2015

ON THE ROAD TO
ISTANBUL

How can the World
Humanitarian Summit
make humanitarian
response more effective?

HUMANITARIAN
ACCOUNTABILITY REPORT

CHSAlliance

Acronyms

3MDG - Three Millennium Development Goal Fund

AAP - Accountability to Affected Populations

AEI/CS - Accountability, Equity and Inclusion / Conflict Sensitivity

ALNAP - Active Learning Network for Accountability and Performance

BBB - Better Business Bureau

CAAP - Commitments on Accountability to Affected Populations

CERF - Central Emergency Response Fund

CHS - Core Humanitarian Standard

CV - Constituent Voice methodology

CWC - Communication with Communities

DAC - Development Assistance Committee

DFID - Department for International Development

DOA - Description of Action

DRR - Disaster Risk Reduction

ECOSOC - Economic and Social Council

ECOWAS - Economic Community of West African States

EDG - Emergency Directors Group

FSC - Forest Stewardship Council

FSP - Fragile States Principles

GHD - Good Humanitarian Donorship initiative

GIS - Geographic Information Systems

GPS - Global Positioning System

HAP -Humanitarian Accountability Partnership International

HAR - Humanitarian Accountability Report

HC - Humanitarian Coordinator

HCT - Humanitarian Country Team

HLSU - Humanitarian Leadership Strengthening Unit

HNO - Humanitarian Needs Overview

HR - Human Resources

IAF - International Accreditation Forum

IAHE - Inter-Agency Humanitarian Evaluation

IASC - Inter-Agency Standing Committee

IATI - International Aid Transparency Initiative

ICRC - International Committee of the Red Cross

ICT - Information and Communication Technology

IDP - Internally Displaced Person

IFRC - International Federation of Red Cross and Red Crescent Societies

IHL - International Humanitarian Law

ILT - Instructor-Led Training

IMO - Information Management Officer

INGO - International Non-Governmental Organisation

IP - Implementing Partner

ISO - International Organization for Standardization

JSI - Joint Standards Initiative

LMMS - Last Mile Mobile Solutions

LRRD - Linking Relief, Rehabilitation and Development

MENA - Middle East and North Africa

MIRA - Multi-sector Initial Rapid Assessment

MSF - Médecins Sans Frontières (Doctors Without Borders)

NGO - Non-Governmental Organisation

OCHA - United Nations Office for the Coordination of Humanitarian Affairs

ODA - Official Development Assistance

OECD - Organisation for Economic Co-operation and Development

OPR - Operational Peer Review

PIN - Personal Identification Number

PMR - Periodic Monitoring Report

PSEA - Protection from Sexual Exploitation and Abuse

PVO - Private Voluntary Organization

RCRC - The Red Cross and Red Crescent Movement

SARC - Syrian Arab Red Crescent

SCHR - Steering Committee for Humanitarian Response

SDC - Swiss Agency for Development and Cooperation

SEA - Sexual Exploitation and Abuse

SOP - Standard Operating Procedure

SRP - Strategic Response Plan

TA - Transformative Agenda

TI - Transparency International

UN - United Nations

UNGA - United Nations General Assembly

UNIDO - United Nations Industrial Development Organisation

UNOPS - United Nations Office for Project Services

USAID - United States Agency for International Development

WASH - Water, Sanitation and Hygiene

WFP - World Food Programme

WHO - World Health Organization

WHS - World Humanitarian Summit

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How do humanitarian principles support humanitarian effectiveness?

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Humanitarian principles aren't just an ethical compass for aid
delivery in complex and dangerous environments, argues ICRC's
Jérémie Labbé, they provide a pragmatic operational framework
that contributes to humanitarian effectiveness too.

Effectiveness is commonly understood as the capacity to produce a desired result, to achieve
the objectives set out or to solve the targeted problem. Naturally, humanitarian actors
have always been concerned with ensuring that the effectiveness of their action benefits
communities affected by conflicts or disasters. In the last two decades in particular, they have
developed a number of professional and technical standards – including the recently adopted
Core Humanitarian Standard (CHS) – aimed at improving the quality of their response and thus
their overall effectiveness. While these normative developments have arguably contributed to
improvements,[1] a key question remains: How do the humanitarian principles of humanity, impartiality,

1/ The 2012 report The State of the Humanitarian System, which is a system-level analysis and evaluation of the
performance of international humanitarian assistance, noted that "most [humanitarian] interventions were
found to be effective or partially effective in terms of achievements against projected goals or international
standards". Taylor, G. et al., The State of the Humanitarian System. 2012 Ed. London: ALNAP. p.11.

neutrality and independence (the principles "at the core of all humanitarian work" in the words of the CHS[2]) support humanitarian effectiveness?

While this chapter aims to give elements of the answer to this question, a number of limitations should first be highlighted. In terms of methodology, this chapter draws mostly on a desk-based review of the literature, as opposed to evidence-based field research. It also draws heavily on an internal study of the International Committee of the Red Cross (ICRC) conducted in seven field delegations in 2013-2014.[3] The explicit aim of this study was to better understand how the ICRC applies humanitarian principles in practice and the challenges it faces in doing so, rather than to explore the causal link between principles and effectiveness. Therefore, the scope of this chapter is not so much to provide quantitative or measurable evidence as to contribute qualitative elements to the discussion, based on ICRC's understanding and interpretation of the principles, and its concrete operational experience.

Another methodological difficulty concerns the lack of consensus around the definition of humanitarian effectiveness. The World Humanitarian Summit (WHS) process (to which this report is a contribution) has brought the concept of humanitarian effectiveness under the spotlight by selecting it as one of the four themes around which to structure its discussions.[4] Yet, as noted by Dayna Brown in the first chapter, there is neither a clear definition of the concept nor a clear list of its components. Alongside considerations of timeliness, coverage of needs and quality of aid, this chapter will consider four broad criteria as parameters of humanitarian effectiveness, drawing on the initial scoping paper produced for the WHS on this particular topic.[5] These are:

- Better understanding what affected communities need, and what local and national actors are already doing to address these needs;
- Improving the accountability of the response, not only in relation to the affected communities, but towards donors and affected governments as well;
- Enhancing the complementarity of the different actors responding to crises, both within the so-called international humanitarian system and outside of it (e.g. militaries, private sector actors, diaspora groups, local civil society organisations, religious institutions, etc.); and
- Better tailoring the response to the specific conditions of a given crisis, be it a sudden- or slow-onset natural disaster, an ongoing or protracted conflict, or a situation of chronic vulnerability in a fragile state.

However, as we shall be discussing, humanitarian effectiveness is a relative concept, as it is intimately linked to the various ways in which different humanitarian actors understand the objectives of humanitarian action, which also explains fluctuating interpretations of humanitarian principles.

