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CHALLENGES TO PRINCIPLED HUMANITARIAN ACTION: PERSPECTIVES FROM FOUR COUNTRIES

Includes an addendum chapter on Donor Perspectives
Commissioned by the Norwegian Refugee Council and
Handicap International

NRC

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REFUGEE COUNCIL

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Cover:

IDP site in Selang, Nepal. NORCAP/Kishor Sharma, 2016

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ABBREVIATIONS

CERF	Central Emergency Response Fund
ECHO	European Union Humanitarian Aid and Civil Protection
ELN	National Liberation Army (Colombia)
EU	European Union
FARC-EP	Revolutionary Armed Forces of Colombia–People's Army (Colombia)
HI	Handicap International
ICRC	International Committee of the Red Cross
IDP	Internally Displaced Person
IDRL	International Disaster Response Law
IHL	International Humanitarian Law
INGO	International Non-Governmental Organisation
GHD	Good Humanitarian Donorship Principles
NGO	Non-Governmental Organisation
NRC	Norwegian Refugee Council
NSAG	Non-State Armed Group
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
OECD DAC	Organisation for Economic Co-operation and Development – Development Assistance Committee
OFDA	Office of U.S. Foreign Disaster Assistance (USAID Organisation)
PoC	Protection of Civilians
RCRCM	Red Cross and Red Crescent Movement
UARIV	Unit for the Attention and Integral Reparation to Victims (Colombia)
UN	United Nations
UNDSS	United Nations Department of Safety and Security
UNICEF	United Nations Children's Fund
UNMISS	United Nations Mission in the Republic of South Sudan



EXECUTIVE SUMMARY

NRC's Rapid Response Team talking to refugees from Sudan's Blue Nile state in Doro camp, Upper Nile in South Sudan. NRC/Christian Jepsen, 2012

The humanitarian principles – humanity, impartiality, neutrality and independence – are under increased scrutiny and pressure. The politicisation of aid, security concerns, counterterrorism measures, an increasing diversity of actors and a renewed assertiveness among states and non-state actors are just some of the elements that make principled humanitarian action difficult. Despite these challenges, the value of the humanitarian principles for humanitarians has been repeatedly reaffirmed.¹ At the foundation of this paper is the recognition that the four principles are essential for humanitarians to meet the needs of affected populations.

The purpose of this paper is to contribute to an increased understanding of the perceived and actual challenges humanitarians face in operational contexts as they apply the principles. The following pages provide a snapshot of four case studies; Colombia, Nepal, northern Syria and South Sudan. Through a combination of field research, headquarters interviews, desk research, and a webinar, views and observations are presented from the humanitarian community. These observations provide a glimpse into the challenges faced by principled humanitarians. As a result the paper puts forward seven recommendations intended to assist humanitarians and states to sharpen tools and strengthen approaches when implementing principled humanitarian protection and assistance.

To complement these insights, an addendum to this study provides perspectives from selected members of the donor community. This research was conducted through interviews with state representatives in Geneva, aiming to understand how donors perceive their responsibilities in upholding the humanitarian principles and the Good Humanitarian Donorship Principles. This final chapter highlights challenges faced by states while supporting principled humanitarian action, particularly in conflict zones. On the basis of this research, additional recommendations for both states and humanitarians are proposed to strengthen the adherence to the humanitarian principles.

RECOMMENDATIONS

Humanitarians need to improve the practical use of the humanitarian principles, especially in their internal decision making processes.

Increased recognition and weight must be given to dialogue, coordination and cooperation between humanitarians and local authorities.

Through a collective approach, humanitarians need a common understanding of the principles that can be understood in a diversity of languages, cultures and historical experiences.

Counterterrorism measures need to be better understood by organisations in order not to over-interpret their provisions and the associated constraints.

Donor states should meet their commitments related to the non-politicisation of humanitarian action.

Humanitarians need to clarify between the commonly held perceptions around neutrality.

"Humanity first" needs to be understood in terms of its implementation and not as a conceptual explanation.



INTRODUCTION

Helicopter view of a refugee camp in Upper Nile, South Sudan. NRC/Christian Jepsen, 2012

The humanitarian principles continue to be an active topic of discussion and debate in the international community. Although they are widely acknowledged as the essential basis for humanitarian action, their interpretation and implementation remain difficult in practice, reinforcing the need for an ongoing critical discussion and debate.

The Norwegian Refugee Council (NRC) and Handicap International (HI) have commissioned this paper with the aim of ensuring that this ongoing discussion includes perspectives on the challenges faced by humanitarians in operational contexts. Since 2011, NRC's Representative Office in Geneva has been implementing projects under the mandate to increase respect for and adherence to the humanitarian principles among states and humanitarians. Handicap International is strongly involved in debates regarding principled humanitarian action, and has developed internal process in order to support its field operations in ethical choices and dilemmas related to humanitarian principles in practice. In this regard, Handicap International Foundation provides internal guidance to its field operations and, jointly with Handicap International's Advocacy Unit, permanently promotes the implementation of the humanitarian principles.

This paper concentrates on the challenges faced by humanitarians in four different locations in 2015-2016: South Sudan, Colombia, Nepal and northern Syria. Each location was chosen to test the hypothesis that in diverse crises different challenges will impact upon the adherence to the humanitarian principles in different ways. In the conclusion, the results of the tested hypothesis come in the form of recommendations and further questions to be considered by the humanitarian system.

Researchers in the four locations asked the following two questions:

- How do humanitarians perceive the humanitarian principles?
- How are humanitarians challenged in the delivery of principled humanitarian protection and assistance in these crises environments?

THE HUMANITARIAN PRINCIPLES²



HUMANITY

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

•|• IMPARTIALITY

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



NEUTRALITY

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



INDEPENDENCE

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

RELEVANCE OF THE HUMANITARIAN PRINCIPLES IN OPERATIONAL CONTEXTS

The humanitarian principles provide the governing rules for humanitarian action in situations of crisis, whether triggered by armed conflicts or natural hazards.³ The principles are rooted in International Humanitarian Law (IHL), which regulates the conduct of armed conflict and seeks to limit its effects.⁴ IHL also outlines the conditions which parties to the conflict may impose on actors seeking to provide relief to populations in need. For example, humanitarians can be denied access to areas controlled by parties to the conflict unless they operate in ways that are considered humanitarian and impartial in nature.⁵

While states should play the primary role in providing relief to populations under their control, when they are unwilling or unable to do so, the role of humanitarians is to ensure that people affected by crisis have access to protection and assistance. To be able to negotiate access and operate in contexts of conflict, humanitarians must be accepted not

only by state and Non-State Armed Groups (NSAGs), but also by the affected populations they want to help. It is therefore important that humanitarian actors are perceived as neutral, independent and impartial providers of relevant services, in particular in politically contested environments.⁶

Due to their value as tools to enable the delivery of humanitarian assistance, the principles have been integrated into various UN resolutions, frameworks, codes, standards, tools and guidelines.⁷ Over the years, the importance of the humanitarian principles has been reaffirmed by humanitarians, intergovernmental organisations and states. For example, most recently the 2016 World Humanitarian Summit underlined the importance of recognising, protecting and promoting the value of the humanitarian principles for all actors.⁸

CURRENT CLIMATE AFFECTING HUMANITARIAN ACTION

The environment within which humanitarian action is implemented is filled with a diverse set of stakeholders, issues and challenges, which prevent the implementation of the principles:

► Politicisation

Stabilisation policies and integrated approaches, which combine defence, development, diplomatic, intelligence and other state capabilities in areas affected by conflict, have added to the instrumentalisation of humanitarian aid for political gains.⁹⁻¹⁰ Many humanitarians are concerned that expanding humanitarian agendas and activities are somehow replacing diplomatic and political action to build a more durable international security system.¹¹

► Donor pressures

Since the 2011 financial crisis in Western Europe, where the largest humanitarian donors are based, there has been increased political scrutiny of the financing of humanitarian aid. Donors favour interventions that able to demonstrate value for money and tangible results.¹² As humanitarian needs grow, more money is needed to fund humanitarian responses, and although funding from donors has increased in recent years, it remains insufficient and often heavily earmarked. In addition, lack of flexible funding for crisis response can compromise timely humanitarian action. Most humanitarians receive funding from a variety of donors in order increase financial stability. However as the majority of donors have different reporting and accountability requirements, engaging with more donors can place significant pressure on humanitarians. All of these elements combine to reduce the ability of humanitarians to make independent decisions on how to distribute aid in accordance with the humanitarian principles.

► National authorities and Non State Armed Groups (NSAGs)

Issues also exist with political actors within states affected by crisis. There is a common view within the humanitarian sector that states and NSAGs have grown more resistant to the presence of humanitarians and more assertive in their interactions with such actors, often resulting in the restriction of, or attempt to, instrumentalise humanitarian activities.¹³ This is partly due to concerns emanating from states regarding sovereignty and external interference in domestic affairs.¹⁴ States and NSAGs also have concerns around the politicisation of aid and the overall international framework surrounding humanitarian action. In the case of NSAGs, willingness to allow humanitarians to operate is largely driven by

self-interest. In some instances, NSAGs may perceive that it is more beneficial for them to attack or expel humanitarians than allow their presence.¹⁵ In other situations, NSAGs will bargain access in exchange for an official recognition of their authority in given areas. This may also undermine the independence and neutrality of humanitarian actors.

➤ **Counterterrorism measures**

The attacks on the United States on September 11th, 2001, had an impact on the geopolitical and global security environment. It also led a surge in counter-terrorism laws and policies (the first such measures were introduced in 1963), including measures which are aimed at preventing the diversion of humanitarian assistance to designated terrorist groups.¹⁶ Such frameworks involve the possibility of severe legal repercussions for humanitarians and their employees.¹⁷ This has led to situations of cautious self-regulation, whereby humanitarians choose not to provide aid in a particular area controlled by designated terrorist groups, because of uncertainty about the allowable level of engagement with these groups.

➤ **Insecurity and risk aversion**

In many contexts, insecurity is the primary determinant of and impediment to humanitarian presence.¹⁸ Although there is some debate as to the extent, insecurity for humanitarians has increased.¹⁹ In response humanitarians have become more risk adverse, withdrawing from many areas hardest hit by conflict, commonly where most needs are found. Risk aversion is also linked to donors' behaviours and rules which restrict the way funds are managed in insecure environments.

CASE STUDIES

Although humanitarians may face shared challenges across the globe in delivering humanitarian aid, each environment in which they operate has its own contextual challenges impacting their ability to apply the humanitarian principles.



NRC staff speaking to Syrian refugees in Za'atari refugee camp in Jordan. NRC, 2015



CASE STUDY: COLOMBIA

Children in the Cauca region. NRC/Tuva Raanes Bogsnes, 2014

CONTEXT

Colombia faces persistent humanitarian needs resulting from the impact of armed conflict and violence, combined with natural disasters in certain areas. A non-international armed conflict has continued since the 1960s between the government and guerrilla groups (the two main ones being Revolutionary Armed Forces of Colombia—People’s Army (FARC-EP) and the National Liberation Army (ELN)).²⁰ Right-wing paramilitary groups and criminal groups have also taken part in different phases of the conflict. The main causes of the conflict include inequality of land distribution, drug trafficking, illegal mining and other illegal economies, discrimination and poor socio-economic opportunities in isolated rural areas where the state has a weak presence. Peace talks have been ongoing since 2012 between the Government and the main guerrilla group (FARC-EP) to put an end to the conflict, and a bilateral and “definitive” ceasefire was concluded on the 24th of June 2016.²¹⁻
²² It remains to be seen whether the signature of the peace agreement with FARC-EP will bring a total end to the violence.

Violence associated with Colombia’s internal armed conflict have forcibly displaced more than six million Colombians, and more than 200,000 continue to flee their homes each year, generating the world’s second largest population of internally displaced persons.²³ Restriction of access to basic services, confinement (mobility restrictions) of members of ethnic minorities and landmine contamination also cause humanitarian needs.

The Humanitarian Country Team operates as a complement to the Colombian government’s humanitarian response, and focuses on targeting 1.4 million people out of the 5.8 million in need.²⁴ The current optimism around the peace talks and a persistent post-conflict discourse are slowly influencing the response plans of humanitarian and development actors. For example, the 2016 Humanitarian Country Team strategy is organised around three key objectives: “Saving Lives”, including a focus on human rights and a differential approach; increasing resilience and sustainable solutions; and protection actions.²⁵

WHO WAS CONSULTED?

Colombia provided the best access to stakeholders out of all of the case studies. Civil servants and authorities working on crisis response were easily accessible both at central level and at the local level, and so for the Colombian case study the government's voice is prominent. Access was limited to NSAGs for both humanitarians and researchers; however other local civil society actors were more approachable. Affected communities were also approached as part of the study through the representatives of Victims' Associations (Asociaciones de Víctimas).

HOW WELL WERE THE PRINCIPLES UNDERSTOOD?

The conflict in Colombia has lasted for several decades; humanitarians and parties to the conflict are generally familiar with the humanitarian principles. However, although basic reflexes on the humanitarian principles are present, the researchers encountered a degree of confusion when respondents were asked to name and define the principles. Local non-governmental organisations (NGOs) have mostly understood and appropriated the discourse of the humanitarian principles, particularly the principle of impartiality and non-discrimination in the choice of beneficiaries. However, this is often connected to the idea that principles are a necessary tool to protect humanitarians from security incidents, kidnappings etc. and to "stay safe".

At the local level some staff employed by humanitarian organisations sometimes confused and conflated the principles of independence and impartiality with the concept of solidarity. Humanitarians interviewed unanimously viewed the principles as a useful, key reference framework. Principles were often defined as a "navigation map", providing clarity and guidance to humanitarians in decision making.



Through legal assistance from NRC, this community of internally displaced persons was able to regain its land and is now cultivating coffee. NRC, 2015

AFFECTED COMMUNITY PERSPECTIVES ON THE HUMANITARIAN PRINCIPLES

Affected community members interviewed specifically mentioned that impartiality is not always observed as a principle in Colombia. They illustrated their point by highlighting that humanitarians have insufficient presence in the most problematic areas, resulting in areas with better access conditions receiving the most humanitarian aid. In practice, however, access is often at the discretion of the authorities who suggest or invite humanitarians to respond in certain strategic areas. According to the authorities, impartiality can be better achieved by improving dialogue with community leaders and authorities in order to check and triangulate information on needs.



HUMANITY

Humanity was rarely mentioned as a principle of humanitarian action. A possible explanation is that humanity was taken for granted as the foundation and rationale of humanitarian action. When prompted on ways to uphold the principle of humanity, respondents mentioned the importance of respecting communities and their dignity, habits and culture as well as of responding to their needs.



IMPARTIALITY

Most organisations mentioned that they generally upheld the principle of impartiality by implementing independent assessments in order to determine needs and priorities; by working in the most vulnerable areas and by operating in a non-discriminatory way in relation to gender and ethnicity. However, there were two issues that stood out as challenges to impartiality: lack of access and security clearances, and the response to needs related to “other situations of violence”.



