of humanitarian action. Any risk management framework would need to explicitly address the humanitarian principles, for example, in terms of a list of questions or considerations that should be taken into account in decision-making. The risk of compromising the humanitarian principles should be balanced alongside security and fiduciary risks. - Look beyond 'access' in terms of the principle of humanity to include true considerations of proximity and accountability to affected populations.	**The HC and the Head of OCHA:** - Lead on/advocate for a review of current UN security rules (e.g. regular use of armed escorts, notification system, bunkerisation approach) that impede the operationalisation of the principles of humanity and impartiality through true proximity to affected populations.	**ECHO and Sweden:** - Ensure Senior Officials Meeting take the opportunity to review challenges to access and principled humanitarian action across Yemen, not just in areas under the control of the de-facto authorities. It is important that the operationalisation of the principles is seen in its different implications. How to engage with actors may differ from one area to the other.

FINDING

- There is no functional accountability framework for principled humanitarian programming in Yemen.

RECOMMENDATION

To Operational Agencies	To Humanitarian Leadership	To Donors

Internally:

- Develop a functional internal accountability framework that reviews the consequences for failing to uphold principled decision-making in programmes and access negotiations.
- Communicate on decisions taken and the rationale behind them to all staff so to facilitate their ability to hold agreed-upon red lines.

The Humanitarian Coordinator:

- Review the functioning of the HCT to make it a more effective space for coordination based on principles.
- Elevate internal agency discussions and lead humanitarian organisations in the development of a collective access strategy that takes into account also the risks of compromising on the principles and the appropriate mitigation measures.

The HC and the Head of OCHA:

- Ensure a structured process to evaluate the necessity and impact of compromises on the overall humanitarian response in Yemen; consistently document collective decisions and establish a clear accountability framework.
- Demonstrate leadership and accountability by ensuring clear communication on progress/lack of progress of advocacy, including advocacy for a more principled response, done on behalf of the humanitarian community in Yemen.

Cluster Lead Agencies:

- Hold cluster coordinators accountable for their contribution to a collective analysis and programmatic positioning on the basis of humanitarian principles.

ECHO and Sweden:

- Ensure Senior Officials Meeting take the opportunity to review challenges to access and principled humanitarian action across Yemen, not just in areas under the control of the de-facto authorities. It is important that the operationalisation of the principles is seen in its different implications. How to engage with actors may differ from one area to the other.

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ANNEX I: METHODOLOGICAL APPROACH

The research has hinged on two main tasks:

1. Capturing and analysing how partner organisations in Yemen approach the humanitarian principles:

   a. conceptually, as reflected (1) at the level of the partners' programme strategy; and (2) in relation to ECHO strategy and decisions; and

   b. practically, as reflected (1) at the level of programme/project implementation; (2) in efforts to engage the wider humanitarian structure in a coordinated, principled approach to engagement with authorities and service delivery across clusters; and (3) in current stakeholder perceptions.

2. Identifying the challenges/obstacles and enablers ECHO humanitarian partners face in providing principled humanitarian programming, and assess to what extent it is possible to infer linkages between these challenges/obstacles, and

   a. ECHO partners' (and their local/national partners) approach to the humanitarian principles in their sectoral and geographic areas of operations;

   b. The presence of ECHO partners in their geographical areas of operations (including consideration of the level of acceptance by local/national actors (authorities and people));

   c. The interface between an individual organisation's approach and a coordinated one within the wider humanitarian architecture (OCHA, Clusters, NGO fora…)

With regard to the first task, the research has made use of an Analytical Framework that takes the four humanitarian principles as its starting point (see the Table below).[1] Each principle is broken down into key components that can be used to assess what the principles mean for organisations, and how and with which results they are integrated in their decision-making and programming, whether at the individual or collective level.