Based on these premises, this chapter will review some of the systemic challenges to the principles, outlining how they and the boundaries of humanitarian action are interpreted differently, and how this impacts on the very understanding of humanitarian effectiveness. Finally, it will focus on ICRC's understanding of these principles and demonstrate how, for this organisation, humanitarian principles are indispensable, but not necessarily sufficient to deliver humanitarian effectiveness. But first, here is a brief overview of how humanitarian principles came to be crystallised as the ethical and normative framework governing humanitarian action and how they are commonly understood.

Humanitarian principles: What are we talking about?

The progressive crystallisation of humanitarian principles

Besides international humanitarian law, which recognises that "[a]n impartial humanitarian body, such as the International Committee of the Red Cross, may offer its services",[6] humanitarian principles were first formalised by the International Red Cross and Red Crescent (RCRC) Movement in 1965 through the adoption of its seven Fundamental Principles.[7] The 'master-narrative' developed by the ICRC and the RCRC Movement[8] – itself the result and crystallisation of a century of humanitarian ethics and action – has deeply influenced the wider humanitarian system that broadly adopted the first four Fundamental Principles as the guiding principles of humanitarian action: humanity, impartiality, neutrality and independence.

Beyond international humanitarian law and the RCRC Movement, the humanitarian principles were endorsed in the 1990s, notably through UN Resolution 46/182 in 1991 that set the guiding principles nd the institutional foundations of the formal, UN-led, international humanitarian system.[9] A few years later, at the instigation of the RCRC Movement, NGOs adopted these principles as part of the *Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief*.[10] Since then, the central role of humanitarian principles in the normative framework governing humanitarian action has been progressively consolidated:

2/ The Core Humanitarian Standard on Quality and Accountability. 2014. p.8. Available at: www.corehumanitarianstandard.org/files/files/Core%20Humanitarian%20Standard%20-%20 English.pdf. [Accessed: 22 May 2015].

3/ 'Snapshot of ICRC application of Fundamental Principles' (internal study). ICRC. 2014.

4/ The World Humanitarian Summit, a two-year consultation process initiated by the UN Secretary-General in 2013, has selected four broad themes to guide and structure its discussions: 1) humanitarian effectiveness; 2) reducing vulnerabilities and managing risks; 3) transformation through innovation; and 4) serving the needs of people in conflict. For more information, see: https://www.worldhumanitariansummit.org/. [Accessed: 23 June 2015].

5/ Available at: https://www.worldhumanitariansummit.org/bitcache/e1e025da702cc19576cde7eb925ab11ad611d890?vid=489272&disposition=inline&op=view [Accessed: 30 April 2015].

6/ Article 3, common to the four Geneva Conventions of 12 August 1949 (we emphasise). The 1977 Additional Protocols to the Geneva Conventions further state that states should facilitate relief that is "humanitarian and impartial in character" (article 70 (1) API and article 18 (2) APII), thus recognising that humanitarian aid is expected to respect the principle of impartiality.

7/ The seven Fundamental Principles of Humanity, Impartiality, Neutrality, Independence, Voluntary Service, Unity and Universality were adopted at the 20th International Conference of the International Red Cross and Red Crescent Movement in 1965 in Vienna, and included in the Preamble of the Statutes of the RCRC Movement.

8/ The historian Katherine Davies refers to the influence of the ICRC and the broader RCRC Movement "as embodying a 'master-narrative' (…), not because all definitions of humanitarian goals and principles directly and transparently follow the Red Cross mandate or humanitarian law, but rather because of the predominance of the ICRC in crystallizing norms of humanitarianism." Davies, K. (2012) "Continuity, change and contest – Meanings of 'humanitarian' from the 'Religion of Humanity' to the Kosovo war". HPG Working Papers. London: Overseas Development Institute. p.1.

9/ UN General Assembly resolution 46/182 of 19 December 1991 adopted the principles of humanity, neutrality and impartiality, while independence was not officially recognised until 2003 in Resolution 58/114. Resolution 46/182 also recognised the principle of sovereignty and the primary responsibility of states to take care of victims of crises. Finally, it also established the institutional foundations for the coordination of humanitarian action under a UN umbrella, with the creation of the position of Emergency Relief Coordinator (Head of OCHA) and of the Inter-Agency Standing Committee (IASC), a high-level coordination platform for UN organisations and other humanitarian actors (the latter being standing invitees).

10/ The Code of Conduct was adopted in 1994 and is available at: http://www.ifrc.org/Global/Publications/disasters/code-of-conduct/code-english.pdf. [Accessed: 27 May 2015].

Humanity	Neutrality	Impartiality	Independence
Human suffering must be addressed wherever it is found. The purpose of humanitarian action is to protect life and health and ensure respect for human beings.	Humanitarian actors must not take sides in hostilities or engage in controversies of a political, racial, religious or ideological nature.	Humanitarian action must be carried out on the basis of need alone, giving priority to the most urgent cases of distress and making no distinctions on the basis of nationality, race, gender, religious belief, class or political opinions.	Humanitarian action must be autonomous from the political, economic, military or other objectives that any actor may hold with regards to areas where humanitarian action is being implemented.

- Since Resolution 46/182, states reiterate their commitment to humanitarian principles on an annual basis through resolutions of the UN General Assembly and of the Economic and Social Council on the strengthening of the coordination of humanitarian assistance (ECOSOC).[11] Some states have gone further and integrated these principles into intergovernmental and regional policy instruments – such as the Good Humanitarian Donorship initiative,[12] the European Consensus on Humanitarian Aid[13] and the Humanitarian Policy of the Economic Community of West African States (ECOWAS)[14] – and even in legally binding regional treaties, including the Treaty on the Functioning of the European Union[15] and the African Union's Kampala Convention on IDPs.[16]

- Beyond the Code of Conduct, international and national NGOs have developed and adopted other general and institutional policy documents referring to the principles, such as the SPHERE Humanitarian Charter and, more recently, the CHS. While all these texts do not necessarily refer to all humanitarian principles (the Code of Conduct omits neutrality for instance), the principles remain a recurrent subject in NGOs' public communications and debate.[17]

- Increasingly, so-called 'non-traditional' organisations (i.e. humanitarian organisations from non-Western countries that have been either recently created

Paradoxically, despite their broad recognition as principles guiding humanitarian action as demonstrated above, these principles remain contested in both theory and practice, even within the humanitarian sector.

or whose existence has only recently been 'noticed' by the formal international humanitarian system) are using the language of the principles.Some of these, for instance in the Muslim world, have done so by developing their own codes of conduct inspired by Islamic precepts in a manner mostly compatible with the principles.[18]

- Finally, in the context of the WHS, the importance of humanitarian principles was reaffirmed throughout the consultations, including in the various co-Chairs' summary of the regional consultations.[19]

Definition and understanding of humanitarian principles

Broadly speaking, the humanitarian principles set the ethical goals of humanitarian action and provide an operational framework and tools that distinguish it from other forms of aid.