NEUTRALITY

Respondents often mentioned neutrality as being the key pillar for acceptance by armed actors in such a complex and polarised context. In order to foster their image of neutrality, humanitarians invest in operational communications around the humanitarian principles that explain their mandates and actions. However, while a minority of organisations engage with all parties to the conflict, the rest almost exclusively discuss their activities with communities and with local authorities. A number of governmental authorities also recognised the importance of neutrality and independence from political agendas in order to provide necessary aid in areas where the government does not have the trust of communities and where the conflict is still intense.



INDEPENDENCE

Operational and financial independence is seen as important in order to be respected by all parties to the conflict. Some humanitarians stress the importance of upholding the appearance of independence, in particular when performing assessments or delivering assistance.

OTHER VALUES

In some of the interviews the four humanitarian principles were not seen as isolated from other relevant guiding principles, and other concepts such as the “do no harm” approach and the “best interests of the child” were prioritised.

CONTEXT SPECIFIC CHALLENGES TO PRINCIPLED HUMANITARIAN ACTION

Access

Not all humanitarian organisations have the same level of access and acceptance in all areas of the country, partly owing to misperceptions by communities and NSAGs. Risk adversity by humanitarians is another factor that can limit access. A number of respondents highlighted that they strictly follow the recommendations laid out by the United Nations Department for Safety and Security (UNDSS), and will not operate without official clearance. Adherence to the UNDSS limitations can often go unquestioned, despite the reality that the UN has no official contact with NSAGs, while actors with direct contacts in the communities and armed groups, such as the International Committee of the Red Cross (ICRC), seem to be able to negotiate for better and safe access. This illustrates how humanitarian principles, as applied by the ICRC, access and risk aversion may be interlinked.

Access to remote mountainous areas or to the middle of the jungle, as well as areas with landmines, are also physical barriers for humanitarians.

Extreme proximity to communities

A community-based approach appears to be the dominant way of working and this is especially supported by an increasing trend of donors allocating funds for these types of programmes. Proximity to communities is essential for establishing accountability mechanisms and a needs-based approach, but the question can be raised of whether this extreme proximity and co-existence of humanitarians with communities might endanger impartial and neutral action or, more specifically, whether solidarity might endanger objectivity of judgement in needs assessments. One NGO respondent mentioned that it is important to have managers in the field to raise this question to their staff on a regular basis. It is important to note that the government only authorises the ICRC and the Catholic Church to have direct dialogue with NSAGs, therefore most humanitarians rely on communities to negotiate their access and ensure their security in conflict affected areas. The idea behind this strategy is that the communities have links with NSAGs or have community leaders appointed by them. This practice, forced upon humanitarians, lays



NRC provides adult education programmes in Cauca, Colombia. NRC, 2015

COLOMBIAN GOVERNMENT PERSPECTIVES ON THE HUMANITARIAN PRINCIPLES

Civil servants involved with crisis response (at local and national levels) confirmed the idea that the humanitarian principles are essential for humanitarians to gain access to affected populations, particularly in areas with permanent and intense conflict where the state cannot enter. Interestingly, government authorities recognise the importance of the humanitarian principles also in the transition phase, as the peace process is not thought to come all at once and everywhere.

It is noteworthy that in Presidential Directive 07 of 2001, directed to the “support, dialogue and collaboration of the state with NGOs that develop humanitarian activities in the country”, the Government of Colombia recognises “the legitimacy of the humanitarian NGOs ... that are inspired by the principles of humanity, impartiality and independence”²⁶ (note the absence of neutrality in the list).



NRC adult education programme in Cauca, Colombia. NRC, 2015

doubt on the application of the principle of neutrality and creates the possibility of putting communities at risk by:

- using them as intermediaries,
- holding them responsible for security, and
- stigmatising them as proximate to NSAGs.

In the researchers' view, humanitarians should reflect further on this policy and question whether it could be interpreted as a breach of "do no harm" and neutrality.

► **Role of the Government of Colombia**

Over recent years, the Government of Colombia has increasingly taken on responsibility for humanitarian and development responses. More specifically, the country has established specialised institutions, such as the Unit for the Attention and Integral Reparation to Victims (UARIV) and the National Unit for Disasters Risk Management, which have slowly become the main providers of crisis relief. Furthermore, the government is implementing stabilisation strategies, whereby civil authorities work hand in hand with the army in order to enter new areas and provide basic services such as health brigades. In the past, a number of humanitarians had been asked to take part in such brigades; some did so briefly, but most declined the invitation, being aware of the implications around the perceptions of their work, in particular related to independence and neutrality.

The government is increasingly complying with its obligations in providing assistance, ensuring basic rights to its citizens and protecting those affected by the conflict. While it still needs to gain the confidence of communities in some of the most remote areas, in other areas the government is gradually gaining the acceptance of affected populations and communities and is no longer seen as an enemy. How much of this service provision



IDP community in Colombia. NRC, 2015

is linked to a “winning hearts and minds” strategy is not clear. This increased commitment, supported by funding and service provision, creates a level of proximity between humanitarians and government institutions. Both multi-mandate and specialised actors increasingly work in a “partnership mode” with government institutions and local authorities.

A number of international humanitarians use funds from the government to implement programmes in remote areas, and others distribute food and non-food items purchased and provided by the government. International donors are aware that their own contribution is minimal compared to the resources that the state provides for relief and even more so for development aid. There also is a general question of how humanitarian actors are to participate in the implementation of the peace deals. Some see a potential threat to the humanitarian principles, especially as the government will take the leadership in response activities.

In a more practical way, some organisations directly support the government’s efforts to register people affected by the conflict across the country according to the “Victims’ Law” in partnership with the UARIV.²⁷ At local level, municipalities generally assess needs and coordinate emergency response. While on one hand it is commendable that the government is engaged in fulfilling its role in upholding citizen rights, on the other it is clear that the government is still a party to the conflict and has its own political agenda. Independence and neutrality are difficult to maintain under these conditions, in particular when considering that some of the most affected populations are stigmatised for having coexisted with NSAGs for a long time.

► **Humanitarian Coordination**

In the current context all parties support coordination. One representative of a humanitarian organisation raised the problematic issue of government representatives taking part in meetings of the Humanitarian Country Team. While this decision appears to be linked to the intent to coordinate and be transparent with the authorities, it is also seen



School children in Cauca province, Colombia. NRC/Tuva Raanes Bognes, 2014

as hampering the discussion of sensitive issues and it makes humanitarian actors appear to strictly cooperate with one side to the conflict. Travelling together to places, performing joint assessments and working alongside the authorities (to make them responsible or building their capacity in a variety of sectors) is no longer seen as an issue in terms of compromising neutrality. However, there remains a question in terms of perception around neutrality and related consequences if the conflict flares up again. As peace talks are taking place while the war is still being fought, a certain level of distinction between humanitarians and the government might still be a necessary.

Only a minority of humanitarian organisations interviewed have monitoring, guidance or strategic decision making tools based directly on the humanitarian principles, or periodic self-assessment sessions which monitor how well the principles are integrated and implemented as part of policy, programme management and project activities. At best, these are ad hoc discussions and are rarely part of regular monitoring systems. During one interview, a respondent mentioned that principles are discussed very sporadically at UN cluster meetings. When asked about financial independence and the choice of donors, only two humanitarians mentioned that they have “principled” policies in place which provide guidance on the choice of donors for humanitarian action.

► **Politisation of aid**

Challenges to the principle of independence are mainly linked to financing issues and politicisation of aid. Such politicisation occurs both at the international and domestic levels, especially due to the government's involvement in aid funding and coordination. The current peace process and post-conflict discourse is known to put humanitarian donorship under pressure. Political interests are perceived to be prime and there is a tendency to emphasise development and long-term issues at the expense of humanitarian ones. Despite being aware that humanitarian needs will remain even after the peace deal, donors are slowly



The displaced community of La Secreta, assisted by NRC, are now able to cultivate coffee, mango and tangerines. NRC, 2015



NRC constructed mobile shelters for displaced people in Cauca, Colombia. NRC/Marcela Olarte, 2015

but surely reorienting aid towards the development and peace agendas. As the conflict is still ongoing and needs remain acute in certain areas of the country, the humanitarian interviewees see a clear risk around the lack of awareness and the response to such needs, thus contributing to the creation of a “forgotten crisis” in Colombia. Respondents noted that funding for crisis response might be reduced in years to come as a result of political pressures, rather than because of an objective and tangible reduction of needs.

Some interviewees expressed their concern about the current decrease of humanitarian advocacy and the increased role played by development actors such as United Nations Development Programme and the UN Office on Drugs and Crime. Within this context, there is a risk that political considerations overshadow the humanitarian response and hence independence and impartiality are at risk.

▀ Donor pressures

Donors mostly support respect for the humanitarian principles through their choice of partners. Some donors assess the general capacity of an aid agency to respond, its humanitarian response capacity and the prominence that principled humanitarian action is given within the organisation. Nevertheless, donors are also aware that many organisations also implement their programmes through local partners. This practice might affect principled humanitarian action, as implementing partners can often be insufficiently experienced or not have enough distance from local issues and dynamics to be truly neutral and impartial. If need be, donors can halt the response or the fund disbursement.

While it is a known fact that funding comes with strings attached, involving geographical or thematic priorities, it is also recognised that some donors are more “principled” than others and are more consistent at implementing the Good Humanitarian Donorship principles. However only a few donors are either exclusively humanitarian or are structured in a way that keeps the

funding of humanitarian aid independent from external relations or business interests. Donors themselves recognise that in the Colombian context, operating in more than one role does not help them to be perceived as neutral and impartial by all parties to the conflict. Respondents also mentioned donors' frameworks, strategic plans, standard formats and timelines as obstacles to principled humanitarian action. The rigidity of these structures often hampers rapid response in emergencies when needs are acute. On the other hand, budgets based on yearly planning can hamper long-term protection and capacity building processes.

▀ Other situations of violence

These include violence perpetrated by criminal armed groups not party to the conflict. In parts of Colombia such violence produces loss of life, injuries, sexual assaults, mass displacement and a proliferation of weapons in a way that is similar to those found in "traditional" conflicts. However, many humanitarians are at loss as to how to address those needs, as they are not openly linked to the internal conflict and do not fall into a typical IHL framework. Although donors also see other situations of violence as a challenge to impartiality and needs are increasingly being identified, the response is still slow and funding is barely available. It appears that the UN protection cluster is challenged in analysing and monitoring what such armed gangs do and the humanitarian needs their actions produce.

When asked whether humanitarian principles would still apply and be useful to other situations of violence, respondents had very divergent opinions. On one side, some mentioned that the poor structure of gangs and other criminal groups would mean a weak chain of command, if one existed at all, which would make dialogue and negotiations impossible. The criminal objectives of such groups would imply that a dialogue based on the humanitarian principles (or human rights) would not be of interest to them. Any dialogue around protection issues would have a minimal impact with such groups. On the other hand, other respondents reaffirmed the importance of managing perceptions of neutrality and keeping a neutral stance with such groups in order to gain acceptance by them and by the communities they control. Not being perceived as a threat to them would be a prerequisite for dialogue.

IN BRIEF

Despite the generalised "handbook" theoretical consensus in Colombia on the importance of neutral, impartial and independent humanitarian action, the understanding and practical application of the humanitarian principles and their translation into practice is said to be challenging. Many aid actors and donors interviewed expressed concern that the use of the "humanitarian principles discourse" by aid actors with limited understanding and poor application of the principles, not only damages the sector's credibility, but it also causes the principles to lose their strength and value.

In Colombia, the role of the government in the peace process and in humanitarian coordination poses significant grey areas for principled humanitarian action, as do other challenges such as the impact of violence by criminal gangs. The perception of neutrality and impartiality is particularly important for gaining access, yet close ties with the government, which is leading the humanitarian response, or with communities, can jeopardise this perception. The politicisation of aid was raised as a particular concern, especially in the context of the ongoing transition to peace and development.



CASE STUDY: NEPAL

NORCAP deployee Jamil Ahmed Awan talking to Ayub and Binab's family in the Chuchhepati IDP site in Kathmandu. NORCAP/Ida Sem Fossvik, 2016

CONTEXT

Nepal is host to a range of development actors working in a post-conflict context which suffers from periodic natural hazards. These include floods from the yearly monsoon rains, landslides and occasional major earthquakes. In April and May of 2015, two earthquakes of 7.8 and 7.3 magnitudes hit Nepal, causing severe destruction and 8,891 deaths, 605,254 houses destroyed and 188,900 temporarily displaced.²⁸ As much of the damage was caused in remote mountain villages, rescue and aid operations were particularly challenging.

With support from a variety of humanitarian partners, the Government of Nepal launched a large scale humanitarian operation to address the needs of the hundreds of thousands displaced and affected by the earthquake damage. Although more than 450 aid organisations mobilised their support, humanitarians were not alone in the response, as local communities, volunteers, youth groups, the private sector and neighbouring countries were also part of the relief operation.²⁹ This variety of actors engaged in the emergency response had a significant impact on the space within which humanitarians could implement the principles.

WHO WAS CONSULTED?

The perspectives captured in this paper relate to Kathmandu-based actors responding to the needs of people affected by the April 2015 earthquake. These include representatives from international humanitarian and development agencies, and the United Nations (UN). Unfortunately researchers were unable to access representatives of political parties (this may have provided interesting insights as many are linked to NSAGs) and national NGOs. The study is limited as perspectives of the beneficiaries were not captured.

HOW WELL WERE THE PRINCIPLES UNDERSTOOD?

When not involved in the humanitarian response to natural disasters, most aid organisations in Nepal are focused on development activities. Within this development-focused context the understanding of the principles was found to be varied and many respondents often confused or conflated them with other concepts. Other priorities, such as sustainability, capacity building and decreasing social exclusion, were also highlighted to be in competition with the principles.

HUMANITY

Although humanity was only cited when prompted, interlocutors typically confirmed its importance and said that responding to human suffering during all periods of the earthquake response was of first priority, regardless of the type of intervention (be it development or emergency focused).

IMPARTIALITY

Many respondents understood the principle of impartiality to require prioritising the most vulnerable, but they highlighted the heavy pressure from the government to provide equal aid to all as a major barrier to adhering to the principle.

NEUTRALITY

Neutrality was considered to relate to how humanitarians navigate the political dynamics in the Nepalese context. The majority of respondents stated that it was important to manage their relations with different power centres in order to remain neutral, however, it was very difficult not to be politicised in practice. Some questioned whether the principle of neutrality was relevant in a humanitarian response not related to conflict.

INDEPENDENCE

Due to the pressure to adhere to the policies of the government, many interviewees discussed the principle of independence in reference to the Government of Nepal rather than in relation to donors.

CONTEXT SPECIFIC CHALLENGES TO PRINCIPLED HUMANITARIAN ACTION

Access

Poor infrastructure combined with landslides both triggered by the earthquake and heavy rains made gaining access to affected people in high mountain regions extremely difficult after the earthquake. This reduced the ability of aid agencies to both identify need and respond in an impartial manner.