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1   Drawing on Schenkenberg van Mierop, "Coming Clean on Neutrality and Independence: The Need to Assess the Application of Humanitarian Principles", this framework was first developed for HERE-Geneva's multi-year study looking at the role of mandates in humanitarian aid delivery in armed conflict (see https://here-geneva.org/the-role-of-mandates/), and was then applied in the context of a review of principles humanitarian assistance in Iraq (Schenkenberg and Wendt, 'Principled Humanitarian Assistance of ECHO Partners in Iraq'.)

Humanity

Needs-based assistance and protection	The principle of humanity is often only translated in terms of providing assistance. We see applying a protection lens as equally important. It follows that trade-offs such as the one between presence/access on the one hand and advocacy on humanitarian norms, on the other hand, will be examined in depth both with regard to each organisation and to larger coordination efforts on this point.
Efforts to negotiate access and presence	Do agencies have red lines on conditions for acceptance? Do they have policies or take positions on when compromises are no longer appropriate? With whom do they negotiate?
Engagement with affected communities	Do agencies involve affected communities on questions around difficult choices such as what compromises to accept or on the tension between assistance and protection?

Impartiality

People most in need	Do agencies have definitions of 'most' in need? And do they coordinate on this question?
Non-discrimination	How absolute do agencies see this principle? Do they understand or see legitimate forms of discrimination in their work, such as prioritising women, elderly, or refugees?

Neutrality

Political engagement	Do activities, in part. advocacy, imply an actual engagement in controversies of a political or related nature?	
Perceptions	Have the perceptions of all relevant actors with regard to the neutrality of humanitarian aid been gauged?	Acceptance
		Accountability to affected populations
Balancing neutrality with other principles	What compromises need to be made in order to ensure a reasonable balance with other principles?	

Independence

Institutional and political independence	How do agencies secure their independence when they are part of a so-called 'multi-mandate' institution such as the UN, or when they have a national affiliation in their name?
Financial independence	What humanitarian funding conditions do agencies accept? Do they have red lines? Are these red lines collectively negotiated/agreed upon?
Operational independence, incl. technical and logistical aspects	How do agencies ensure that they remain independent, while using transport or logistical facilities of non-humanitarian actors?

Table: Analytical framework for assessing humanitarian principles

This analytical framework attempts to provide a practical take on the integration of humanitarian principles in an organisation's identity and as guiding tools towards programmatic and operational outcomes.

As regards the second task – i.e., to identify and map obstacles and enablers faced by ECHO partners in providing principled humanitarian programming, notably in terms of access/presence and coordination – consideration has been made both of internal factors (e.g., organisational choices in terms of staffing, logistics, risk tolerance, degree of financial independence, investment etc.) and external factors (e.g., security concerns, structural and contextual particularities, synergies with other stakeholders, etc.). The Figure below gives an overview of how the analytical steps have been seen to fit together.
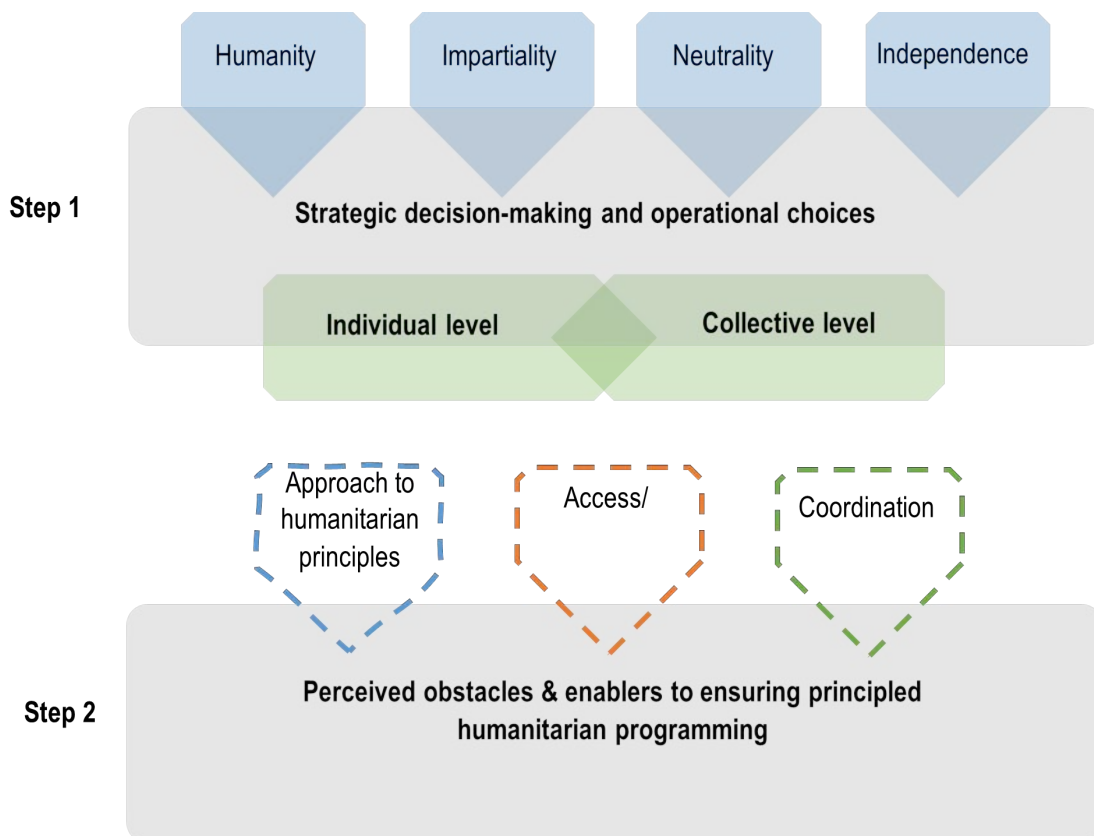
Figure: Overview of how the analytical dimensions fit together