Humanitarian action should be motivated by the sole aim of helping other human beings affected by conflicts or disasters (humanity); exclusively based on people's needs and without discrimination (impartiality); without favouring any side in a conflict or engaging in controversies where aid is deployed (neutrality); and free from any economic, political or military interest at stake (independence). While the definition of humanitarian principles provided by the UN Office for the Coordination of Humanitarian Affairs (OCHA) is widely referred to and recognised (see box above), these principles are subject to multiple interpretations within the humanitarian system and inconsistent application. Paradoxically, despite their broad recognition as principles guiding humanitarian action as demonstrated above, these principles remain contested in both theory and practice, even within the humanitarian sector.

Systemic challenges to humanitarian principles

Some principles under attack

Even as humanitarian principles were being formally adopted during the 1990s, they rapidly came under fire for not providing an adequate and politically astute enough framework to

11/ For instance, ECOSOC resolution E/RES/2014/13, adopted on 25 June 2014, reaffirms the four humanitarian principles in its second paragraph.

12/ See: http://www.ghdinitiative.org. [Accessed: 27 May 2015].

13/ Available at: http://ec.europa.eu/echo/files/media/publications/consensus_en.pdf. [Accessed: 27 May 2015].

14/ Available at: http://www.westafricagateway.org/files/Common%20Humanitarian%20Policy_0.pdf. [Accessed: 27 May 2015].
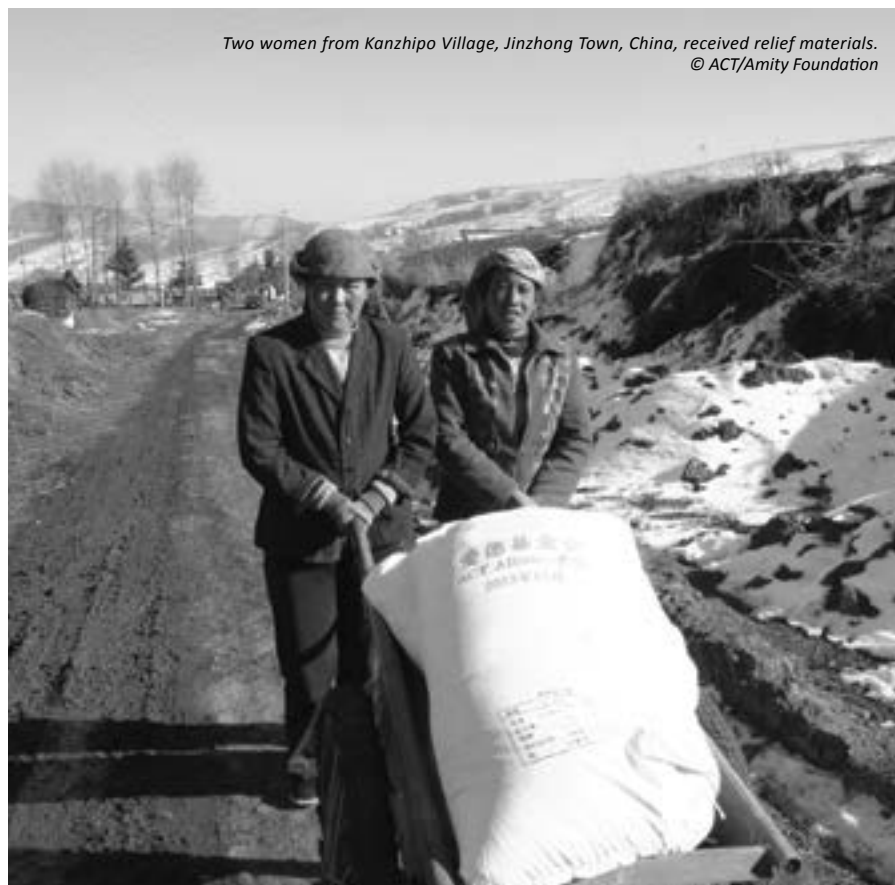
15 Article 214 of the TFUE states that: "Humanitarian aid operations shall be conducted in compliance with the principles of international law and with the principles of impartiality, neutrality and non-discrimination," omitting the principle of independence.

16/ Article 5(8) of the African Union's Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), adopted on 23 October 2009.

17/ See, for instance, the recent joint statement on humanitarian principles endorsed by 38 NGOs and presented in the context of the WHS process: https://icvanetwork.org/system/files/versions/Joint%20Statement%20on%20humanitarian%20principles%20endorsed%20by%2038%20humanitarian%20NGOs%20as%20a%20common%20contribution%20to%20the%20World%20Humanitarian%20Summit%20consultations%20as%20of%2013th%20February.%5B1%5D%20copy.pdf. [Accessed: 28 May 2015].

18/ See, for instance, the Islamic Charter of the Work of Goodness: http://www.cordoue.ch/arouas-blog/item/190-islamic-charter-of-the-work-of-goodness. [Accessed: 23 June 2015]. For more details on the process leading to the development of these codes of conduct, see: Mohamed, A. S. and Ofteringer, R. (2015) "'Rahmatan lil-alamin' (a mercy to all creation) – Islamic voices in the debate on humanitarian principles". International Review of the Red Cross, Vol. 97, No. 897-898 (forthcoming).

19/ For instance, one of the key conclusions of the co-Chairs' summary of the North and South-East Asia WHS Regional Consultation held in Tokyo on 23-24 July 2014 is that "[a]ccountability to affected people, as well as observance of the humanitarian principles of impartiality, neutrality, humanity and independence, are fundamental to effective humanitarian action." See co-Chairs' summary (p.2), available at: https://www.worldhumanitariansummit.org/bitcache/45f8935b00311af7b4af0e6c5a9c2ee2fa452331?vid=490805&disposition=inline&op=view. [Accessed: 29 May 2015].