Social exclusion

Interviewees from the UN, donors and NGOs agreed that the biggest challenge to distributing assistance impartially relates to the social exclusion that is endemic across the country. Exclusion in Nepal is based on caste, clan, class, ethnicity and location, and results from long-standing political realities and government policies. Often the people considered in greatest need in times of disaster were already the most chronically vulnerable and marginalised. While an impartial response to the crisis would have prioritised these people for targeted distributions, the government requested blanket resources distribution to all, regardless of need. This was a major point of disagreement between international agencies and the government, as well as a major challenge to impartiality.

The role of the government in Humanitarian Financing

For the humanitarian agencies interviewed, a perceived challenge to adhering to the humanitarian principles was that the government initially requested that that all funding for the earthquake response be channelled through its administration. Key respondents from

After the earthquake damaged her house, Neeta Belavu now lives in a tent in an IDP camp. NORCAP/Kishor Sharma, 2016





Ram is a member of the community management committee, formed by IOM to mobilise the local population in improving the camps for the internally displaced.

NORCAP/Kishor Sharma, 2016

UN agencies commented to the researchers that the government chronically underspends on its budget, sometimes by as much as 40 per cent. Donor funds are thought to account for roughly 25 per cent of the government's budget. Additionally although the government's absorption capacity did not match the funding it received, donors continued to provide high levels of funding, and therefore a significant proportion supplied in the emergency response was not effectively used to rapidly meet humanitarian needs.

► **The role of the government in Humanitarian Coordination**

The response to the April 2015 earthquake was arranged according to the cluster system with the UN and government, counter-part set as co-leaders in each cluster. As in similar circumstances, the clusters are activated by government request in response to a disaster. Key informants from international organisations questioned whether the government is ready for the responsibility of co-leadership, and a parallel system of international co-leads has developed to take on most of the practical cluster management responsibilities. Despite this additional support, international NGOs shared a number of common complaints regarding how the government of Nepal coordinates the provision of humanitarian aid. For example, many respondents commented that the government is highly "controlling" and navigating the complex bureaucracy can be "stifling". The combination of a multitude of power centres and different ministries, often controlled by different political parties, castes and ethnic groups, and each having to be dealt with individually, makes negotiating with the bodies of government complex and challenging.

Respondents from international agencies noted the political challenges of working in Nepal, especially due to the inconsistencies between policies made at the national level and their implementation at the district level. Humanitarians also highlighted the high turnover of



Padma Kumari Shrestha was injured during last year's earthquake. She receives physiotherapy in the Intensive Rehabilitation Unit, designed and established by NORCAP experts, in order to regain use of her arm.
NORCAP/Kishor Sharma, 2016



IDP camp in center Kathmandu. Six months after the earthquake, people (mostly from Sindupalchowk) still live in tents in the capital. Their houses haven't been rebuilt yet, they can not go home. Tim Dirven / Handicap International, October 2015

government officials, especially at the district level, as it meant that authorities often did not have any experience with working with international actors and had little knowledge of the humanitarian principles. Some interviewees remarked that during emergency response negotiations with the government, the humanitarian principles were not directly referenced, but rather the concept of creating a “permissible atmosphere” was employed. This was considered to create a similar type of humanitarian space as that negotiated using the principles.

For the Government of Nepal, the emergency response to the earthquake was a scaling-up of normal development activities and as a result humanitarians and donors were pressured to return to normal development programming as soon as possible. Within the international community this push to end the crisis phase as soon as possible was commonly understood to be behind the imposition of a heavy tax (46%) on the importation of aid resources only eight weeks after the earthquake.³⁰ The position of the government, especially through the imposition of such a tax, inevitably impacted the independence of the humanitarian response.

► **The politicisation of aid**

Many respondents commented that decisions regarding the distribution of assistance are not made in an impartial manner by the government or most national NGOs (almost all of which are connected with specific political parties), instead favouring their supporters or communities. Furthermore international aid agencies remarked that they were pressured to make similar decisions and that their desire to provide impartial distribution of assistance was difficult to balance with the need to maintain a constructive relationship with the government and local actors. It was also raised that development organisations may also prioritise sustaining cooperative relationships with the government over implement-



Patan, Kathmandu, a young girl is moving debris from her house. Lucas Veuve / Handicap International, May 2015

ing the humanitarian principles, especially to ensure that they maintained their operating space after the emergency had abated. It was commented that this prioritisation meant that a number of actors did not challenge government approved vulnerability assessments, despite widespread concerns that they did not provide a comprehensive overview of the humanitarian needs.

On the other hand many respondents voiced concern that new humanitarians arriving without prior experience in Nepal were insensitive to the political situation. Some development organisations were fearful that the presence of humanitarians had a perverse impact on own their relationships with the government. They commented this was because humanitarian actors brought in massive resources, and wanted to work outside the methods mutually agreed between long-term focused development actors and the government.

► **Private Sector involvement in crisis response**

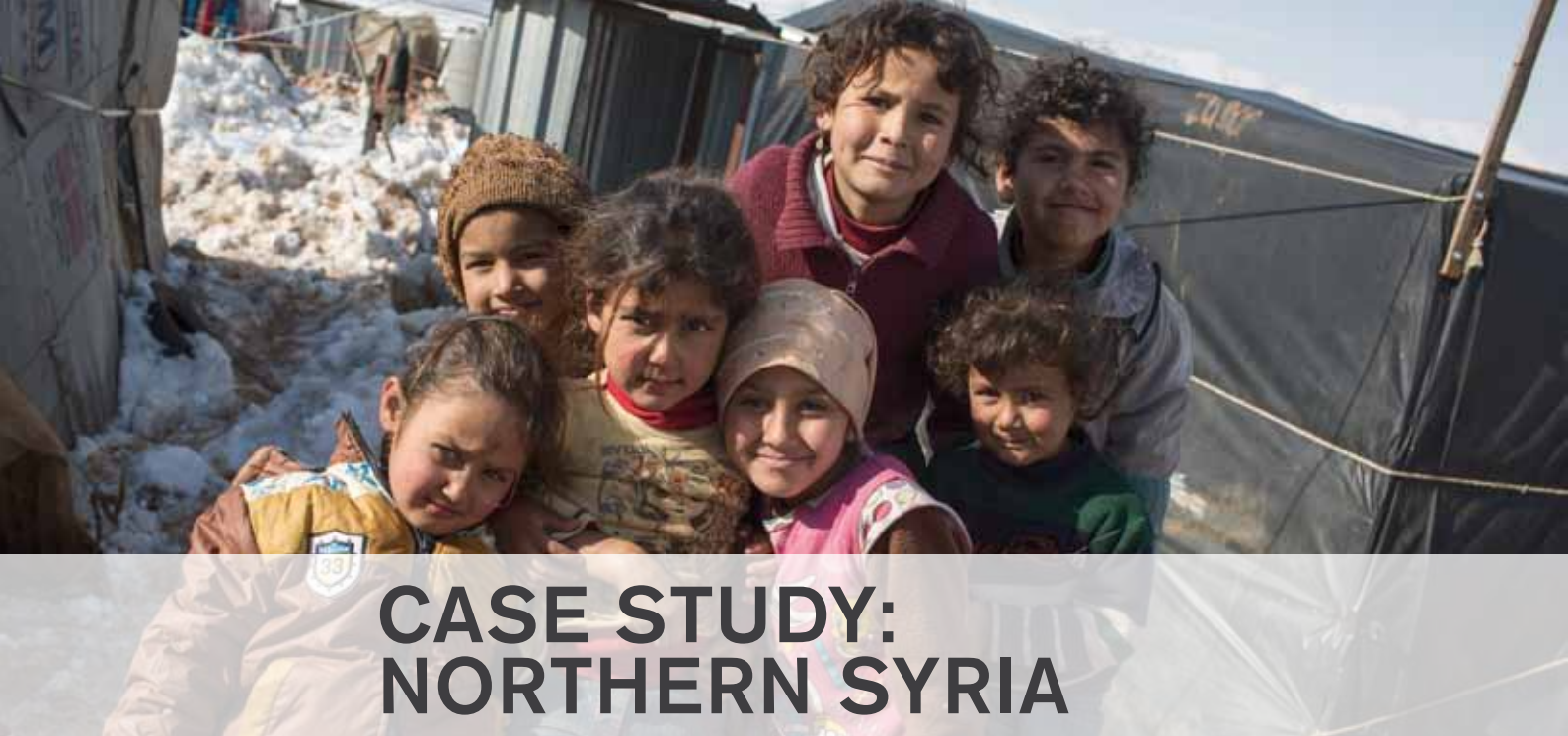
The private sector was active in the earthquake response at all levels, from informal small groupings to large national private sector organisations. Essential services such as telecommunications were part of the cluster coordination system, as were a few multinationals that provided support in-kind through service provision. It was repeatedly said that, in general, the private sector tended to “get on with it”, by asking what people needed and providing it quickly. Their response was seen as results oriented and proactive. Although the principles played no conscious role in this process, humanity was certainly the basis for action and there was a sense that these private sector ac-

tors should work independently from the government and international aid actors, both of which were considered too slow and bureaucratic. The priority was to provide aid to those in greatest need. However, despite humanity and independence guiding the private sector response, there were mixed motivations for large companies that went beyond the desire to help people to also protecting business interests, for example, by quickly rebuilding telecommunications capacity. Government bureaucracy was also said to hinder private sector operations, and it was noted that the private sector actors were not as aware of, or sensitive to, aid diversion issues as international non-governmental organisations (INGOs) or the UN. Furthermore their socio-political analysis was not as robust as traditional aid actors. While the success of the private sector was a positive contribution to the response in Nepal, their involvement raises the question of the relevance of the humanitarian principles in the disaster setting.

IN BRIEF

The case study of Nepal highlights the obstacles to adhering to the humanitarian principles in an emergency context where development and humanitarian actors coexist. Some of the challenges seen in the other case studies were also highly prevalent, such as access to difficult terrain and the politicisation of aid. The role of the Government of Nepal in coordinating the response made it extremely difficult for humanitarians to be impartial and independent, due to heavy bureaucracy, the existence of a complex web of power centres each containing competing political interests, and a high turnover of government officials. Endemic social exclusion created further challenges to the delivery of impartial aid. Most respondents noted a struggle to balance adhering to the principles and the need to maintain a constructive relationship with the government. This made it challenging for humanitarians to overcome government restrictions to provide humanitarian aid in a principled manner.

Other challenges were notably due to the variety of different actors with different priorities and varying levels of adherence to the principles. Long-term development organisations worked in close cooperation with the government, and expressed concern that humanitarians arriving without prior experience to the political situation would have a perverse impact on their relationship. These development actors struggled with the principle of independence, particularly given the government's strong views on how aid should be provided and to whom. While the humanitarian principles were well-known in theory by the humanitarians working in Nepal, they were not actively referenced among development actors. Companies from the private sector had different priorities and did not directly reference the principles. Some interviewees debated as to whether the humanitarian principles are relevant in a development context, with most concluding that they were useful as a framework to reference, particularly when negotiations became difficult.



CASE STUDY: NORTHERN SYRIA

Syrian refugee children living in a settlement in the Bekaa valley in Lebanon. NRC/Christian Jepsen, 2015

CONTEXT

The Syrian civil war began in early 2011 as a protest movement. The context quickly fell into a deep cycle of violence that is characterised as an internationalised armed conflict. This conflict has become highly geopolitical as many different regional and international actors have become involved politically, diplomatically and militarily. The presence of various designated terrorist groups has further complicated the situation. Control over the different regions and the civilian population of Syria is split between NSAGs (some of which are designated terrorist groups) and the government. Parties to the conflict continue to carry out indiscriminate attacks on densely populated areas. Numerous sieges and blockades prevent civilian movement, as well as the transport of goods and assistance. 5.47 million people in need are unable to access humanitarian aid, including close to 600'000 people in besieged areas.³¹

Since 2011, over a quarter of a million Syrians have been killed, and over one million have been injured.³² 6.5 million people are internally displaced, with many forced to leave their homes several times. 4.8 million Syrians have been forced to flee the country.³³ OCHA estimates that in 2016 there are 13.5 million people, including 6 million children, in need of humanitarian assistance.³⁴ Humanitarian aid is necessary to address a widespread lack of adequate healthcare, protection support, access to water and sanitation, education and food security. Over half of the hospitals in Syria have been destroyed or damaged, as have roughly one quarter of all schools.³⁵

Access to populations in need is constrained by ongoing violence and conflict, non-cooperation from the government and NSAGs, and security concerns due to large scale violations of humanitarian law and human rights law. It is often expressed by humanitarians that Syria is a “protection free” zone, as there is no protection for the affected population and few protection activities. The operational context in northern Syria, where this research was carried out, is highly insecure for the population and for international and national actors. Due to this insecurity, the humanitarian response to the Syria conflict requires a regional approach, and therefore involves multiple hubs of access and operations: Turkey, Jordan, Lebanon and Iraq, as well as Syria itself.

WHO WAS CONSULTED?

The perspectives captured in this paper specifically relate to the experiences of humanitarians based in Turkey and addressing needs in northern Syria, although some of these challenges also relate to the humanitarian response in other areas of the country. The study was limited due to access to certain key actors. For example, there was no formally recognised “government” available to approach in the research area. There was also limited access to most areas and local populations under the control of NSAGs, due to insecurity for the researchers and NGO personnel. Another missing voice from the research is from the beneficiaries themselves, due to the researchers wishing to avoid raising expectations of assistance or of doing harm.

HOW WELL WERE THE PRINCIPLES UNDERSTOOD?

HUMANITY



The principle of humanity was rarely raised spontaneously by those interviewed, although when prompted, its fundamental importance was acknowledged.

IMPARTIALITY



When interviewed, Syrian NGOs tended to conflate neutrality and impartiality, due to there being one word in Arabic which covers both concepts. However the two concepts could be recognised and distinguished. Impartiality was often agreed to be difficult to secure in the Syrian environment, for the reasons discussed below.

NEUTRALITY



There was a perception among many Syrian nationals that neutrality is impossible within such a polarised conflict. It was however recognised that perhaps neutrality was more feasible for non-Syrian staff and INGOs. In addition to neutrality being understood as not favouring one party to the conflict over another, it was also associated with not discriminating against any groups.

INDEPENDENCE



Humanitarians perceived independence to be impossible in practice. Adhering to independence was deemed particularly difficult for INGOs as they are donor-dependent and must comply with counterterrorism measures including legal restrictions.

CONTEXT SPECIFIC CHALLENGES TO PRINCIPLED HUMANITARIAN ACTION

► The remote management system

Discussions highlighted that the remote management system, which most INGOs use in Syria, specifically created obstacles to providing humanitarian protection and assistance in a principled manner. Furthermore, this system was a major constraint to understanding how principled programming is being implemented in the field due to the difficulties of monitoring programmes. Many humanitarians implied or even stated that allowances are often made for weak monitoring and evaluation between actors and donors due to the remote management system.