The Research Matrix provided in Annex 2 has been elaborated based on the lines of inquiry given in the ToR, and this Analytical Framework. It has been complemented with insights from the "principles in practice checklist" provided in Annex IV to the FDFA's Practitioners' Manual on humanitarian access in situations of armed conflict,[2] the perception studies carried out by Humanitarian Outcomes and GPPI for component 2 of the SAVE project (Access and Quality),[3] and the tools developed by HERE-Geneva for its project looking at the Role of 'Mandates' in humanitarian aid delivery in armed conflict.[4] The Research Team has considered the lines of inquiry as a whole to provide an overall picture of what helps and what stands in the way of principled humanitarian programming in Yemen. The report is structured to reflect the analytical framework: it first looks at how principles are operationalised (approached) by different organisations, and then considers what this means for access and a coordinated approach to principled humanitarian action.

Sampling

ECHO works with approximately 20 partners in Yemen. Given the timeline and scope of this research, a sample of 12 partner organisations was selected. Seven of these were also represented in the Steering Committee for this research. The selected organisations were chosen as they belong to different families (UN, Red Cross/Red Crescent Movement, and NGOs); are active in different sectors; have different sizes of operations and capacities; and work in different areas with different level of access, security constraints, and numbers of people in need.

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2   FDFA, UN OCHA, and CDI, 'Humanitarian Access in Situations of Armed Conflict - Practitioner's Manual'.

3   See https://www.humanitarianoutcomes.org/projects/save/access-and-quality, and Haver, 'Tug of War. Ethical Decision-Making to Enable Humanitarian Access in High-Risk Environments'.

4   See https://here-geneva.org/the-role-of-mandates/.

Key informants

In view of the scope of the study, ECHO partner representatives and beneficiaries made up the majority of the informants, but for the purpose of gaining additional perspective on the findings, the Research Team also held **semi-structured interviews** with three other key donors to Yemen, representatives from OCHA and from five other organisations (INGOs and UN agencies) that were not ECHO partners at the time of the research.