Two women from Kanzhipo Village, Jinzhong Town, China, received relief materials.
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Explaining in such polarised contexts that one does not take sides and that aid is provided solely on the basis of need, including to 'the enemy', inevitably arouses suspicion and raises questions about the perceived neutrality and independence of humanitarian actors.

respond to the complexity of crises, especially conflicts. Although it is beyond the scope of this chapter to discuss in detail the developments of the international community's response to crises in the last two decades, it is important to briefly present some of its main features, as it explains why humanitarian principles have been the subject of recurrent criticisms. Joanna Macrae noted as early as 2002 that: "The 1990s saw the concept of humanitarianism transformed, from a distinctive but narrow framework designed to mitigate the impact of war, into an organising principle for international relations, led largely by the West."[20] Indeed, in the post-Cold War era and in response to state collapse and mass atrocities in Somalia, the Balkans and Rwanda, the international community, including through the UN, has vastly expanded its toolbox to respond to and manage crises. This includes peacekeeping missions, peace-enforcement operations, peace- and state-building approaches, and also humanitarian action, which is expected to espouse these broader legitimate political objectives. This led one influential scholar and long-time observer of humanitarian action to criticise organisations such as the ICRC that "still maintains an apolitical veneer (...) and is

unwilling publicly to admit that its principles should be adapted to political exigencies."[21] On the moral front, the application of humanitarian principles – especially neutrality – has been criticised for putting victims and their tormentors on an equal footing. Humanitarian principles are seen in some quarters as helping fuel conflicts by justifying the provision of aid to all sides without distinction, regardless of their moral rights or wrongs, and the refusal to join efforts with political actors better equipped to address the root causes of conflict and put an end to the suffering of civilians. This trend was further compounded in the 2000s with the generalisation of 'stabilisation', 'whole-of-government' and, in the UN jargon, 'integrated' approaches that "encompass a combination of military, humanitarian, political and economic instruments to render 'stability' to areas affected by armed conflicts and complex emergencies."[22]

Principles are also under attack because of the nature of the environments humanitarians operate in, which are typically characterised by chaos, destruction and, as far as conflicts are concerned, radicalisation and

political polarisation. Conflicts exacerbate radicalisation, suspicion and hatred, and the mere idea of assisting all those affected without discrimination, in line with the principles of humanity and impartiality, is instinctively regarded as unacceptable. Explaining in such polarised contexts that one does not take sides and that aid is provided solely on the basis of need, including to 'the enemy', inevitably arouses suspicion and raises questions about the perceived neutrality and independence of humanitarian actors.[23] These difficulties inherent to conflict were further aggravated in the post 9/11 context of the 'Global War on Terror' in which the dominant 'with us or against us' political discourse contributed to an environment in which groups designated as terrorists were 'evil' and populations sympathetic to their cause were considered not worthy of assistance and protection. This posed new challenges to the very principle of humanity.

Diverging interpretation and inconsistent application

These 'attacks' on humanitarian principles resonate within the so-called humanitarian system itself, which is as much defined by its differences as by its commonalities. Indeed, the humanitarian system is composed of a wide variety of actors that have different institutional mandates, ambitions and objectives. A minority are single-mandate agencies focused mainly on addressing acute humanitarian needs, while most humanitarian actors are multi-mandate agencies engaged in development, human rights, social justice, peace-building or other transformative activities beyond humanitarian action.

20/ Macrae, J. in 'The new humanitarianisms: a review of trends jinzglobal humanitarian action'. HPG Report 11. April 2002. London: Overseas Development Institute. p.7.
21/ Weiss, T. G. (1999) 'Principles, Politics, and Humanitarian Action'. Ethics and International Affairs (13). p.3.
22/ Collinson, S., Elhawary, S. and Muggah, R. (2010) 'States of Fragility: Stabilisation and its Implications for Humanitarian Action'. Disasters (34:3). October 2010. p.276.
23/ For a more in-depth discussion on the challenges to the principles posed by the very nature of conflicts, see: Labbé, J. and Daudin, P. (2015) "Operationalizing Humanitarian Principles: Reflections on the ICRC Experience". International Review of the Red Cross, Vol. 97, No. 897-898 (forthcoming).

Figure 2.1: *Average degree to which affected people think aid groups are neutral and impartial (0=low, 10=high)*

Yemen	3.0									
Palestine	4.1									
Lebanon	2.9									
Jordan	5.0									
Egypt	4.7									

0.0   1.0   2.0   3.0   4.0   5.0   6.0   7.0   8.0   9.0   10.0
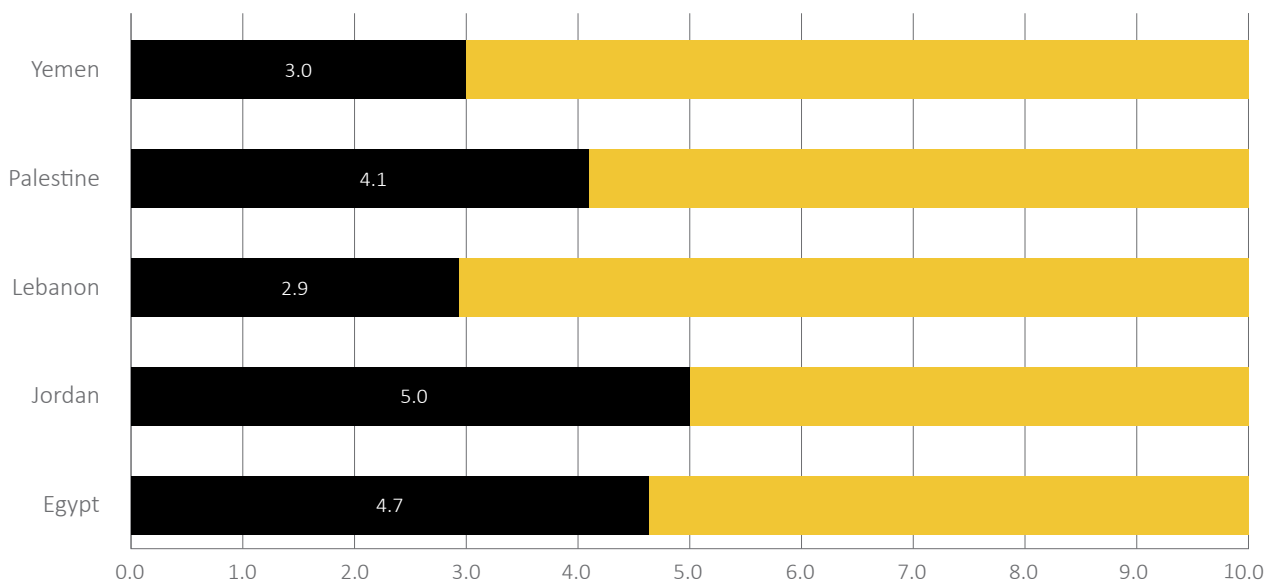
The Middle East and North Africa WHS consultation highlighted a perceived lack of respect for neutrality and impartiality by aid organisations.

Adapted from: World Humanitarian Summit, WHS Regional Consultation for the Middle East and North Africa: Preparatory Stakeholder Analysis, 2015, p. 10.