Partly because of remote management, access to the operational environment was defined as the ability of INGOs and the UN to physically reach the affected population, rather than as the population's ability to receive aid.

► Coordination

The existence of multiple “hubs” or centres coordinating humanitarian action across Syria has also hindered the coherence of action, due to the different locations of action and the particular domestic dynamics of the countries affected. The regional management mechanisms of large INGOs as well as with the UN are diffuse and poorly integrated.

NRC staff distribute wood and plastic sheeting to weatherproof dwellings at an informal tented settlement for Syrian refugees in the Bekaa Valley, Lebanon. NRC/

Sam Tarling, 2015





NRC carries out education, information and distribution activities from its community center in Northern Lebanon. NRC/Christian Jepsen, 2014



A woman clears snow from outside of her tent at an informal tented settlement for Syrian refugees in the Bekaa Valley, Lebanon. NRC/Sam Tarling, 2015

Although the cluster system is active, a number of interviewees commented that there were still many questions regarding the net outcome of the coordination mechanisms. There is a concern that the basics of field operations, such as good targeting of aid and reliability of information sources, are not being attended to. More specifically actors remarked that the humanitarian principles are not routinely discussed in coordination meetings.

► Donor engagement

Interviews highlighted that burdensome reporting and constraints framed around achieving targets rather than meeting the needs of affected people were often cited as challenging the implementation of the principles.³⁶ Furthermore it was expressed that this commonly led to discrimination in protection and assistance delivery. It was also commented that INGO reliance on donor funding makes it difficult to ensure independent assessments of needs in any humanitarian crisis. This effect was even more pronounced in the highly politicised context of Syria, where a wide variety of internal and external actors with strongly expressed political and foreign policy views, including parties to the conflict, could pervert the provision of humanitarian protection and assistance.

► Counterterrorism measures

The often difficult relationship between INGOs and their donors in Syria was attributed to counterterrorism measures and a lack of flexibility in reporting rules. Counterterrorism measures can impact the implementation of principled humanitarian aid as they limit the ability of humanitarians to choose partners or negotiate access with particular NSAGs, thus impeding aid delivery in some areas.³⁷ Many humanitarians perceived that entering

into contact with NSAGs would be considered as providing them with “direct support” and therefore they decide not to work in certain areas.³⁸ One example of this is that INGOs funded by OFDA were unable to engage with designated terrorist groups, and therefore are unable to adhere to the principle of neutrality. The risks of diversion of aid by designated terrorist groups may also lead to reluctance from donors to support humanitarian activities in areas where designated terrorist groups are assumed to be operating.³⁹ In order to respond to these concerns, third party monitoring and evaluation mechanisms have been put in place.

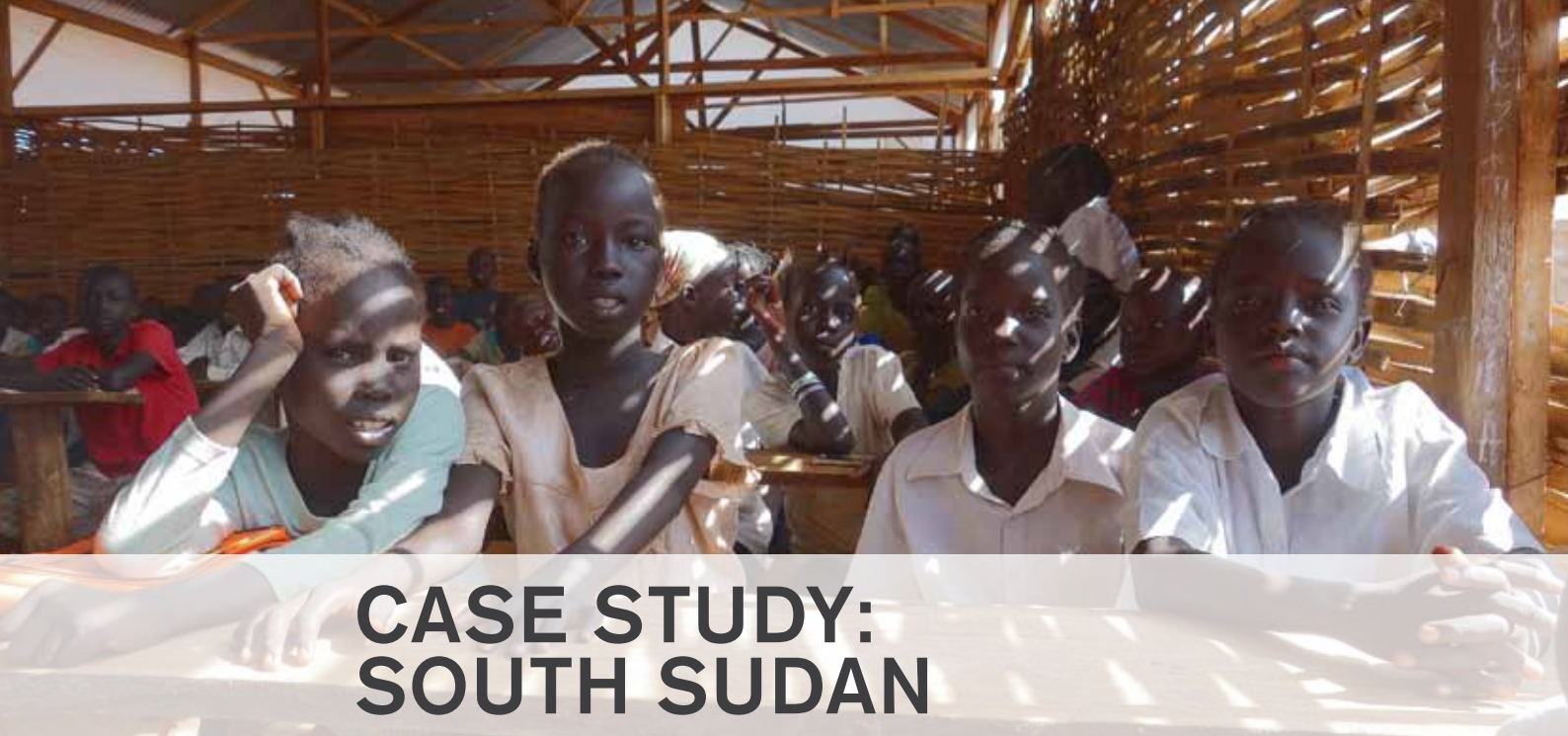
▸ Internal decision processes

It was noted in the interviews that for many Syrian NGOs the humanitarian principles were new concepts. This is understandable as until recently, due to the political context in Syria, the development of an independent civil society seemed unachievable. There has therefore been a steep learning curve for these Syrian NGOs to understand how adhering to the humanitarian principles is critical to effective humanitarian action. The parameters of principled humanitarian action have had to be learned and integrated into day-to-day practice. There has been limited training on the principles for national NGOs and national staff of INGOs. As national NGOs are implementing the majority of humanitarian aid programmes, often as partners for INGOs through remote management agreements, it was noted that they have a critical need for capacity building on how to adhere to the humanitarian principles.

IN BRIEF

The general humanitarian picture of the Syrian context is of a highly politicised, fluid and insecure environment which presents serious challenges to the provision of principled humanitarian action. The research suggests that humanitarians are often compelled to prioritise operating as best they can over adhering to the principles. Despite this situation interviewees from INGOs stressed the importance of the humanitarian principles, and none of the respondents were under the impression that there is a more effective mechanism through which to implement humanitarian protection and assistance. The theory of the humanitarian principles was found to be well understood among INGOs, and most respondents stated that they routinely discussed the principles internally. However, discussions identified a clear need for further capacity building and support for national NGOs on the humanitarian principles.

The Syria case study is less well developed than the others, which is in itself a valuable finding. There is much that is not known, or at least not actively discussed in the humanitarian community, which affects the ability of humanitarians to provide aid. In such a highly charged environment there is a need for discretion, on the part of the actors themselves as well as the researcher.



CASE STUDY: SOUTH SUDAN

Children attending school in UN camps in South Sudan are lacking books and teachers, and the number of students often exceeds 200 per classroom. NRC, 2015

CONTEXT

South Sudan is the scene of a protracted civil war, since the political power struggle between the president, Salva Kiir, and his sacked vice-president, Riek Machar, degenerated into conflict that often pits their respective communities, the Dinka and Nuer, against each other. Tens of thousands of people have been killed, more than 1.6 million have been internally displaced, with an additional 640'000 seeking refuge in neighbouring countries since a renewed civil war broke out in December 2013.⁴⁰ This conflict has been characterised by large-scale violations of IHL.⁴¹ Despite a peace agreement signed in August 2015, the ceasefire has been constantly violated. In spring 2016, a unity government was formed.⁴² Recent violence in July 2016 has further complicated the situation, with tens of thousands displaced and several hundred killed.⁴³ While political negotiations continue, and are needed to dramatically alleviate people's suffering, they are unlikely to yield rapid improvements on the ground.

The Republic of South Sudan faces considerable humanitarian challenges: insufficient development, violent conflict and a looming economic crisis are driving humanitarian needs caused by displacement, injury, food shortages and insecurity, risk to livelihoods, widespread malnutrition, outbreaks of disease and seasonal floods.⁴⁴ Humanitarian needs are most acute in areas with active hostilities or large numbers of displaced people. At the time of the study, humanitarian access, particularly for international staff, was restricted in northern states.⁴⁵ According to the Office for the Coordination of Humanitarian Affairs (OCHA), more than 5.1 million South Sudanese are in need of protection and humanitarian assistance.⁴⁶

In South Sudan, the humanitarian coordination system is complex and highly politicised. This is the result of the lack of an overall framework and a high level of international political and media interest, coupled with the structure of the United Nations Integrated Mission in South Sudan (UNMISS).

WHO WAS CONSULTED?

In South Sudan there was no direct access to NSAGs for reasons related to logistics and insecurity. Due to time restrictions, the researchers concentrated on collecting information from Juba. The interviews involved various INGO representatives, donors, government representatives and beneficiaries. The absence of local NGOs perspectives and private sector representatives limit the findings and recommendations of this case study.



NRC Secretary General meets the United Nations in Bor, South Sudan. NRC 2014

UNITED NATIONS INTEGRATED MISSIONS AND THE HUMANITARIAN PRINCIPLES

When authorised by Chapter VII of the Charter of the United Nations and invoked by the Security Council, UN peacekeeping missions can be deployed to volatile post-conflict settings where the state is unable to maintain security and public order. These missions are also known as integrated missions, as they effectively integrate the United Nations management of the military peacekeeping component of the mission and the UN coordinated humanitarian response. One notable aspect of this is known as “double or triple hatting”, where the role of the Humanitarian Coordinator and the Deputy Special Representative of the Secretary General, and sometimes also the Resident Coordinator, is filled by one political appointee who oversees the entire UN response, to ensure coordination. This is seen as problematic for many humanitarian actors, as this appointee must ensure the success of the mandate of the military operations yet at the same time must also address humanitarian needs. Another challenging aspect of integrated missions are the “Quick Impact Projects”, which involve soldiers working in projects such as building schools and infrastructure. This confuses their distinction with humanitarians and can jeopardise the perception that humanitarian action is neutral, independent and impartial. While integrated missions do try to distinguish the various branches of their operations, in practice it is difficult to uphold this distinction. This is also particularly problematic for humanitarian actors working in areas that are not under the control of the government, as they can be confused with the military. This can endanger both aid workers and the populations to whom they provide assistance.

HOW WELL WERE THE PRINCIPLES UNDERSTOOD?



HUMANITY

Many humanitarians remarked that the principle of humanity and the “humanitarian imperative” should guide humanitarian action and enable NGOs to justify operational decisions when faced with dilemmas. Some respondents shared the view that the principle of humanity should override the three other principles, and push humanitarians to prioritise providing aid wherever possible.



IMPARTIALITY

INGOs understood that impartiality could be utilised as an operational tool, and remarked that they regularly highlighted the impartial nature of their work with all parties to the conflict in order to negotiate access to affected populations.



NEUTRALITY

For many interviewees, neutrality was often associated with “non-partisanship”. This was linked to INGO concerns of being accused of partisanship, fears which were significant enough to directly affect the level of cooperation between NGOs and governmental authorities.



INDEPENDENCE

This principle was often mentioned in reference to financial support, funding mechanisms and international donor agendas. However INGOs also considered that government pressures to operate in accordance to their policies challenged their ability to be independent in some areas.

OTHER VALUES

Although the humanitarian principles were generally considered a relevant framework to guide humanitarian action, respondents also raised other associated concepts such as solidarity, IHL and other “humanitarian rules”.

CONTEXT SPECIFIC CHALLENGES TO PRINCIPLED HUMANITARIAN ACTION

► Access and insecurity

A large majority of respondents were of the view that access and insecurity issues as well as logistical challenges prevented them from addressing a number of existing needs in the country. These were often due a lack of infrastructure and low levels of resources, which were exacerbated further during the rainy season. Many INGOs have chosen to no longer operate in certain areas, especially in the northern states, as a response to the volatility of the security context. Furthermore, some of the interviewees stated that humanitarians are increasingly reluctant to take security risks in South Sudan.

► Aid diversion

Respondents expressed the concern that humanitarian assistance is seen as political leverage and is often diverted and used to increase political capital. Interviewees commented that there are deliberate attempts to control or divert humanitarian assistance at the governmental level, the level of local authorities and among civilians. This issue is complex, since lines are blurred between civilians (“youth” and “militia”) and soldiers from the regular army in the ongoing fighting. Diversion of assistance from intended beneficiaries to other parts of the population, including by the military and NSAGs, may induce further dilution of humanitarian efforts or may also fuel the war. This happens in many protracted crises and cases of sudden onset violence, however, it becomes a matter of tension for humanitarians depending on how the system responds to the diversion of aid in such crises.

Faced with allegations of aid diversion, a large majority of humanitarians interviewed in Juba agreed that aid should continue to be delivered according to the most urgent needs and vulnerabilities of communities, which is coherent with the humanitarian imperative. Some of them referred directly to the Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief which specifies that “the humanitarian imperative comes first”.

► Coordination between UNMISS and humanitarian actors

Interviews highlighted that the blurring of political and humanitarian roles in the UNMISS integrated mission is compromising the ability of the humanitarian response



Rebecca and her three children in a Protection of Civilians camp outside Juba, South Sudan.