To gather the point of view and insights from affected populations, 12 **Focus Group Discussions** (FGDs) were held in eight different locations in five governorates in Yemen (Dhamar, Hajah, and Taiz in DFA controlled areas, and Aden and Lahj in IRG controlled areas). The FGDs were facilitated by a national researcher associated with the Research Team, and they reached a total of 99 persons, of which 55 women and 44 men. Approximately 25% of the FGD participants were representatives of the Muhamesheen minority group, and participants also included persons with disabilities, as well as persons older than ≥65.

While the Research Team had initially planned to include local authorities in the list of respondents, it finally decided not to, in consultation with the Steering Committee. This for two main reasons: 1. The scope of the study mainly focuses on the perspective of humanitarian organisations themselves; 2. In order to have a meaningful input from local authorities, the Research Team would have required a good understanding of the key stakeholders in the different areas of Yemen. Such a mapping, specifically with regard to the areas under control of the internationally-recognised government of Yemen, is however not available.

Document analysis

The body of primary data collected has been triangulated by the findings from a systematic document analysis, based on documentation provided directly by ECHO and the partners identified in the sample. The partners were asked to provide (where available) (a) programme strategy documents for Yemen, (b) organisational founding documents, (c) documents relating to the organisational mission, values, and principles, (d) policy papers related to Yemen, and (e) documents relating to risk management. Out of the twelve organisations part of the sample, nine provided documentation, which totalled 114 relevant documents considered in the analysis. Variations in the document sharing were noticeable specifically in the type of document shared (some participants did not provide any programme strategy or only a few documents relating to Yemen), and the amount of documents shared (from two documents from one organisation to over forty from another). As many of the documents provided by the partners for the document analysis are confidential, this review does not list them as references, and the findings flowing from them are phrased in general terms.

ANNEX II: RESEARCH MATRIX

Analytical dimension			Lines of inquiry *(italics = lines of inquiry from ToR)*	Data collection
1: Mainstreaming of humanitarian principles	A. Conceptually	In ECHO Strategy and decisions	▪ How is the mainstreaming of humanitarian principles framed in ECHO's strategy and decisions?	▪ Desk review
		In ECHO Strategy and decisions	▪ *To what extent does the organisation's programme strategy reflect the humanitarian principles? (reformulated)* ▪ How is the mainstreaming of humanitarian principles framed in ECHO partners' strategy, decisions, reporting, and accountability mechanisms? ▪ Do humanitarian principles guide the development of internal policies and decision-making related to securing and sustaining access (including prioritising options for access)?	▪ Desk review ▪ Focus Group with partner representatives OR semi-structured interviews, as appropriate
	B: Practically	In ECHO partner programmes	▪ *To what extent do the operations reflect the programme strategy, and do the operations meet the aims of the programme strategy with regards to the humanitarian principles? Is it deliberate?* ▪ *How has ECHO's strategy and decisions as a donor impacted partners' willingness and ability to mainstream the humanitarian principles throughout programs and coordination?* ▪ Do ECHO partners feel they were forced to compromise on principles? Which and to what extent? *What mitigating measures (capacity building, programming, advocacy, negotiation, etc.) are organisations adopting when forced to compromise on humanitarian principles? (reformulated)* ▪ *Is there any evidence of what actions were implemented by humanitarian organisations on compromised humanitarian principles and what were the implications?* ▪ Are humanitarian principles used to weigh potential costs and benefits of taking certain actions related to securing and sustaining access? ▪ *To what extent has the organisation attempted to engage the wider humanitarian structure (OCHA, Clusters) in a coordinated, principled approach to engagement with authorities, and service delivery across clusters?* ▪ *To what extent do organisations think that clusters were adopting a humanitarian and coordinated approach in engaging authorities?* ▪ Are the humanitarian principles used to externally communicate the organisations motivation, objectives, and ethos?	▪ Focus Group with partner representatives OR semi-structured interviews, as appropriate