Although all are arguably driven by the principle of humanity, the philosophy and ethics underlying their work differ substantially. Some organisations are driven by deontological ethics – that is, ethics that considers the moral good of a particular action and not necessarily its wider consequences, as noted by Hugo Slim.[24] Others are driven by consequentialist ethics, which considers that the morality of an action must be measured by its broader consequences. To take a concrete example, pure deontologists would consider healing a wounded fighter intrinsically good, while consequentialists would be more inclined to consider the risk of the fighter returning to the battlefield, and their act inadvertently prolonging the conflict.

Other scholars classify humanitarian organisations within four distinct groups characterised by distinct ambitions and goals, and different degrees of respect for humanitarian principles: the 'principle-centered' Dunantists who adhere closely to humanitarian principles and have a relatively narrow understanding of humanitarian action (as envisioned by Henry Dunant, the founder of the ICRC); the 'pragmatists' or 'Wilsonians'

who espouse a more consequentialist approach to humanitarian action and show less reluctance to align with states' political agendas if they consider it serves their broader mission; the 'solidarists' who have a much broader vision of humanitarian action as encompassing human rights and social transformation and are, at times, openly partisan; and the 'faith-based' actors who are driven mostly by religious precepts, although in practice they cut across the three other groups.[25]

These different categories are somewhat artificial and, in reality, few organisations would fall squarely into one group or another. Nonetheless, they show the diversity of brands of humanitarianism, representing different ambitions, objectives and degrees of respect for humanitarian principles. While most have a common understanding of humanity and impartiality (although the interpretation of these principles may vary between deontologists and consequentialists), the principles of independence and neutrality are subject to a much broader range of perspectives. Oxfam, for example, which engages in humanitarian action but also promotes a human rights-based approach,

This results in widely inconsistent application of these principles by organisations that profess support for all of them in theory, but pick and choose which ones to apply in practice.

openly acknowledges that abstaining from engaging in political or ideological controversies, as prescribed by the principle of neutrality, runs counter in many contexts to its commitment to campaign on human rights or socio-economic inequalities and to engender broader changes. As stated by Nigel Timmins, Deputy Humanitarian Director at Oxfam GB: "The risk is that by claiming to be neutral but then speaking out will lead to accusations of hypocrisy and so undermine the trust we seek".[26]

The problem remains that few organisations acknowledge that humanitarian principles – which have become a defining element of what humanitarian action should be – might not best serve the goals they have

24/ Slim, H. (1997) 'Doing the right thing: Relief agencies, moral dilemmas and moral responsibility in political emergencies and wars. Disasters (21:3). September 1997.

25/ Walker, P. and Maxwell, D. (2009) Shaping the Humanitarian World. New York: Routledge. pp.121-24. Thomas Weiss, on his side, has proposed a slightly different categorisation between classicists, minimalists, maximalists and solidarists, characterised by their degree of political engagement and respect for the principles. See: Weiss, T. G. (1999) 'Principles, Politics, and Humanitarian Action'. Ethics and International Affairs (13). pp.3-4.

26/ de Riedmatten, A. and Timmins, N. (2015) "Contrasting views – including 'Neutrality' in the CHS". Humanitarian Aid on the Move (15). Groupe URD. pp.10-13. Available at: http://www.urd.org/IMG/pdf/HEM15_EN_Webpdf.pdf [Accessed: 27 May 2015].

Figure 2.2: Fundamental Principles pyramid

The hierarchical order and internal logic of the Fundamental Principles mentioned by Pictet (see footnote 28) can be represented by the above pyramid.

They are operational tools that help humanitarian actors to demonstrate in all circumstances that they are driven only by the desire to bring assistance and protection to the victims of crises without discrimination, and have no ulterior motives.

set for themselves, defined by their understanding of what humanitarian action encompasses. This results in widely inconsistent application of these principles by organisations that profess support for all of them in theory, but pick and choose which ones to apply in practice. This gap between words and action damages the integrity of humanitarian principles and exposes organisations to the accusations of hypocrisy Timmins warns about.

Humanitarian principles as a moral compass and driver of effectiveness: reflection on the ICRC's experience

Given the ICRC's long experience in a wide range of crisis contexts and its influence on the formulation of humanitarian principles – known within the RCRC Movement as 'Fundamental Principles' – it is worth examining how it understands, interprets and applies them and how this contributes to humanitarian effectiveness. Although the organisation's approach is only one among many, the ICRC has proven its efficiency and effectiveness time and again in conflict situations and, in that respect, it deserves to be looked at in more depth.[27]

The theory

For the ICRC in particular and the RCRC Movement in general, the seven Fundamental Principles provide an ethical, operational and institutional framework that guides humanitarian action. In the words of Jean Pictet, a famous ICRC jurist who theorised the Principles and studied their deeper meaning: "The principles of the Red Cross do not all have the same importance. They have a hierarchical order [and] an internal logic, so that each one to a degree flows from another."[28]

ICRC's interpretation of the Fundamental Principles

The very objective of humanitarian action – and therefore a central component of humanitarian effectiveness – is defined by the

principle of Humanity,[29] qualified by Pictet as the 'essential' principle. Humanitarian action's sole purpose is to prevent and alleviate human suffering, to protect life and health, and to ensure respect for the human being. Humanity provides the ethical basis of the humanitarian gesture that aims not only to deliver assistance to victims of crises but also protection, regardless of their nationality, religious beliefs or political allegiance, even in wartime. The inevitable corollary of this is non-discrimination, embodied in the principle of Impartiality, which provides that aid should be given on no other criteria than the severity of needs and in proportion to these needs. The moral ethic underlying humanitarian action and its overarching objectives is defined by these two 'substantive' principles, which set the bar by which humanitarian effectiveness should be measured.

As for Neutrality and Independence, they are practical tools that enable humanitarian actors to achieve this ideal. "Here, we are in the domain of means and not of ends," says Pictet.[30] These two principles, developed out of decades of field experience, have no moral value in themselves. They are operational tools that help humanitarian actors to demonstrate in all circumstances that they are driven only by the desire to bring assistance and protection to the victims of crises without discrimination, and have no ulterior motives. In politically polarised situations of conflict in particular, demonstrating that one does not take sides, abstaining from taking part in controversies of a political, religious or ideological nature, and showing one's autonomy from other political or economic interests at stake helps to promote acceptance by all, which facilitates safe access and lays the conditions for genuinely impartial assessment of needs.

Finally, the other Fundamental Principles of Voluntary Service, Unity and Universality

27/ Referring to OCHA's 2011 report To Stay and Deliver, Glyn Taylor et al. remark that "recent research has shown that the humanitarian operations most successful at maintaining operations in insecure settings have been those of the ICRC, in partnership with local Red Cross / Red Crescent societies, which are driven by intense outreach and humanitarian negotiation." Taylor, G. et al., The State of the Humanitarian System. 2012 Ed. London: ALNAP. p.24.