NRC, 2015

BENEFICIARY PERSPECTIVES ON THE HUMANITARIAN PRINCIPLES

For the few beneficiaries interviewed during focus group discussions, humanitarian principles were essentially linked with solidarity and the right to receive humanitarian assistance and protection. The principles were generally understood in relation to the relevance of assistance and protection provided and priorities as defined by INGOs.

to adhere to the principles. Concerns regarding adherence to neutrality are compounded by the fact that the Humanitarian Coordinator also functions as the Deputy Special Representative for the Secretary General and is tasked with ensuring the fulfilment of the mandate. Moreover, UNMISS has political objectives in South Sudan since part of its mandate is to support the peace agreement. In such conditions, respondents considered the neutrality and independence of the humanitarian response to be compromised. Interviewees provided the example of OCHA representatives both participating in peace negotiations and being signatories of the peace agreement. This was perceived as inappropriate as it compromised the UN humanitarian leadership's capacity to negotiate access and coordinate humanitarian action. Donors and humanitarians remarked that this lack of coordination among the humanitarian community had a direct impact on principled aid delivery, efficiency and monitoring. As a result, the humanitarians consulted posed the question as to whether humanitarian collaboration on expanding access and providing protection support was guided by humanitarian needs or motivated by a political agenda.



Idar Kreutzer meets displaced South Sudanese leaders in an UNMISS base in Bor.

NRC/Christian Jepsen, 2014.

THE UNITED NATIONS MISSION IN SOUTH SUDAN (UNMISS)

UNMISS is an integrated peacekeeping mission under Chapter VII of the UN Charter, which means it has a mandate in support of the government. Initially provided a mandate by UN Security Council Resolution 1996 (2011), UNMISS has faced significant challenges because of the deterioration of the security situation and its complex relationship with the Government of the Republic of South Sudan. UN Security Council Resolution 2252 (2015), extended the UNMISS mandate to 31 July 2016⁴⁷, increasing the troop numbers to 13'000 and better enabling the implementation of the peace agreement.

UN agencies rely on UNMISS for security and to gain better access to information from affected areas. Some INGOs also collaborate directly with UNMISS to provide protection and assistance in restricted areas, prioritising the principle of humanity and the “humanitarian imperative” to respond to the needs of affected populations. Nevertheless, humanitarians raised the importance of differentiating themselves from the peacekeepers, as these were perceived by the affected population as political actors implementing government policies, particularly in relation to displaced populations. Humanitarians remarked that being aligned with peacekeeping efforts would undermine their independence, neutrality and impartiality.

As coordination spaces were not perceived as purely humanitarian, many organisations were reluctant to share potentially sensitive information. A knock-on effect was that the UN had a reduced capacity to speak out and pressure the government for better access. In order to distance themselves from military and political agendas some INGOs have employed a “strategy of distinction” by both adhering and promoting a principled approach to humanitarian action.

► UNMISS and Protection of Civilians (PoC) sites

UNMISS is an example of a conglomeration of different actors all working inside PoC camps for internally displaced people that not only operate under UNMISS responsibility but within their UN militarised base.⁴⁸ There is deep misunderstanding between the military and humanitarians, with tensions especially revolving around the dismantlement of PoCs and the relocation of internally displaced people. Recently, the Government of South Sudan and UNMISS pushed for the closure of PoCs and pressured the International Organisation for Migration to stop registering new internally displaced persons (IDPs). This raised operational problems for aid distribution as the newly arrived IDPs were not meant to receive assistance according to the new governmental procedures, therefore creating potential discrimination amongst people in need. Some respondents in Juba asserted that they had difficulties in maintaining impartial delivery of humanitarian assistance and protection in the Juba PoC sites given the politicisation of IDP issues and the political role of UNMISS.

Indeed, several humanitarian respondents in Juba raised politicisation of internal displacement issues as well as the use of returns of displaced people as a proxy indicator for



Protection of Civilians area in an UNMISS base in Juba. NRC/Christian Jepsen, 2014

HUMANITARIAN PRINCIPLES FROM THE PERSPECTIVE OF THE UNITED NATIONS MISSION IN SOUTH SUDAN

Not all the humanitarian principles are relevant for the implementation of peacekeeping missions. Even though UNMISS is becoming more and more of a humanitarian actor in South Sudan, representatives of humanitarian organisations understand that it is impossible for UNMISS to be neutral or impartial. It is not that UNMISS members reject the humanitarian principles, but they seem to have a realistic understanding of their capacity to implement the principles in light of the UNMISS protection mandate. UNMISS is a political actor, nevertheless, it pledges to respect IHL and the human rights of the civilian population. However, there is a lack of understanding, communication and cooperation between UNMISS and humanitarians, which undermines both the peacekeeping and humanitarian coordination mechanisms.



Distribution of school materials, South Sudan. NORCAP/Lars Aune, 2012

political progress. While UNMISS states that returns of internally displaced populations should be voluntary, humanitarians perceive that UNMISS has been pushing for returns so that it can close PoC sites. Some interviewed also said that the fact that UNMISS is also making decisions about who is allowed to seek refuge in the PoC sites and what assistance humanitarian actors can provide based on what they define as the “greatest needs” in the sites. This has resulted in biased decision making about how and where aid should be delivered especially in the Juba PoC sites.

➤ Relationship with the Government of South Sudan

The majority of respondents commented that the restriction of humanitarian action is also partly due to the lack of communication with the relevant authorities to ensure smooth transit of aid. Liaising with authorities in South Sudan is known to be complicated by the emergence of new power alignments, tensions between local systems of governance, national political actors and the military situation along the frontlines. Most INGOs expressed concerns around how to ensure their neutrality whilst working with the government, a party to the conflict. They also commented that the impartial delivery of aid was challenged almost on a daily basis and that it was difficult to deliver aid based on needs alone without being accused by one side or the other of being biased or partial. Fear of being accused of partisanship directly affected the level of cooperation between NGOs and governmental authorities. As a result many interviewees confirmed that neutrality was the main principle to respect and was often associated with “non-partisanship”. In negotiations with the government, the opposition or any of the several NSAGs, INGOs often used the principle of impartiality as an operational tool, highlighting the impartial nature of their work to negotiate access to the zones of greatest need with both sides of the conflict. Despite the challenges a number of INGOs and the ICRC considered developing good relations and collaboration with the Government of South Sudan necessary for the efficient delivery of humanitarian protection and assistance.

Decades of humanitarian assistance and protection have resulted in a strong understanding of humanitarian action, as well as its challenges and mistakes, at the governmental level.⁴⁹ The Government of South Sudan therefore has a good understanding of the principles, and according to some respondents, uses them to their own advantage, such as by accusing INGOs of being partisan or partial.⁵⁰ The government was perceived to have a strong interest in having access to NGO activities and decision making processes. Some humanitarians interviewed mentioned that they tried to bypass the institutions of the government to avoid challenges such as corruption or weak governance. Decades of humanitarian interventions have also created what some respondents from INGOs named “accommodation”, meaning that local stakeholders have become accustomed to the modalities, vocabulary and organisational structures of humanitarian action and may use these against the INGOs themselves through financial pressure, campaigns to discredit, limitation of access and regulation of activities. Also as a consequence of the political pressure on INGOs, humanitarian actors face a dilemma: whether or not to engage in advocacy that may be considered as sensitive by the Government of South Sudan but essential to raise awareness for funding and accountability. Advocacy presents a risk for their operational presence, affecting not only independence but also the neutrality and impartiality of aid delivery.

On the side of the government, representatives interviewed were of the view that current needs assessments made by INGOs were not relevant since they tend to focus on hu-



WFP mobile nutrition team receiving a delivery in South Sudan. Amirkambiz Hamedaniyadeh, 2014

manitarian action, while the country needs development projects, such as state building programmes and educational projects. The humanitarian crisis reactivated by the conflict has resulted in a humanitarian paradigm shift from development programmes, which implied strong collaboration with the governmental authorities, to emergency operations. Many development programmes, with a major focus on state and capacity building, have closed. Respondents from the government indicated that they do want to increase engagement with humanitarian actors. One of the grievances frequently heard from the government is that aid agencies do not interact enough with them.

▀ Internal processes

Both INGOs and local NGOs deliver approximately 85 per cent of basic services in South Sudan.⁵¹ As a result, the position of NGOs in South Sudan gives the NGO community far greater influence than they have in other places. The Southern Sudan NGO Forum (created in 1996) brings NGOs together to discuss common issues around programming, access and delivery of aid. Donors continue coordination through sector working groups.

Respondents from INGOs expressed concern about the neutrality of national staff and local NGOs. While acknowledging that local partners and local staff's contextual knowledge, their contacts and their local community acceptance is necessary and their empowerment would ensure sustainability of aid assistance in South Sudan, respondents from INGOs raised the risks of hiring local staff in certain areas affected by conflict given their ethnicity or perceived partisanship. These perceptions can create a climate of suspicion and jeopardise the neutrality of aid delivery by local NGOs. They also contribute to low local staffing numbers.

The involvement of the Government of South Sudan in INGO recruitment process, to increase the capacity of local staff, was raised as a concern by some interviewees from

international organisations. Although all governments push for employers to prioritise hiring citizens, respondents from INGOs commented that this policy was reducing their ability to recruit qualified staff to run programmes in government controlled areas, especially as it is very difficult to find national applicants who match the needed profiles. A few INGO respondents perceived this as interference and associated it with “aid diversion” or “diversion of human resources”. Some INGO representatives interviewed agreed that, at the local authority level and higher, their organisation was perceived by the government as a source of revenue and employment.

Both donors and humanitarians asserted that inexperience, lack of coordination and frequent turnover of international staff challenged the implementation of principled humanitarian action. Respondents raised the fact that INGOs experience difficulties in recruiting and maintaining good staff. This is critical as, poor experience and deficient understanding of the context might lead to “poor operational decisions” in affected areas. The high turnover of staff alongside the related weak institutional memory and limited organisational learning, were also mentioned by some interviewees as limiting the effective and coherent implementation of principled humanitarian action. In situations where the humanitarian principles were directly challenged, in particular in negotiations with NSAGs, respondents from humanitarian organisations underlined that proper risk analysis and acceptance approaches were vital and should be strengthened.

Some INGOs and ICRC provide balanced multi-sector actions in cases where actual needs are unbalanced to prevent them from being accused of partiality in conflict settings. For example, in Upper Nile, ICRC food distributions are mainly targeted at Nuer areas, but Dinkas also benefit from medical institutions, health care supports and IHL training from the army. While this “do no harm” approach does not adhere strictly to the principle of impartiality, it is necessary to not further exacerbate existing tensions.

IN BRIEF

South Sudan faces considerable humanitarian challenges, due to the protracted civil war and the serious and ongoing violations of human rights and IHL. Within this context, many of the humanitarian actors interviewed mentioned the value of implementing the humanitarian principles. However, many actors attested to the various challenges of adhering to the principles, especially due to the structure of the UN integrated mission, which blurs the distinction between humanitarian, development, political and military actors. The relationship with the government was reported as another issue, especially on account of changing power alignments and tensions between regional and national levels of power. Staffing issues such as imposed quotas of national staff, but also the high turnover and lack of experienced international staff were raised as reducing the ability of humanitarian actors to adhere to humanitarian principles. Finally, insecurity due to the conflict and presence of NSAGs highly affected access and the impartial delivery of aid. While the value of the principles were recognised and acknowledged by the various actors interviewed in South Sudan, more reflection is needed on how they can be respected and used to strengthen the provision of humanitarian aid in this politicised environment.



CONCLUSIONS AND CROSSCUTTING ISSUES

A WASH specialist from NRC's expert roster NORCAP working in Bor, South Sudan.

Stanislaus Kamwaga, 2014



HUMANITY

In all four case studies the principle of humanity was rarely spontaneously referenced by the interviewees or within the reviewed literature. This is often explained by humanity being such a fundamental concept that it does not need to be specifically mentioned, as it underpins everything that humanitarians do. When prompted to reflect on the principle of humanity most respondents considered that it should take priority over all other principles and concepts as it articulates the rationale for humanitarian action: addressing human suffering. Taking this into consideration, the researchers concluded that if indeed the principle of humanity is the core tenet of all humanitarian action, then it should be explicitly acknowledged and discussed, not just implicitly respected. However insights from these four case studies showed that the principle of humanity was not always the main driver for humanitarian action.



IMPARTIALITY

In all four contexts the vast majority of respondents agreed that impartiality was the primary principle considered when making programme decisions. Impartiality was considered a helpful tool enabling humanitarians explain the distribution of aid provision to stakeholders at all levels. This protected them against accusations of biased distribution which could jeopardise operations. Authorities often insisted that humanitarians coordinate the provision of aid with them as a strategy to ensure impartiality, while many NGOs remarked that this involvement often made securing access to affected populations more problematic. This combined with other challenges such as insecurity and logistics not only left humanitarians unable to provide aid to some populations, but unable to gain a full assessment of the humanitarian needs.

Interviewees often conflated the principle of neutrality with other principles, such as impartiality. This is partly a result of a common misunderstanding of the principle and its underlying objective, which is for humanitarian actors to be considered as irrelevant to the political context of the crisis. As a result humanitarians often misunderstood how the principle of neutrality could be put into practice. The impact of this confusion was that humanitarians could be considered as political tools for the political and military actors in control of certain areas.

More reflection is needed concerning the extreme cases such as Syria, where some respondents questioned if neutrality is possible at all, as well as in post-conflict cases such as Nepal where there were discussions as to whether the principle of neutrality is relevant.

Funding policies have a substantial impact on the ability of humanitarians to be independent. This relates to politically motivated donor policies, the effects of counterterrorism measures in highly politicised conflicts, and agendas which are focused on development and peace building activities. It is hard for humanitarian organisations to ensure independence due to their considerable dependence on funding. The impacts of lack of independence are varied, but they can be summarised as the inability of humanitarians to put their intentions into operation without undue influence by external actors. Humanitarians can also be perceived to be associated with political actors. This can increase their insecurity and may lead to situations where affected populations do not receive the assistance they need but rather what is allocated to them based on external political and security priorities. As always, the principles are interlinked and an issue with one can have a knock-on effect on another.

NRC is present in this host community in Erbil Iraq, and is providing Syrian refugees with shelter upgrades such as windows, doors and roofs. NRC/Karl Schembri, 2015





NORCAP expert talking to a family in makeshift camp outside Kathmandu.

NORCAP/Kishor Sharma, 2016

REOCCURRING CHALLENGES

In all four cases actors highlighted the following common challenges to adhering to humanitarian principles:

▀ Access – insecurity and restrictions

Humanitarians acknowledged that being perceived as neutral, impartial and independent is as important as actually abiding by the humanitarian principles. Positive perceptions are the key factor to be able to maintain presence and operations in the country. Affected populations themselves mentioned that humanitarians known to be principled have better access to areas most affected by conflict. Government authorities and donors alike recognised that not all humanitarian organisations are the same or work in a fully principled way. This appears to result in some organisations having more geographical access than others.

Insecurity has a profound impact on affected populations' access to assistance. In Colombia there is heavy, albeit informal, dependence on the UN for security clearance and some areas with landmines are difficult to access. Access to terrain controlled by NSAGs is highly constrained in Colombia, South Sudan and Syria. The question of how to overcome insecurity and gain access remains, especially when donors and affected states sometimes prohibit INGOs from negotiating access with certain NSAGs. Weather and geographical conditions also affected access in some of the regions.