Analytical dimension			Lines of inquiry *(italics = lines of inquiry from ToR)*	Data collection
2: Approach to humanitarian principles	A: Humanity	Needs-based assistance and protection	▪ To what extent are humanitarian access and activities motivated by needs and protection?	▪ Desk review ▪ Semi-structured interview
		Efforts to negotiate access and presence to enhance the wellbeing of civilian populations without making them targets of violence	▪ *How has the organisation incorporated the need to obtain and secure access as part of its humanitarian programme?* ▪ *How has the organisation maintained presence in its areas of operations- how has this led, or not, to increased accountability with various stakeholders?* ▪ *Have humanitarian principles been used when negotiating access to hard to reach areas? With whom have partners negotiated? (reformulated)* ▪ Do partners have red lines on conditions for acceptance? Are these red lines collectively negotiated/agreed upon? Do they have policies or take positions on when compromises are no longer appropriate?	▪ Desk review ▪ Semi-structured interview
		Engagement with affected communities	▪ Do agencies involve affected communities on questions around difficult choices such as what compromises to accept or on the tension between assistance and protection?	▪ Desk review ▪ Semi-structured interview
	B: Impartiality	Assistance to people most in need	▪ On what basis does the organisation choose which population to access and assist? ▪ Do agencies have definitions of 'most' in need? At what level does the organisation decide "most in need" (country-wide; within the selected project area.)? And do they coordinate on this question? With whom?	▪ Desk review ▪ Semi-structured interview
		Non-discrimination	▪ How absolute do agencies see this principle? Do they understand or see legitimate forms of discrimination in their work, such as prioritising IDPs, marginalised groups, persons with disabilities,…? ▪ Does the organisation representative perceive that the organisation does indeed work in a non-discriminatory manner? How?	▪ Desk review ▪ Semi-structured interview

Analytical dimension			Lines of inquiry *(italics = lines of inquiry from ToR)*	Data collection
2: Approach to humanitarian principles	A: Neutrality	Political engagement or not?	▪ Do activities, in particular advocacy, imply an actual engagement in controversies of a political or related nature? ▪ Is advocacy and public positioning based on factual data, information, and a solid understanding of the different conflict dynamics? Does it address all parties to the conflict even-handedly (recognising that culpability may not be evenly distributed)? Are the advocacy asks formulated in a way to uphold the perception of neutrality? ▪ Are humanitarian negotiations conducted independently of political processes (e.g. ceasefire negotiations)? ▪ Do practitioners engage with any and all actors with influence on access and/or target population well-being?	▪ Desk review ▪ Semi-structured interview
		Perceptions	▪ Do the organisation representatives know how their organisation is perceived by other stakeholders in situations of armed conflict? (How and how often, if at all, do the organisations gauge the perception of their organisation by other stakeholders)? ▪ Are armed guards/escorts used, and if so, to what extent does the organisation representative believe this has a negative impact on the perception of neutrality? And if so, what, if any, measures has the organisation taken to reduce the possible negative impact of this action on the perception of neutrality?	▪ Desk review ▪ Semi-structured interview
		Balancing neutrality with other principles	▪ Would the organisation representative say that the principle of neutrality is absolute, or can it be compromised? If so, how, when and why? Examples?	▪ Semi-structured interview
	D: Independence	Institutional and political independence	▪ What can be said about the organisation's relationship to political institutions in Yemen? Elsewhere? ▪ To what extent would the organisation representative say that the organisation is institutionally/politically independent/dependent? How and why? What are the practical implications of this for their work?	▪ Desk review ▪ Semi-structured interview
		Financial independence	▪ What can be said about the organisation's relationship to ECHO? Other donors? ▪ To what extent would the organisation representative say that the organisation is financially independent/dependent? How and why? What are the practical implications of this for their work?	▪ Desk review ▪ Semi-structured interview
		Operational independence	▪ What role do humanitarian principles play in informing an organisation's partnerships/collaborations at the local/regional/international level? ▪ To what extent would the organisation representative say that the organisation is operationally independent/dependent? How and why? What are the practical implications of this for their work? ▪ Does the organisation retain operational control and direction of activities related to securing and sustaining access?	▪ Semi-structured interview