28/ Pictet, J. (1979) 'The Fundamental Principles of the Red Cross: A Commentary'. International Review of the Red Cross. Geneva.

29/ In the rest of this chapter, the principles will be capitalised when referring specifically to one of the Fundamental Principles and to how it is defined and interpreted within the RCRC Movement, to distinguish them from the more broadly accepted humanitarian principles.

30/ Pictet, op. cit.

are institutional in character. Although less directly relevant to the present discussion since specific to the RCRC Movement, these principles are crucial to enable the Movement as a whole to abide by its mission as defined by the principles of Humanity and Impartiality. For instance, the principle of Unity, which provides that there should be only one National RCRC Society per country, open to all and that covers its entire territory, is meant to enable these societies to deliver aid based on needs throughout their respective countries, in line with Impartiality. Syria is an interesting illustration in this respect. The Syrian Arab Red Crescent's (SARC) National Society has 14 branches and 84 sub-branches. This structure ensures that its work is carried out nationwide, yet anchored locally, and fully reflects the political and cultural diversity of the communities in which it operates, as noted in a New York Times article.[31] Although no silver bullet, this attempt to implement the principle of Unity helps foster a public perception that the SARC is relatively neutral and independent of the parties to the conflict. In this way, it is maintaining and/or gaining some degree of acceptance by communities which will eventually allow it to deliver impartial aid throughout the country, in spite of numerous ongoing challenges.[32]

Proximity to affected communities: a prerequisite and driver of effectiveness

In summary, the Fundamental Principles provide the RCRC Movement with tools for gaining the trust and acceptance of all parties, in order to secure safe access and proximity to the communities it assists, which is key to humanitarian effectiveness and relevance.

Proximity to the people is essential to understand the situation on the ground and assess people's material and protection needs based on their specific vulnerabilities (due to their age, gender, disabilities, etc.). This physical presence enables aid workers to develop a dialogue with communities, listen carefully to people's fears and aspirations, give them a voice and establish the human relationships necessary to "ensure respect for the human being", which is a crucial element of the principle of Humanity. Proximity also enables aid organisations to be aware of local realities, including existing

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local initiatives that address the needs of the people and to develop programmes that complement or support them, instead of duplicating or undermining their work.

Driven by this objective to work in proximity to affected communities and thereby maintain acceptance and access, humanitarian actors must also demonstrate accountability to these communities – that is, to respond in a relevant manner to their actual needs in line with the principle of Impartiality. In this sense, proximity is a driver of accountability and a prerequisite of effectiveness and relevance.

The practice

Far from obstructing the pragmatism needed to ensure the continued relevance of humanitarian action, the principles of humanity, impartiality, neutrality and independence provide both an ethical compass and a pragmatic operational framework to navigate the complex and often dangerous environments in which humanitarians operate. As discussed above, critics sometimes argue that insisting on the apolitical character of humanitarian action is to ignore the political reality of humanitarian crises and the political implications of aid. This lack of political astuteness would sometimes undermine effective humanitarian action as it would preclude humanitarian actors from cooperating with other political actors, such as governments or armies, who are ultimately the ones who can bring effective solutions to humanitarian crises. Yet humanitarian principles, especially neutrality and

independence, are an acknowledgement, not a denial, of political reality and a guide with which to navigate it. "Indeed, like a swimmer, [the ICRC] is in politics up to its neck," says Pictet. "Also like the swimmer, who advances in the water but who drowns if he swallows it, the ICRC must reckon with politics without becoming part of it."[33] The principles provide the tools to make this possible.

In Afghanistan for instance – one of the very contexts where critics of humanitarian principles called for greater political pragmatism[34] – the consistent application of humanitarian principles has allowed the ICRC to maintain its presence throughout decades of conflict and deliver assistance and protection across multiple frontlines. As Antonio Donini observed in 2010: "[s]o far, only the ICRC has been able to develop a steady dialogue on access and acceptance with the Taliban," further adding that: "the World Health Organization, for example, needs to rely on the ICRC's contacts for its immunisation drives."[35] This acceptance and the access it made possible – at times benefiting other actors such as WHO – was not a straightforward process however, as Fiona Terry emphasised in a study on the ICRC's neutrality in Afghanistan. Indeed, the ICRC faced multiple ups and downs, including the targeted murder of one of its staff in March 2003. It required perseverance, consistency and creativity in the way it applied the principles "to demonstrate to all sides the benefits of having a neutral intermediary in the midst of conflict."[36]

A balancing act in the service of needs

The ICRC's internal study on its application of the principles[37] illustrates how its delegates constantly recalibrate the balance struck between principles and other competing considerations in complex decision-making and analysis. This study shows that these

In this sense, proximity is a driver of accountability and a prerequisite of effectiveness and relevance.

31/ Anne Barnard, A. (2013) "Rushing to aid in Syrian war, but claiming no side'. New York Times. 3 June 2013. Available at: http://www.nytimes.com/2013/06/03/world/middleeast/syrian-red-crescent-volunteers-sidestep-a-battle.html?_r=0. [Accessed 3 May 2015].

32/ For other examples of application of the Fundamental Principles by other RCRC National Societies, see: O'Callaghan, S. and Leach, L. (2012) 'Principles in action in Lebanon'. London: British Red Cross/ICRC/Lebanese Red Cross; and O'Callaghan, S. and Backhurst, J. (2013) 'Principles in action in Somalia'. London: British Red Cross/Somali Red Crescent.

33/ Pictet, J. (1979) 'The Fundamental Principles of the Red Cross: A Commentary'. International Review of the Red Cross. Geneva.

34/ O'Brien, P. (2004) 'Politicized Humanitarianism: A Response to Nicolas de Torrente'. Harvard Human Rights Journal (17). pp.31-39.

35/ Donini, A. (2010) 'Between a rock and a hard place: integration or independence of humanitarian action?'. International Review of the Red Cross (92: 880). December 2010. (Respectively) p.156 and p.152.

36/ Terry, F. (2011) 'The International Committee of the Red Cross in Afghanistan: reasserting the neutrality of humanitarian action'. International Review of the Red Cross (93: 881). March 2011. p.177. This article draws on an internal ICRC study that looked specifically at how neutrality was applied in practice in ICRC operations in Sudan and Afghanistan: Terry, F. (2009) 'Research Project on the ICRC Practice of Neutrality'. ICRC.

37/ 'Snapshot of ICRC application of Fundamental Principles' (internal study). ICRC. 2014.

Kids at a mosque in Aleppo, Syria, before the civil war.
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principles provide a flexible framework to navigate the demands of various operational contexts, while remaining faithful to the overarching objective of delivering impartial humanitarian assistance and protection.