► **Role of relationships with states and NSAGs**

How states and NSAGs view their responsibility concerning humanitarian assistance is a major factor in how it is provided. In Colombia, the government's prominent role in providing humanitarian assistance is commendable; yet while it is still party to the conflict, independence and neutrality of action is challenged. In Nepal one of the criticisms of the government is that it is highly controlling and the bureaucracy is stifling. Most international aid actors struggle to balance these political realities with the need to maintain a close and constructive relationship with the government and local actors, alongside their desire to provide aid in an impartial manner in an emergency, or in normal times to focus on social inclusion activities.

Finally, it is important to note that states which are perceived as weak in certain areas, such as institutions and capacity, can also be assertive and controlling on the policy level. It is noteworthy that both concepts can exist in the same context and this requires a fine tuned approach from INGOs.

► **Aid diversion**

The issue of aid diversion presents a risk for the global impartiality of humanitarian protection and assistance as it results in aid not being delivered according to needs. All of the locations researched suffered from this issue. For Nepal, this challenge is due to the social exclusion; for Syria and South Sudan and to a less extent in Colombia it relates to aid being directed towards certain groups and away from others, based on local power dynamics.

► **Politicisation and the influence of donors**

Politicisation is an issue in all four contexts. It is interesting to note, though, that in Nepal, Colombia and to a certain extent in South Sudan, politicisation was related as much to domestic political considerations as to external political agendas. Colombia is unique in being a case where the state itself is a financial donor to international organisations working on its territory and, therefore, has an additional role in influencing the crisis response. External politicisation is key in the case of Syria. This challenge will be further discussed from the perspectives of donors themselves in the addendum.

► **Overlap between crisis response and development programming**

The approach of aid agencies sometimes changes fundamentally in reaction to a change in circumstances, such as in South Sudan where the situation changed from a low development context to a conflict setting, and in Nepal from a development context to a crisis response setting. In Colombia, the tension of humanitarian versus development and post-conflict agendas seems to be reproduced at the UN level, where the same person is both UN Humanitarian Coordinator and Resident Coordinator. While this is certainly not a peculiarity of the Colombian context and is common elsewhere as part of the UN integrated approach, some respondents mentioned that the current peace agenda seems to be prioritised over humanitarian concerns, which are considered to be an uncomfortable topic.



RECOMMENDATIONS

Education in emergencies programme implemented by NRC in a Protection of Civilians camp in South Sudan. NRC/Tuva Raanes Boganes, 2015

Principles are not easy to implement in practice. Actors are confronted with difficult choices, and they may choose to address these in diverse ways, affecting the global understanding and implementation of the humanitarian principles. This study has shown how challenges are often specific to contexts. The nature, intensity, length, and drivers of the crisis, along with the strength and type of actors involved and the political interest, shape these challenges. The history of the engagement of humanitarian actors in the context informs the way in which they are perceived and helps to define the parameters within which they must work. How individual actors view, use and engage with the principles affects how they react to these challenges.

There remains a consensus that in order to adapt and respond to the challenges facing the provision of humanitarian aid, the humanitarian principles are more relevant than ever. Furthermore they continue to be the main metric against which humanitarian responses should be measured. Principled action can strongly improve security for humanitarians. Speaking to all stakeholders in the crisis (such as parties to the conflict), maintaining neutrality and impartiality of action, and being transparent about objectives should help a great deal to ensure the respect for and security of humanitarians as well as of the populations they serve.

This study has shown that there are major challenges to the provision of principled humanitarian action, and significant work needs to be done by all relevant stakeholders: states, NSAGs, humanitarian actors (including NGOs), the UN and donors, to ensure that affected populations provided with humanitarian protection and assistance. As a small step towards fulfilling this goal, this study proposes the following recommendations and areas for further reflection.

Humanitarians need to improve the practical use of the humanitarian principles including in their internal decision making process.

People in crisis contexts are often left with tough decisions with insufficient internal support and guidance on how principles can assist them to navigate the issue at hand.

- Existing tools and recommendations need to be strengthened and to focus on providing practical guidance.
- A key component of project and programme decisions should include a clear process and evaluation examining their coherence with principled humanitarian action.
- Humanitarian organisations should develop general and context-specific redlines, clarifying the level of acceptable compromise regarding principled humanitarian action.
- The decision making process should clarify the responsibilities of different staff inside the organisation at local and headquarters levels with regard to decisions and actions that take full account of the humanitarian principles.
- Humanitarian organisations need to invest more resources in providing their staff with training and support to implement principled humanitarian action.

Increased recognition and weight must be given to dialogue, coordination and cooperation between humanitarians and local authorities.

- In order to maintain a principled approach, humanitarians may need to evaluate and may need to redefine their communication and modes of operations. Local authorities should in turn commit to supporting and facilitating principled humanitarian action.
- The study found tensions between independent humanitarian action and different levels of coordination and cooperation with local authorities. Where the government is firmly established as the coordinator of relief, rehabilitation and development activities, humanitarians face challenges not only in terms of independence, neutrality and impartiality, but also in navigating administrative capacities and excessive bureaucracy.
- Neutrality and independence must not be misrepresented as a requirement to not interact with the state and its authorities. Dialogue is an essential element in communicating responsibilities, strengthening transparency and enabling acceptance; it is a precondition for transformation and change. In terms of operations, humanitarian actors need to decide, which levels of proximity to government activities are appropriate to achieve the humanitarian objectives in a given context. They should choose what types and what levels of their activities may substitute for government responsibilities. Supporting their implementation or advocating for their realisation might be appropriate for the context.
- The responsibility of humanitarian actors to engage with authorities goes hand in hand with the responsibility of all other actors (including authorities) not to use their influential

position to undermine the neutrality and impartiality of humanitarian action. The state and authorities should facilitate humanitarian action, and refrain from using it as political tool.

- In contexts of conflict, specific arrangements may be needed where states are both parties to the conflict and involved in coordinating relief. Humanitarians may need to keep a distance from authorities in order to preserve their impartiality and neutrality, while keeping an open dialogue. In this regard, the functioning of any cluster system in such environments should be adapted, so that that humanitarian coordination maintains its neutrality and independence without impeding efforts to avoid uncoordinated relief and rehabilitation efforts.

3

Through a collective approach, humanitarians need a common understanding of the principles that can be understood in a diversity of languages, cultures and historical experiences.

- It must be admitted that the terminology used to discuss the underlying concepts are derived from European languages. It is not always easy to translate these concepts directly into other languages. Each language has its own way of communicating concepts, and actors should be aware of the cultural and linguistic background of how terms are used and understood in that context.
- Humanitarians should work with communities and experts to shape communications in a way that is most appropriate to the context. This is particularly important in contexts where the language of communication between aid organisations is not the dominant language of the context in crisis. If language fails to develop connections between theory and practice, bringing life to these concepts by consistent action is essential.
- This discussion also applies to the relationship with the private sector, to which the study has made reference. It is clear that there is a range of benefits of private sector involvement in relief activities, but also downsides and challenges. For traditional principled humanitarian actors, it is clear that private sector engagement provides an opportunity to function with other actors, but it must be understood that they do not abide by the same principles and objectives.
- Humanitarian organisations and the private sector need more active engagement, not only to help in the translation of concepts and perceptions of principled humanitarian action, but also to help new actors to avoid repeating failures from the past and harming the environment ("do no harm").

4

Counterterrorism measures need to be better understood by organisations in order not to over-interpret their provisions and the associated constraints.

- Counterterrorism measures have a concrete impact on principled humanitarian action.⁵² These effects appear to result in a certain level of self-censorship based on risk aversion, as the measures are not always very well understood by organisations. This is understandable, as the institutional, or even personal, risks associated with being seen

to be on the wrong side of the measures are profound. However, this self-censorship should not contribute to an actor's ability to properly negotiate access with all parties to the conflict and so deliver impartial humanitarian assistance and protection.⁵³

- Humanitarians need to strengthen their understanding of the actual legal framework, the activities it restricts and the requirements it sets. It needs to be acknowledged that some of the legal frameworks might be purposefully kept general in order to cover yet unknown cases and potential eventualities.
- Humanitarians should make sure they fully understand partnership agreements before signing them (through consultation with legal advisers, dialogue with donors, and discussion with other NGOs) and negotiate key aspects based on clear internal positioning. Organisations need to ensure that their people fully understand contracts, and (collectively) develop clear approaches and staff guidelines.

Donor states should meet their commitments related to the non-politicisation of humanitarian action.

5

Most donors have repeatedly committed to support and facilitate the implementation of the humanitarian principles, notably through the Good Humanitarian Donorship initiative and the European Consensus on Humanitarian Aid.

- As counterterrorism measures and provisions continue to evolve, so do their potential relevance for humanitarian action. Therefore states and donors should hold open discussions with humanitarian actors to ensure that respect and space for principled humanitarian action is not compromised.
- Although states are inherently political actors, state policies on humanitarian affairs must be effectively safeguarded from other agendas, including foreign policy objectives.
- State donor agencies should not impose requests on humanitarian actors that undermine their capacity to remain principled, especially through provisions in grants contracts.
- Any strategic, comprehensive security tools put in place by state authorities that are parties to the conflict should refrain from using information provided by humanitarian actors or humanitarian action for military or political purposes.
- Open discussions with “new donors” relating to respect for the humanitarian principles should also be facilitated.

Humanitarians need to clarify between the commonly held perceptions around neutrality.

6

Some actors have made a policy decision to not openly claim to be neutral, as doing so may hinder their ability to advocate for certain issues and populations. The concept of neutrality and the humanitarian meaning of neutrality have both been used in various

ways, including by political and armed actors in order to prevent humanitarians accessing certain areas under the pretext that they are not “neutral”. This instrumentalisation means that today neutrality is predominately a matter of perception.

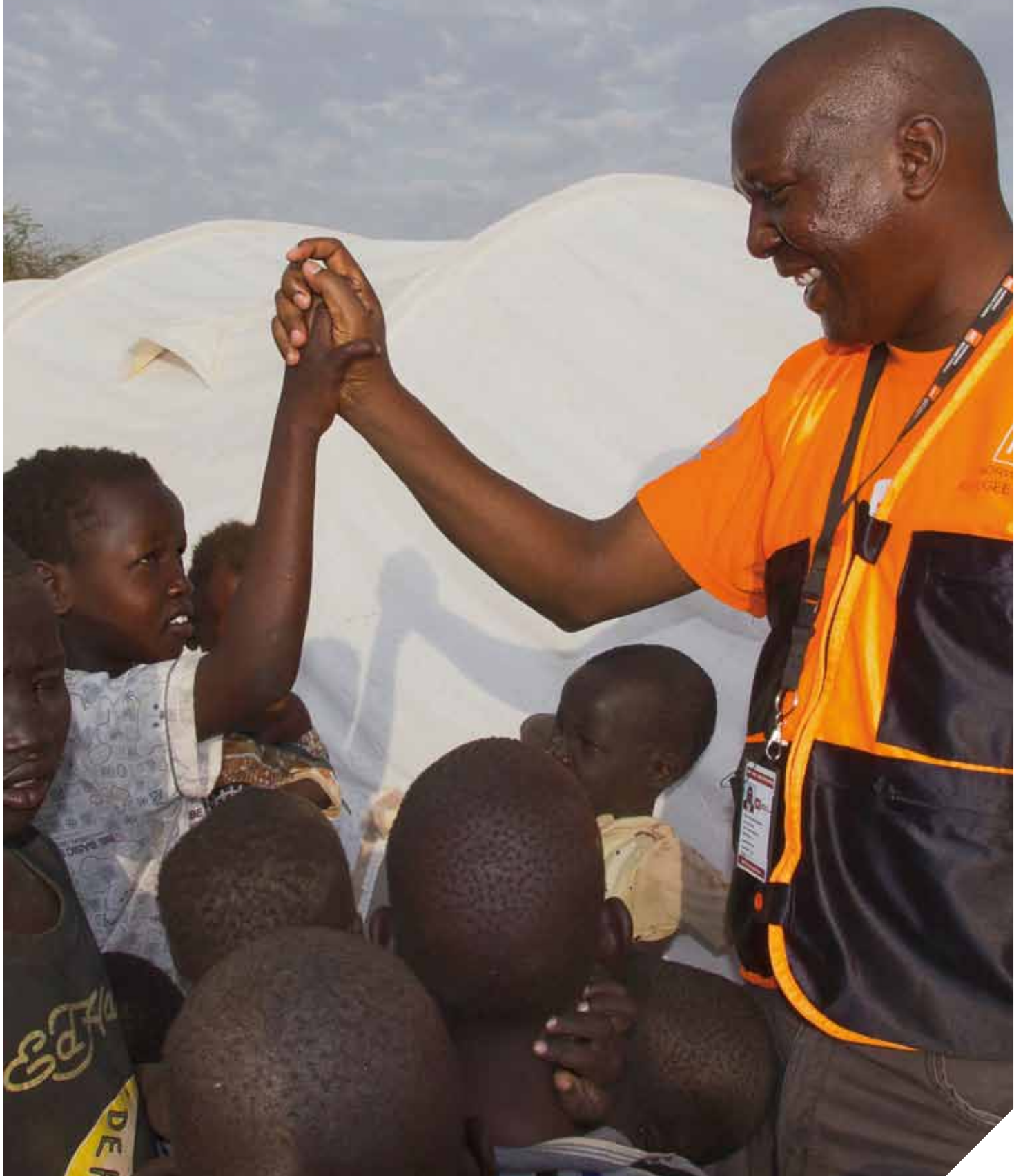
- Humanitarians must therefore sensitively manage both the neutrality of their actions and how these are perceived.
- Humanitarians should work towards strengthening their neutrality whenever the opportunity arises. Instead of avoiding debate, humanitarians should reaffirm the concept of neutrality.
- Key tools need to be developed to limit misinformed and negative perceptions of humanitarians. These should be actions such as: developing and implementing partnership guidelines, analysis of the potential partner's position on the humanitarian principles, staff codes of conduct, staff training on the humanitarian principles, regular two way communication with affected communities and humanitarian stakeholders, along with recruitment guidelines suited to the setting, effective staff management and policies on partnership.
- Humanitarian actors should acknowledge that advocacy to raise issues related to the fundamental needs and dignity of affected populations are not contrary to the concept of neutrality.

7

“Humanity first” needs to be understood in terms of its implementation and not as a conceptual explanation.

- The principle of humanity should not stand alone and cannot be the sole guide for decision making.
- A thorough operational analysis is needed to examine the impact on the other principles and related concepts (such as “do no harm”), otherwise assistance and protection efforts might be short-sighted in terms of their impact on the beneficiaries and the operational environment.
- There may, on the other hand, exist specific contexts within which humanitarians may find compelling reasons for finally choosing to give precedence to humanity and impartiality while renouncing some degree of independence and neutrality.
- The principle of humanity should be explicitly acknowledged and discussed, not just implicitly respected.