Analytical dimension			Lines of inquiry *(italics = lines of inquiry from ToR)*	Data collection
3: Factors positively or negatively influencing capacity to ensure principled humanitarian programming	A: Obstacles		▪ *What are the key challenges for each of the humanitarian principles and accountability that organisations were facing; in what and in what ways do these challenges appear to impact programming?*	▪ Semi-structured interview
		Internal factors (staffing, logistics, organisational culture)	▪ What do partner representatives perceive to be the main internal obstacles to ensuring principled humanitarian programming in Yemen? ▪ How are internal obstacles to ensuring principled humanitarian programming in Yemen overcome?	▪ Semi-structured interview
		External factors (structural and contextual particularities, synergies)	▪ What do partner representatives perceive to be the main external obstacles to ensuring principled humanitarian programming in Yemen? ▪ How are external obstacles to ensuring principled humanitarian programming in Yemen overcome?	▪ Semi-structured interview ▪ Semi-structured interview
	D: Enablers		▪ What are the perceived key enablers for ensuring principled humanitarian programming in Yemen? Good examples?	▪ Semi-structured interview
			▪ *To what extent does an organisations engagement appear to have been effective in delivering principled, coordinated aid, and to analyse the cost benefit of spending time/resources in doing so? (reformulated)* ▪ *Do the current coordination forums support (directly or indirectly) organisations in delivering principled assistance?* ▪ *Does evidence suggest a link between an organisations presence and the ability to deliver principled humanitarian assistance?* ▪ *To what extent do organisations think they have good acceptance by authorities and people that will allow them to deliver principled humanitarian assistance?*	▪ Semi-structured interview
4: Perceptions	A: By affected people		▪ How has the assistance been perceived by affected people with regard to humanitarian principles? ▪ To what extent do affected people feel that ECHO partners have communicated directly to them on their principles/explained their position vis-à-vis the principles? ▪ To what extent do affected people feel that the humanitarian work of ECHO partners responds to their greatest need?	▪ Focus Group AND/OR key informant interviews among affected people
	B: By stakeholders		▪ How is the organisation and its activities perceived by the representatives of the partner organisations in regard to humanitarian principles? ▪ Do relevant local actors recognise the organisations for their humanitarian identity? What does this mean for them? Do they recognise differences in terms of identity and ways of working of the various organisations?	▪ Semi-structured interviews

ANNEX III: PERCEIVED ENABLERS AND OBSTACLES TO PRINCIPLED HUMANITARIAN PROGRAMMING IN YEMEN

	All Respondents			INGO Respondens			UN Respondents			RC/RC Respondents		
	Obstacle	Enabler	Could be better	Obstacle	Enabler	Could be better	Obstacle	Enabler	Could be better	Obstacle	Enabler	Could be better

Humanitarian Community
- Working individually
- Collective effort
- Coordination structure
- SOM
- Clusters
- HCT
- HAWG
- TMG
- Head of Agency mtg
- CD Group
- Lack of leadership/humanitarian community
- UN Bunkerisation

Yemen context
- Lack of complete picture of needs
- HNO/HRP
- Famine focus
- Availability or not of funding
- Politicised context
- Confict/Insecurity
- North-South division
- Authority bureaucracy
- Authority interference

Organisational set-up
- Corruption
- Delays
- Brand name/activity/operating model
- Legal mandate
- Being foreign agency/foreign staff
- Being multi-sectoral (balance hard-soft)
- Connections/relationship with authorities
- Experience in country (org/staff)
- Being new; clean slate

Organisational approach
- Field presence - local relationships
- Lack of understanding of principles
- Principles - negotiation training
- High-level pressure
- HQ support
- Knowledgable donor
- Continuous engagement
- Communication Principles
- Consistent messaging
- Previous choices
- Stand firm/Not trying to be loved or hated
- Advocacy
- Red lines
- Flexibility
- Transparency/Honesty on what can be done
- Delivering on promises
- Trust
- Acceptance

Legend: The larger the red square, the more interviewees indicated this area as an enabler/obstacle to principled humanitarian programming in Yemen, or as an area in need of improvement.

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