Even the 'substantive' principles of Humanity and Impartiality must be applied in light of the other principles. For instance, a rigid interpretation of the principle of Impartiality might be counterproductive in terms of how neutral a humanitarian actor is perceived to be, and hinder effective humanitarian action in some circumstances. As Fiona Terry noted in her internal study on Sudan and Afghanistan: "[w]hile neutrality as a concept has been understood [...] throughout the ICRC's presence in Sudan, the notion of impartiality has not, and the allocation of assistance in accordance with needs gives the impression of favouritism if the needs are not the same on either side."[38] While the ICRC always endeavours – in Sudan and other contexts – to tailor its response to the specific needs of different communities by conducting assessments on both sides of the

frontline or in rival communities, it is because its staff fully acknowledge the potential for misperceptions about the ICRC's neutrality that they take special care in listening to all communities and explaining to them the ways in which the ICRC works. Such an interpretation of Impartiality through the lens of Neutrality ensures that the most severe needs are met, while accommodating in a relevant manner the needs of other communities who could resent and hinder an aid operation that they perceived as one-sided, and pose a real threat to the needier community or to the ICRC's staff.

In the same vein, the greater impartiality – and therefore effectiveness – of the response that can be gained from coordination with other humanitarian actors, especially in terms of greater geographic coverage of needs, must be balanced with the perception risks that this association with other actors create, which could impact the acceptance of the organisation. This explains why, as far as the cluster system is concerned,[39] the ICRC has taken the position from the outset that

it could neither be a cluster lead nor a formal cluster member. Formal membership would imply accountability to the UN system that would impact its independence and, at times, perceptions of its neutrality.[40]

Indeed, in contexts where UN peacekeeping or political missions are supporting or perceived to support a party to a conflict (when not a party to the conflict themselves as is the case in the Democratic Republic of Congo[41]) any close association with the UN risks undermining the ability of the organisation to engage with all parties and to gain acceptance. Nonetheless, for the sake of ensuring impartial coverage of needs, to avoid duplicating activities and to maximise the operational complementarity of humanitarian actors,[42] a certain degree of operational coordination does take place in the field. Informed by humanitarian principles, ICRC staff regularly meet and exchange with UN country teams' members either on a bilateral basis or by sitting as observer in cluster meetings, depending on the context and the associated reputational risks.

38/ Terry, F. (2009) 'Research Project on the ICRC Practice of Neutrality', op. cit. p.37.

39/ The 'cluster system' was put in place in the framework of the 2005 Humanitarian Reform developed by OCHA. This approach organises humanitarian coordination by sectorial groups like health, shelter, protection, etc. See 'Cluster Coordination' on OCHA's website for more information: http://www.unocha.org/what-we-do/coordination-tools/cluster-coordination [Accessed: 6 May 2015].

40/ This is echoed by the authors of The State of the Humanitarian System report (see footnote 1 above) who consider that "clusters are also perceived to threaten humanitarian principles, where members are financially dependent on clusters or their lead organisations, and where clusters lead organisations are part of or close to integrated missions, peacekeeping forces or actors involved in conflict" (p.60).

41/ Sheeran, S. and Case, S. (2014) The Intervention Brigade: Legal issues for the UN in the Democratic Republic of the Congo. New York: International Peace Institute. See also: Labbé, J. and Boutellis, A. (2013) 'Peace operations by proxy: implications for humanitarian action of UN peacekeeping partnerships with non-UN security forces'. International Review of the Red Cross (95: 891/892) Autumn/Winter 2013. pp.539-559.

42/ The need to deliver coordinated and complementary assistance is one of the Nine Commitments and quality criteria of the CHS.

These two examples show that, more than a rigid dogmatic framework, humanitarian principles provide a flexible and useful guide to cope with the political complexities of the environments in which humanitarian actors work. Neutrality and independence in particular are driven by the need to manage perceptions and gain acceptance by the authorities, parties to the conflict, influential leaders and the communities themselves. If the objective of an organisation is to deliver assistance and protection whenever there are needs across the entire territory in a given conflict, on either side of the frontline – as opposed to non-discriminatory aid at the programme level, such as in a given health centre – these principles are essential to gain access to, and work in proximity with, affected communities.

This constant and transparent dialogue with all parties, including non-state armed groups, is of paramount importance to cultivate confidence and acceptance, and dissipate possible misunderstandings and misperceptions.

Consistency, predictability and adaptability

However, the ICRC internal study shows that these principles are not sufficient in and of themselves to gain trust and acceptance. Other attributes such as transparency, consistency, confidentiality or discretion, and adaptability to the context appear crucial.

For instance, communicating transparently and in a consistent manner with all relevant parties and authorities is of paramount importance. Neutrality for example does not mean that a humanitarian organisation cannot work with a particular government to strengthen the capacity of its health ministry to meet its responsibilities vis-à-vis its population, or with a non-state armed group to provide international humanitarian law (IHL) training to its fighters. Yet, these kinds of activities can be misunderstood. One case study showed for example the importance of informing a rebel group of the reasons for the ICRC's involvement in IHL and first aid training of army and police recruits led by the UN, in a context where the UN was perceived as closely associated to the government. This constant and transparent dialogue with all parties, including non-state armed groups, is of paramount importance to cultivate confidence and acceptance, and dissipate possible misunderstandings and misperceptions. But this dialogue is possible only if the organisation manages to project an image of neutrality and independence in the first place.

Confidentiality or discretion is also a way to maintain trust and acceptance in contexts where taking a public stance is often construed as political. This does not mean that violations of IHL or human rights law should not be addressed with the responsible parties, but that the preferred approach for the ICRC is to address them on a bilateral basis, in order to manage perceptions and cultivate some degree of confidence, informed by the principle of Neutrality. Neither does it mean that public denunciation is not possible, but rather that it should happen as a last resort, when other avenues have failed.[43] Other organisations choose to use public advocacy or 'name and shame' approaches to address violations of the law, and this is often complementary to the approach chosen by the ICRC. However, if an organisation's definition of effectiveness is a function of its ability to maintain proximity and a human relationship with affected communities, as is the case for the ICRC, then public advocacy or denunciation might be counterproductive to this goal.

Finally, and this is a crucial element, ICRC's internal study shows the importance of contextualising the application of the principles. While they provide a clear moral compass as defined by the principle of Humanity, humanitarian principles do not lend themselves well to a 'box-ticking' or 'one size fits all' approach. Humanitarian principles provide a framework that must be used with consistency (which contributes to predictability, another important element of trust-building), intelligence and creativity. Internal case studies clearly show that the way neutrality is perceived – and presented – in situations of criminal or gang violence for instance,[44] is different from situations of conflict that are more political in character. In one particular delegation for example, the ICRC developed a creative communication approach, called "neutralising the vocabulary",

ICRC's internal study shows the importance of contextualising the application of the principles.

whereby ICRC delegates identified antagonistic words such as "hitman" and "drug cartels", the mere use of which could be perceived as reflecting a biased position, especially by some criminal groups. In this context, ICRC staff simply refrained from using such words, preferring more neutral phrases like "organised violence groups". Although mostly cosmetic in appearance, this subtle communication shift, informed by the principle of Neutrality, considerably improved the dialogue with different stakeholders, resulting in greater acceptance of ICRC activities, better access and greater ability to engage communities and address their needs.