ADDENDUM CHAPTER: DONOR PERSPECTIVES ON THE HUMANITARIAN PRINCIPLES



NRC employee talking to children in Kakuma camp in Kenya. NRC/Ingrid Prestetun, 2014

Humanitarian objectives are one among a variety of economic, commercial and geopolitical interests that states hold and pursue. Since their adoption, states have increasingly referred to the humanitarian principles to guide operational humanitarian responses. There can be, however, a confusion around the role that states are expected to play in the application of the humanitarian principles. Furthermore, despite their central role in enabling and facilitating principled humanitarian action, very little is known about how states conceptualise and live up to their commitments towards the humanitarian principles. This short study is focused on the perspectives of a selected number of donor states about the challenges and opportunities of supporting the implementation of the humanitarian principles. It provides complementary insights on the challenges to principled humanitarian action to those collected from humanitarians, especially regarding the issue of politicisation of aid and donor requirements.

Findings from this study were based on semi-structured interviews with fifteen selected state representatives from among the diplomatic community in Geneva. The choice of representatives to speak to was based on the criterion of relevance: states that are currently playing an active role in humanitarian affairs at the global or regional level. The desired group of selected states to interview was initially larger; however, the study was limited due to a low response rate of around 38%. Furthermore, the research mostly provides personal and/or official views of a selected group of government officials. To get an appropriate picture of a “state perspective” in direct interviews, it would be important to access different layers of government or other institutions (legislative, judiciary, military and security institutions for example).

In order to supplement these findings, secondary data was gathered from a desk review of national humanitarian commitments and strategies, and relevant reports from humanitarian organisations. The research provides a snapshot of a certain segment of state administration and representation, and raises issues that could be interesting to investigate further.

DONOR COMMITMENTS TO SUPPORTING THE HUMANITARIAN PRINCIPLES

States have the obligation to provide assistance and protection to their citizens in the case of natural or man-made disasters. If they are unable or unwilling to fulfil this obligation, they are under the duty to accept offers of international humanitarian assistance.⁵⁴ The primacy of the state in international relations was never questioned during the interviews and there was a general consensus on the role of the state as the main actor responsible for providing protection and assistance to people affected by crises that occur within their territory – be they nationals or non-nationals. Some interviewees for this study, from both states directly affected by crises and other countries, stressed how humanity and impartiality inform the state's primary responsibility to assist and protect their citizens.

Secondly, states set regulatory and legal frameworks governing humanitarian action. Arguably, this is the most important way in which states can set the parameters for humanitarian organisations to deliver their work. Two legal frameworks are of particular relevance: international humanitarian law (IHL) for situations of armed conflict, and international disaster response law (IDRL) for other situations, in particular natural and technological disasters. The first set of laws is among the oldest and most accepted international legal

instruments. The second set includes guidelines that around twenty governments have integrated into their national laws. IHL refers to the principle of impartiality in particular. IDRL refers to humanity, impartiality, and neutrality. Given its voluntary non-binding nature, this latter legal framework is still under development and discussion, which actually means that states could play a constructive role in further supporting principled action by promoting the completion of this framework.

States have various commitments towards the humanitarian principles, as they have been reaffirmed in several UN resolutions and other regional and state legal and policy frameworks.⁵⁵ Similarly, the more recent entry into force of the African Union's Convention for the Protection and Assistance of Internally Displaced Persons in Africa ("Kampala Convention"), has created regional binding obligations on signatory states to "uphold and ensure respect for the humanitarian principles of humanity, neutrality, impartiality and independence of humanitarian organisations".⁵⁶

Humanitarian funding can provide one useful barometer for how well donor states are able to translate their commitments to support principled humanitarian action into practice. Donor funding has serious impact on humanitarian organisations' ability to be principled as it can limit both their independence and their capacity to provide impartial aid. Contributions to multilateral organisations and pooled funding are seen as good practice to support impartial humanitarian responses.

Operationally, states have a direct influence on principled humanitarian action through funding or domestic legislation and operational policies impacting international and national humanitarian assistance. Most donor states recognise the four core humanitarian principles as the foundation for humanitarian action. They are enshrined, for example, in the 'European Consensus on Humanitarian Aid' adopted by European Union (EU) donors in December 2007 and are a key component of the Good Humanitarian Donorship (GHD) principles, endorsed by donors in 2003.

While EU Member States refer to the humanitarian principles in their humanitarian policies and strategies, the degree of detail and emphasis varies from one state to another.⁵⁷ Germany, Denmark and Sweden's humanitarian strategies, for example, explicitly define each humanitarian principle along the lines of the definition given by the ICRC.⁵⁸ France and Finland generally refer to the importance of principles for humanitarian organisations to reach those in need and be able to operate in difficult contexts and for people affected by crises to receive all the assistance and protection necessary.⁵⁹

Not all states have developed a specific humanitarian strategy and/or policy. But even where they do exist, the understanding of the humanitarian principles may be shaped more by the level of engagement and personal experience of the state official having to interpret them. While this may be true generally, this was noted in particular in the responses received by the counsellors interviewed in Geneva during this study. About a third of the interviewees either covered multiple portfolios including humanitarian affairs and/or moved to covering humanitarian affairs after having covered other portfolios (e.g. economic affairs, disarmament, and development) in the past.

In some cases, states may argue for other concepts to be elevated to the rank of principles, such as accountability as a framework to measuring progress in meeting mini-

mum targets⁶⁰; or protection through a narrower definition than that of the principle of humanity.⁶¹ Such suggestions are meant not to dilute the existing principles but rather to provide additional indications on how humanitarian work is best done. About a third of the respondents also mentioned other normative, policy or operational frameworks such as international humanitarian, refugee and human rights law, the principles of the GHD, or the Do No Harm framework as equally important for states in framing their support to principled humanitarian action.

Despite these commitments, one respondent specifically acknowledged that there seems to be a lack of clarity around who has what responsibilities towards humanitarian principles. Others, both donors and non-donor states, referred to the principles as being seen as the prerogative of a small circle of people. On one hand, it reflects the perceived general lack of awareness of the existence and meaning of the humanitarian principles among state officials, on the other it hints at the need for more inclusive discussions (i.e. across contexts and cultures) on their practical implications. It is important to highlight that there was no consensus as to whether states themselves are humanitarian actors or not. Overall, the interviews highlighted that what needs more careful attention and inclusive discussion is their operational meaning. There also needs to be a better understanding of what values inform the principles across different contexts and cultures and what inherent tensions may exist.

CHALLENGES TO PRINCIPLED HUMANITARIAN FINANCING

Respondents did not generally raise humanitarian principles as a framework or tool they specifically use in their decision-making when granting funding and access. This may be different had the research been expanded to other state departments and structures. Except from specific considerations linked to funding, few concrete links were made between states practices and challenges for principled humanitarian action experienced by humanitarian organisations.

► Impact of stabilisation agendas on donor funding

The implementation of states' commitments to principled humanitarian action is often hampered by political, economic, security and military considerations.⁶² There is growing documentation on how humanitarian action has become instrumentalised in the last decade or so. The integration of humanitarian assistance in efforts to 'win the hearts and minds' of the local population as a counter-insurgency strategy or stability strategies, such as in Afghanistan or Iraq, is at odds with the idea of impartial, neutral and independent humanitarian action.

► Inadequate needs based allocations/alignment with geopolitical interests

Donors are inclined to fund the crises where they have a comparative advantage or which reflect humanitarian policy preferences or other strategic interests.⁶³ Some donor states have moved towards trying to make their funding allocations more impartial (non-discriminatory), and needs-based, in accordance with different existing standards and high-level commitments to principled humanitarian action, including through the GHD principles.⁶⁴ For example, Spain and Sweden use the EU Humanitarian Aid and Civil Protection's (ECHO) vulnerability and crisis indices to support their decision-making. In general, however, im-

partiality in allocating funding is considered difficult to adhere to for donors. Respondents highlighted how funding allocations are often influenced by strategic geopolitical priorities, historical ties and at times the prioritisation of high-profile emergencies. In many contexts they may be simultaneously committed to the OECD-DAC Principles for Good International Engagement in Fragile States and Situations, the Paris Declaration on aid effectiveness and the Good Humanitarian Donorship initiative. This entails balancing a commitment to respecting the independence of humanitarian action with a commitment to 'state-building as the central objective' of engagement with fragile states.⁶⁵

A study commissioned by the European NGO network VOICE analysed how state practices follow humanitarian principles against the commitments expressed in the European Consensus on Humanitarian Aid. The study found a significant difference in the perceptions of state representatives and humanitarian organisations, whereby state officials gave a much higher score regarding the extent to which humanitarian principles actually guide the decision-making of donor states than the representatives of humanitarian organisations did.⁶⁶ The areas for criticism highlighted by humanitarian organisations included the conflation of political and humanitarian objectives in decision-making processes and the lack of consistent independence of humanitarian decisions from other state priorities (e.g. political, economic, security, etc.). In the survey, EU Member States acknowledged that non humanitarian colleagues were generally unfamiliar with the humanitarian principles. State respondents, however, as opposed to respondents from humanitarian organisations, were not particularly concerned about this unfamiliarity affecting humanitarian decisions. Humanitarian organisations saw the political interference with the state humanitarian agenda as problematic, "especially in high profile crises when ministers want their constituents to see them taking action".⁶⁷ EU member states such as the Netherlands have been on the forefront of advocating for an increase in the budgets for assistance to Syrian refugees in Syria's neighbouring countries. Inevitably, the question that such policy priority may raise is whether a potential increase of funding for refugee responses in countries such as Lebanon or Turkey will go at the expense of other humanitarian crises, with less visibility, but high levels of needs, such as Central African Republic, South Sudan, or Yemen. The answer to this question has implications for how donor governments understand and apply the principle of impartiality.

▀ Government decision making structures

It was apparent from the interviews with both donor and non-donor states that where and how humanitarian decision making is placed within state structures has clear implications on the state's ability to support independent humanitarian action. In the case of donors, where humanitarian activities are mainstreamed across different ministries, for example, or left to some extent at the discretion of local embassies, it may be harder to ensure the independence of humanitarian decisions from political, security or strategic commercial interests. For donor state respondents, where humanitarian decision-making is centralised and placed within a separate humanitarian structure, clearer safeguards appear to be in place. While humanitarian departments in donor capitals may draw on advice from embassies, for example, funding decision-making is made at the capital level reportedly independent from strategic country priorities. As seen in the literature, even in these cases, however, departments that specialise in supporting humanitarian action often struggle trying to support principled approaches while other parts of the state pursue other incompatible aims.⁶⁸

► **Funding arrangements/recipients of humanitarian assistance**

Interviews highlighted that for some donor states a guarantee of impartiality was built in through their engagement at the multilateral level and their contributions to the UN and the UN's Central Emergency Response Fund (CERF). Recognising that providing core and un-earmarked funding is crucial in supporting principled humanitarian action, donor states mentioned these contributions as an example of following through on their commitments to the humanitarian principles.

Donors are not a monolithic block and different donors display different preferences in how they allocate funding. While only disaggregating between OECD DAC donors and other government donors, Figure 1 provides an example of aggregated donors' preferences for disbursing funds.

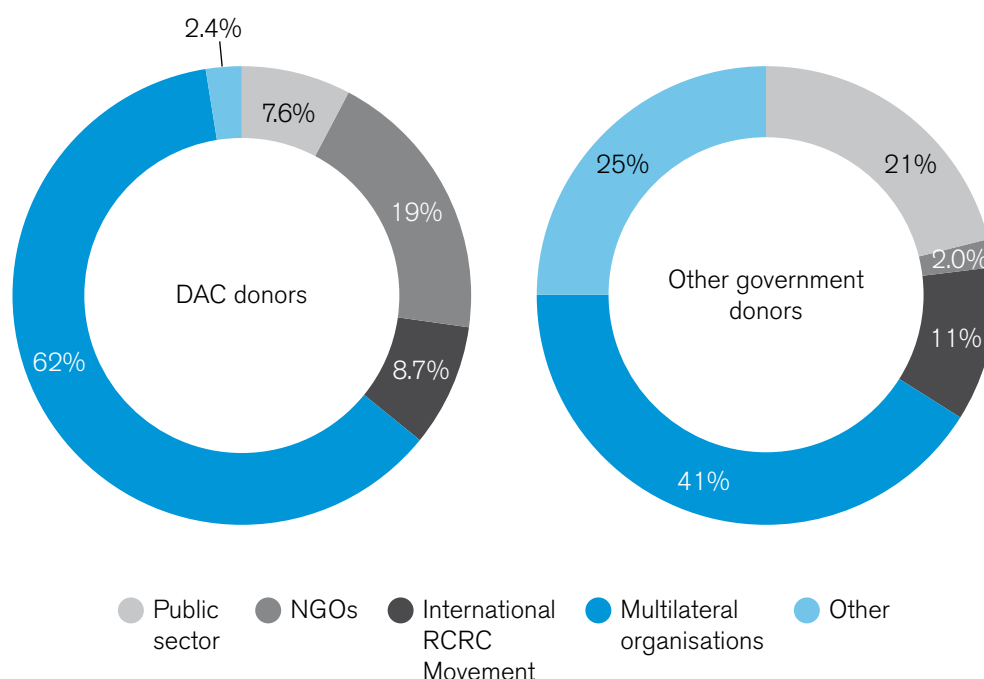


Figure 1. First-level recipients of international humanitarian assistance by donor type, 2009-2013

Source: Global Humanitarian Assistance Report 2015

Figure 2 highlights the actual level and the sources of funding for pooled funds mechanisms showing the type of alignment between the ten top humanitarian donors and the ten biggest contributors to pooled funds.⁶⁹ In the absence, however, of appropriate monitoring mechanisms, respondents highlighted that donors cannot control whether the humanitarian principles are upheld once funds have been disbursed.

One of the global rising actors interviewed in the context of the study wished for greater coordination and information-sharing that could help them both with extending the reach of humanitarian funding and addressing some of the challenges in upholding their commitments to principled humanitarian action. As another respondent from a global rising actor, however, also included, references to the humanitarian principles in the context of funding discussions do not always reflect the actual performance of those very donors

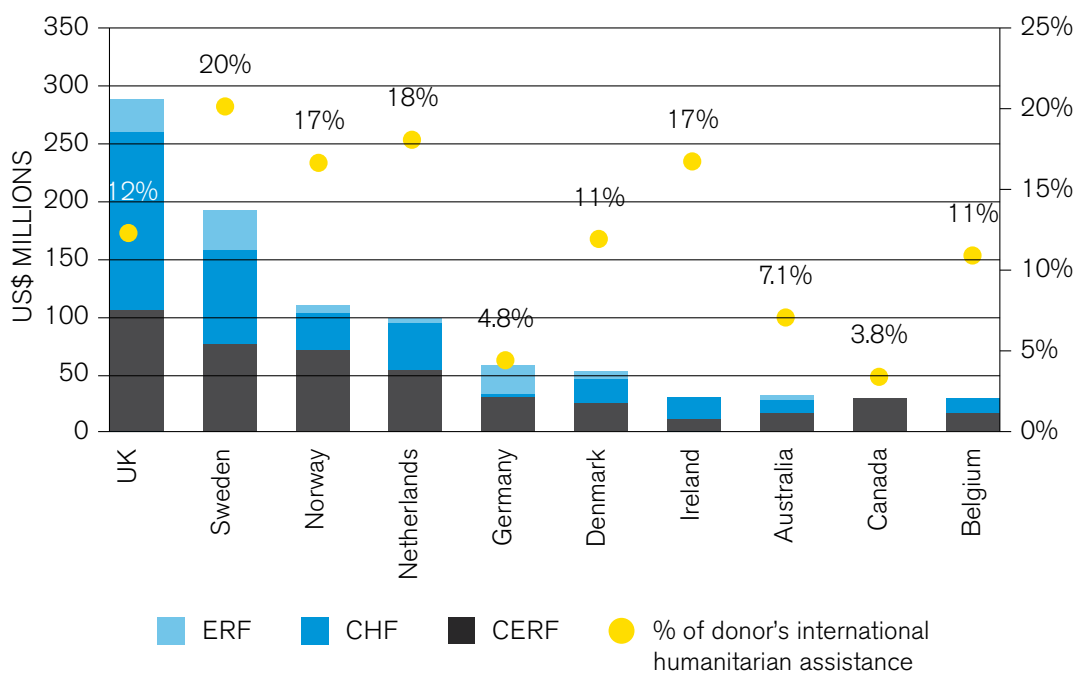


Figure 2. Ten largest government contributors to humanitarian pooled funds, 2014

Source: Global Humanitarian Assistance Report 2015

that refer to them. During the discussions, it was highlighted that there are no proper mechanisms to monitor donor performance.

Contrary to OECD DAC donors' preferences for multilateral aid as a way to uphold the humanitarian principles, these non-DAC donors show a preference for providing humanitarian aid as bilateral, government-to-government assistance. As an example, between 2010 and 2014, non-DAC donors provided only 6.5% of the total humanitarian assistance reported to the Financial Tracking Service but 50% of all the funding channelled to affected states.⁷⁰

As highlighted in the interviews and in some of the literature, while the desire to ensure the effectiveness of their contributions and the reduction of overhead costs might be important reasons for bilateral funding to the affected states, the desire to maximise the visibility of aid, as much as the purpose of in-kind donations might question the impartiality of the approach.⁷¹ Negotiations on visibility requirements have also been and are at the heart of many ongoing discussions between humanitarian organisations and OECD DAC donors.

Partner selection criteria

While respondents agreed that adherence to the humanitarian principles is one of the elements at the basis of their choice of partners, de facto the types of measures used to this extent are not clear. As highlighted in the literature, "the use of systematic or documented processes for identifying partners varies and is not formalised across donors".⁷¹ On the other hand, interviews highlighted how some donors are developing deeper relationships with fewer humanitarian organisations which allows them to focus on more systematic quality control and lessons learnt. A number of states, including Canada and Germany, hold regular consultations with partners to support better application of the principles of neutrality, impartiality, and independence and transparency in donor decision-making.⁷²

Through the Humanitarian Aid Coordinating Committee, the German Federal Foreign Office, for example, holds a regular dialogue with the Association of German Development NGOs (VENRO) and the Committee members on the priorities of humanitarian assistance.⁷³ Donor states generally acknowledged preferring long-standing relationships mostly with international humanitarian organisations that have proved their ability and capacity to perform and have gained their trust. In the case of national and local organisations, especially for smaller donor states, it would be difficult to have an established network of organisations at the national and local levels wherever needed that they know and trust.

▀ Localising humanitarian response

States are becoming again increasingly vocal in claiming the responsibility for providing protection and assistance to affected populations in their territories. In this context, the localising aid debate is a very important one. Largely following the response to the Indian Ocean Tsunami in 2004, lack of effective partnerships with national and local actors has been identified as a hindrance to effective humanitarian performance in recent years. Alongside increased calls for better involvement of national and local actors in international humanitarian assistance, however, a number of questions have also arisen around the role of these actors in principled humanitarian action. Families, communities, local government, civil society and the local private sector are almost always part of the first response. These realities are increasingly recognised by the international humanitarian community although approaches may vary depending on the context and a number of different elements (e.g. state capacities, nature of the crisis, etc.). Respondents at first did not generally raise any challenges in the implementation of the humanitarian principles through local humanitarian responses in situations of natural disasters. Some donor state representatives did, however, raise some general concerns also in such contexts. Trust is the essential element that appears to be the pre-requisite for successful and effective humanitarian responses.⁷⁴ In situations of armed conflict, perceptions around the ability to remain neutral and independent seem to be informing the level of trust needed to inform different types of relationships (e.g. with affected communities, between humanitarian organisations and local and national humanitarian organisations, between donors and local and national humanitarian organisations, etc.). As several state respondents – both donor and non-donor - noted, while working with and through local humanitarian organisations could help gain trust and acceptance from affected communities, the perception is that local actors will naturally face bigger challenges in remaining neutral in the face of what is happening around them. Organisations are made of individuals and it becomes difficult for people not to take sides when something has had a personal impact. One of the goals of the current co-chairs of the Good Humanitarian Donorship Initiative – Canada and the United States - is to distil good practices and lessons learnt as donors.

RECOMMENDATIONS

Despite its limitations, this study provides insights into some state perspectives on the humanitarian principles. Our interviews with a subgroup of humanitarian counsellors in Geneva have confirmed first of all the need to reaffirm the validity of the principles. It is clear that states are confronted with inherent tensions in supporting principled humanitarian action. Specific recommendations include the following:

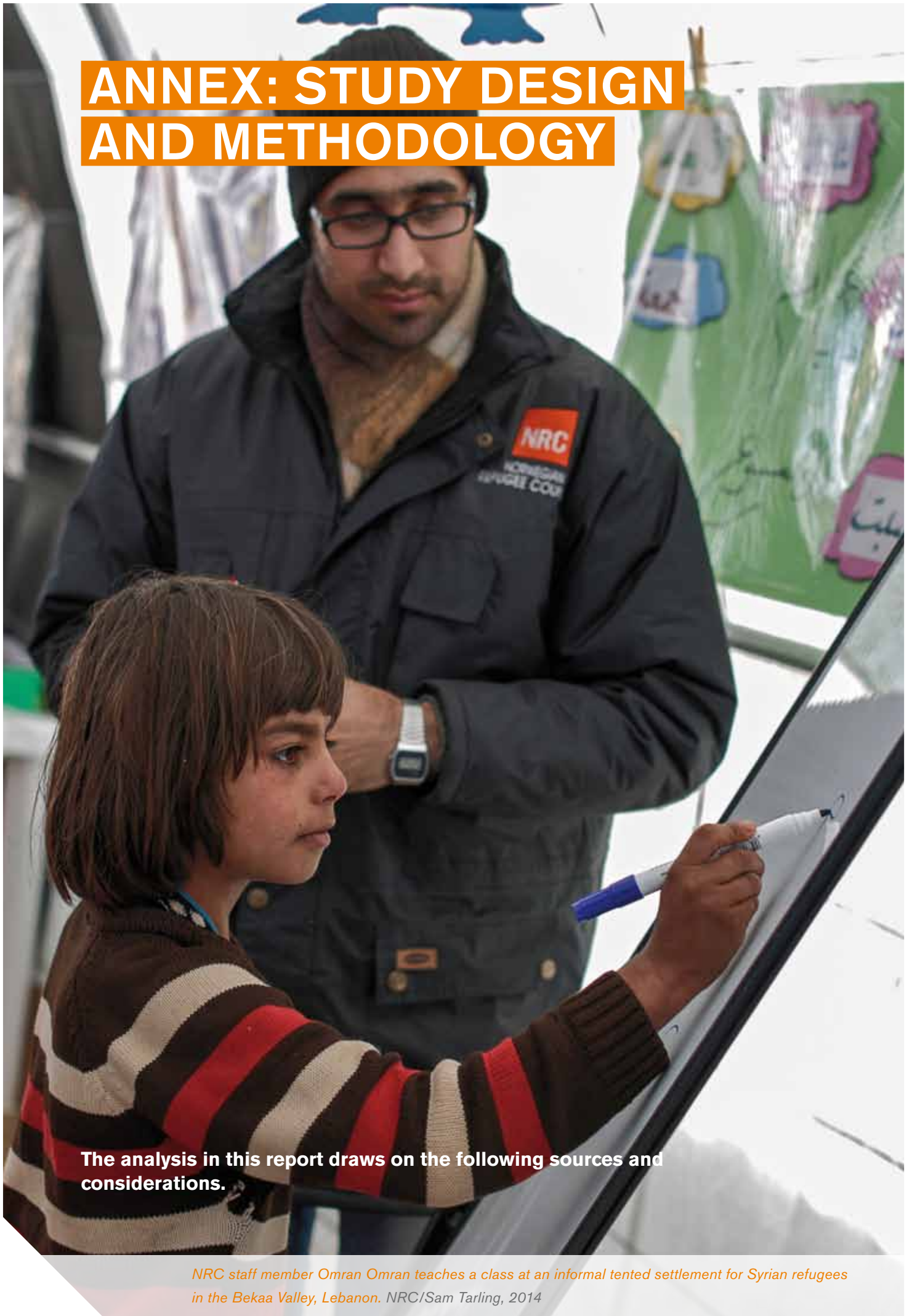
States

- All states should adopt safeguards – including communication strategies - to separate humanitarian action as much as possible, from political, peacebuilding, security and other strategies.
- Inclusive mechanisms should be established (intra-state, inter-state and state-humanitarian community) to exchange good practices and lessons learnt in supporting principled humanitarian action.
- Humanitarian focal points need to be trained consistently and regularly on humanitarian principles and their practical meaning.
- Donor states are encouraged to be transparent about the rationales of their decisions in funding allocations and to review their donor policies and procedures to ensure there is enough flexibility to allow projects to be driven by needs.
- Donor states should strive for complete transparency on the way humanitarian funding is disbursed.
- Donor states should review country based pooled funding mechanisms to ensure, where possible, good practices supporting principled humanitarian action are in place.
- Donor states should enhance complementarities in each context as to utilise the Good Humanitarian Donorship principles and to facilitate a rational division of labour.

Humanitarian organisations

- Humanitarian organisations must contribute to inclusive exchanges of good practices and lessons learnt on the practical application of the humanitarian principles, especially in situations of armed conflict.
- They should also engage with donors on the opportunity and possibility to set up or strengthen existing funding mechanisms that can better support principled humanitarian action. The experience of the START Fund or of the RAPID Fund managed by Concern in Pakistan could be reviewed to examine the opportunities NGO-led funding mechanisms constitute towards principled humanitarian action.
- Organisations should explore the possibility of establishing mechanisms that would monitor the performance of donor states vis-à-vis their humanitarian commitments and provide a platform to engage with them in a constructive way. The experience of the OECD DAC peer reviews and the work already carried out by NRC and other partners on the impact of counter-terrorism measures could provide a helpful starting point.

ANNEX: STUDY DESIGN AND METHODOLOGY



The analysis in this report draws on the following sources and considerations.

NRC staff member Omran Omran teaches a class at an informal tented settlement for Syrian refugees in the Bekaa Valley, Lebanon. NRC/Sam Tarling, 2014

📌 Desk research

The study started with desk research focusing on issues such as: the genesis and history of the humanitarian principles; key contemporary challenges to principled humanitarian response; and the actors and factors relevant to the provision of humanitarian assistance and protection. To this purpose, the researchers identified relevant secondary sources, referenced in the report.

📌 Field research

The criteria used to identify field research sites were based on four variables which were used to plot potential contexts. These were:

- How well functioning the state was, from authoritarian regimes to failed states. A similar continuum was used for areas controlled by NSAGs.
- Intensity of the conflict, from active fighting to post-conflict. An associated continuum related to the intensity of a disaster not caused by conflicts.
- The drivers of conflict, from ideology to competition for resources.
- Level of political interest, from highly internationalised to completely localised conflicts.

The programmatic presence of humanitarian actors, and of NRC and HI personnel being able to provide relevant support for the researchers, was also an important consideration.

In order to provide evidence from a variety of contexts, the study chose the contexts listed below, in the hope that these contexts could serve as examples for similar situations:

- Syria and its related regional crisis, as an example of an acute conflict in a middle income setting. The research was conducted in the Turkey hub of the response to the crisis in northern Syria. Other hubs were not researched.
- South Sudan as example of acute conflict in a setting with scarce resources, with the presence of a UN integrated mission which has shifted from an increasingly development-focused situation to re-enter open armed conflict.
- Colombia as an example of a middle income context in a transitional phase from conflict to post-conflict and where “other situations of violence” are prominent.
- Nepal as example of non-conflict disaster response in a post-conflict development context.

The country specific research phase used qualitative methods using semi-structured interviews and focus group discussions. Ninety-nine interviews were conducted, inclusive of meetings with donors, national and international NGOs, private sector representatives, UN personnel, national and international military actors, and the Red Cross and Red Crescent Movement (RCRCM) and other representatives of civil society. The research designers were keen to cover a wide variety of opinions and considered dimensions of size, local and global outreach, missions and mandates, funding sources and other factors in choosing the relevant interlocutors for interviews. Given the nature of the research question the

focus remained on NGOs, UN agencies with humanitarian mandates and the RCRCM. Fifty-three of the interviews were conducted with NGOs implementing operations, 18 with the UN and four with the RCRCM.

NSAGs were also important to include in the study as important barriers to or facilitators of access, but security reasons made it impossible to access them. For this reason, their opinions and views were gauged through discussion with local actors and through secondary sources.

Where possible, the researchers interviewed representatives of the populations affected by conflict. This process included the holding of two focus group discussions. Otherwise, the views of local people were collected through discussions with local leaders, members of civil society, local heads of services and local people involved with programme implementation.

Government representatives (at capital and ministerial level) with a portfolio for humanitarian aid, health or protection were interviewed as much as possible, although it was not always possible to reach these authorities for interviews because of conflicting priorities and scheduling difficulties. Over the four case studies, researchers succeeded in interviewing just seven government representatives.

Individual respondents are not identified in any interview report, in order to preserve their anonymity. Types of organisations are mentioned but individuals are not.

► **Webinar**

The study included a webinar in November 2015 facilitated by the International Association of Professionals in Humanitarian Assistance and Protection (PHAP). The purpose of the webinar was to present initial findings from the field research and to obtain views and additional information from a wide range of organisations. Another purpose of this feedback was to reduce bias in the initial selection of organisations.

► **Headquarters interviews**

The researchers also conducted 21 semi-structured interviews of selected agencies, including key donors, humanitarian consortiums, think tanks, academics, and INGOs at headquarters level in Geneva, Brussels, London, and New York. Interview questions focused on the value attached to the use and consideration of principles by all actors. The interviews explored specific themes related to specific actors in further depth as relevant. As far as possible, views expressed in the headquarters interviews were compared and contrasted with those expressed in field interviews in order to better nuance the recommendations.

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