These different attributes must be nurtured as they enable and inform the relevant application of the principles across time and contexts. Ultimately, it is by showing consistency and predictability in the way it applies its principles – but also adaptability to the context – that the ICRC has managed to maintain its presence across frontlines, and over the years in some of the most complex and insecure contexts in the world, from Afghanistan to the Democratic Republic of Congo, Colombia and Iraq. Indeed, it is not only the timely delivery of humanitarian assistance that defines humanitarian effectiveness, but also the ability to persuade all parties to respect their obligations in terms of protecting and assisting the communities they are responsible for. Fostering greater accountability among responsible authorities

Ultimately, it is by showing consistency and predictability in the way it applies its principles – but also adaptability to the context – that the ICRC has managed to maintain its presence across frontlines, in some of the most complex and insecure contexts in the world.

43/ ICRC. (2005) 'Action by the International Committee of the Red Cross in the event of violations of international humanitarian law or of other fundamental rules protecting persons in situations of violence'. International Review of the Red Cross (87: 858). June 2005. pp.393-400.

44/ For an in-depth description of the role of the ICRC in such contexts, including a brief discussion on ICRC's neutrality, see: 'The ICRC's role in situations of violence below the threshold of armed conflict'. ICRC. February 2014. Available at: http://journals.cambridge.org/action/displayFulltext?type=1&fid=9326135&jid=IRC&volumeId=-1&issueId=-1&aid=9326091&bodyId=&membershipNumber=&societyETOCSession [Accessed: 7 May 2015].

Indeed, applying humanitarian principles contributes to gaining acceptance and securing access, enabling organisations to work in proximity to communities, listen to their concerns and aspirations, and address their needs in a relevant manner.

– an often overlooked aspect of humanitarian effectiveness – must inevitably be pursued for the long haul and requires continuity and a relational aspect that the consistent application of the principles makes possible.

Conclusion

For the ICRC, humanitarian principles not only support and contribute to the effectiveness of humanitarian action, they also define it as a concept, which is understood primarily as addressing the objective needs of affected communities throughout a given territory affected by a crisis, in line with the principle of impartiality. While it is difficult to draw a measurable and quantitative causal link between principled humanitarian action and effectiveness – an objective that falls outside the scope of this chapter – there is undeniably a qualitative link. Indeed, applying humanitarian principles contributes to gaining acceptance and securing access, enabling organisations to work in proximity to communities, listen to their concerns and aspirations, and address their needs in a relevant manner. In turn, being relevant to affected communities is necessary to maintain their trust and acceptance. In that sense, proximity is a driver of accountability to communities, which is an important parameter of humanitarian effectiveness.

In addition, if used intelligently, transparently and responsibly, humanitarian principles provide eminently pragmatic tools that help organisations to adapt and tailor their response to the specific conditions and requirements of the context – another defining element of humanitarian effectiveness – while ensuring consistency and predictability.

Similarly, humanitarian principles – especially independence and neutrality – are useful tools to inform and set the parameters for engagement with other actors such as governments, the military or private companies. They should not be an excuse, however, to avoid engaging with such actors, whose complementarity and added value should be recognised. Rather, they are meant to inform the degree of cooperation desirable, depending on the context, to ensure that such engagement is not detrimental to the ability of an organisation to deliver aid in an impartial manner, which is the ethical 'bottom-line' for humanitarian effectiveness and arguably the very added-value of humanitarianism itself. In this respect, humanitarian actors need to recognise and acknowledge that applying humanitarian principles also entails limitations with regard to the type of activities one might engage in. Humanitarian principles serve a specific purpose and preclude engagement in processes of a more political or transformative nature, which are often more likely to address root causes of crises. As Peter Maurer, President of the ICRC, recently explained: "In theory we all share the same aspirations for global peace, development and security, as well as the understanding about the limits of humanitarian action in addressing or preventing the causes of crisis. In practice however, our experience shows that emergency access to vulnerable populations in some of the most contested areas depends on the ability to isolate humanitarian goals from other transformative goals, be they economic, political, social or human rights related."[45]

Drawing on the above, a few key considerations should be further explored and reflected upon:

1. It is the responsibility of all actors involved in humanitarian response to be more honest about the scope of their ambitions and transparent about their ability or intent to apply humanitarian principles – or, indeed, on the actual relevance of humanitarian principles to achieve their own objectives.

2. Humanitarian principles have become a mantra that all humanitarian actors feel obliged to invoke, while not necessarily walking the talk. This inconsistency reinforces accusations of hypocrisy and distrust vis-à-vis aid actors, negatively impacting the ability of others to deliver effective humanitarian assistance and protection. Humanitarian actors should therefore refrain from dogmatic invocation of principles that they do not support through their actions.

3. Organisations genuinely committing to abide by and apply humanitarian principles must acknowledge and accept the limitations that doing so entails, and equip their staff with the necessary policy guidance and training to enable them to apply the principles consistently and flexibly.

Our experience shows that emergency access to vulnerable populations in some of the most contested areas depends on the ability to isolate humanitarian goals from other transformative goals, be they economic, political, social or human rights related.

A line of internally displaced persons waiting for aid in Kibati, 12 km north of Goma, Democratic Republic of the Congo.
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45/ Maurer, P. 2014. 'Humanitarian Diplomacy and Principled Humanitarian Action' (speech). 2 October, La Maison de la Paix, Geneva. Available at: https://www.icrc.org/en/document/webcast-peter-maurer-humanitarian-diplomacy-and-principled-humanitarian-action [Accessed: 6 May 2015].

Sebastian Cedillos, agricultural technician at
FUNDES, a partner of ACT member LWR, inspects a
farmer's corn field during a time of drought in El Salvador.
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Acknowledgements

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"It is the people, not our mandate, that must provide the rationale for what we do and how we do it. If we are going to achieve results for the people, we must begin with leadership from the countries, the communities and the people we serve. This means our agenda [...] is fully informed by the concerns of the people we serve and with whom we partner. This has rightly taken centre stage during the [World Humanitarian] Summit because being people-centred ultimately means recognising the primary role of local communities in preparedness and response."

Ertharin Cousin

Executive Director of the World Food Programme

Closing remarks at the World Humanitarian Summit Pacific Regional Consultation in Auckland, New Zealand

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