



PHAP Credentialing Program Certification in Applying Humanitarian Principles in Practice

Study Guide

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This guide will be continuously updated to reflect new developments and new resources published.

Please provide your comments and suggestions using the online form at <https://phap.org/credentialing-program/study-guide/contribute>

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Introduction

Responding to long-standing concerns about capacity issues across the humanitarian sector, the PHAP Credentialing Program combines the established and rigorous international standard for professional credentials with solutions that meet the specific needs of the humanitarian sector, structuring the program around a number of narrower certifications in specific competency areas. Certifications can provide a robust means for humanitarian practitioners to demonstrate competencies and for employers to know whether staff members or job candidates possess specific knowledge or skills, while reinforcing high standards of commitment and competence at the individual level. The three certifications launched in 2017 are in the areas of *Understanding the Humanitarian Ecosystem*, *International Legal Frameworks for Humanitarian Action*, and *Applying Humanitarian Principles in Practice*.

This Study Guide is designed to help you, as a PHAP Credentialing Program certification candidate for *Applying Humanitarian Principles in Practice*, prepare for the certification assessment. It contains information and advice to help you maximize the value of the time that you are putting in to prepare.

Take note that this guide is not meant to serve as a comprehensive textbook. The focus is on highlighting the areas you should learn about if you are interested in applying for certification, as well as pointing you to recommended resources in order to do so.

The Study Guide has been developed independently from the PHAP Credentialing Program. No preparatory resource is endorsed by the Certification Commission nor is a prerequisite to earn PHAP Credentialing Program certifications. Nor, conversely, is there any guarantee that everything in the certification assessment is also covered in this Study Guide.

The Study Guide contains two main sections: an overview and guide for how to approach your preparations and a section with resources for each of the domains of the body of knowledge. We recommend all candidates to read the first section before proceeding to the domain-specific content.

What is Certification?

The three credentials offered by the PHAP Credentialing Program are *certifications*. PHAP follows the usage in the leading international standard for certifying individuals.¹ The term certification is used for *voluntary* programs for recognition of *individuals* through an *independent assessment* (not requiring participation in any particular course) against a body of knowledge that is based in *confirmed actual practice* in a clearly defined area.

Certification is a form of *credentialing*. Other credentialing types you may have heard of that are distinct from certification include *licensure* (required for practicing in certain jobs, such as medicine) and *certificate programs* (based on assessment linked to participation in specific training or courses). You may have also heard the term *accreditation*, which under standard credentialing usage applies to organizations, not individuals.

While many certifications are full professional role certifications, others are for specific competency areas. The certifications currently offered by PHAP certify specific sets of competencies which are relevant to many humanitarian practitioners across the sector. But as

¹ ISO 17024 *Conformity assessment — General requirements for bodies operating certification of persons*

they do not cover *all* the competencies needed in humanitarian work, they do not certify in themselves that a person is a fully competent humanitarian practitioner.

Competencies include knowledge, skills, and abilities. The certifications currently available focus primarily on knowledge, and also on skills of applying that knowledge in different scenarios that require interpretation and problem solving skills.

The certification in *Applying Humanitarian Principles in Practice* is designed for humanitarian practitioners for whom understanding and being able to apply the four core humanitarian principles of humanity, impartiality, neutrality, and independence is one of the required competencies in their work.

Reasons for Earning PHAP credentials

Individuals surveyed or involved in the development of the PHAP Credentialing Program have expressed interest in certification for a variety of reasons. Chief among them is a personal commitment to their own accountability and that of the humanitarian sector. As a certificant, you commit yourself to a high professional standard in your work and an ongoing pursuit of knowledge and proficiency in your work.

While only awarded to individuals, PHAP Credentialing Program certifications can have an impact on the different stakeholders in humanitarian action, including:

For people affected by crisis

- A robust way to improve accountability to crisis-affected people
- Provides a tool for building capacity across the humanitarian sector
- Reduces waste of limited resources

For practitioners

- A robust method of demonstrating professionalism, commitment, knowledge, and skill
- Flexible choice of learning methods, including capturing on-the-job learning
- Possibility to have existing skills and knowledge recognized

For organizations and agencies

- A flexible set of tools for recruitment and staff development
- Identify gaps and focus staff development resources where most needed
- A way to demonstrate organizational readiness and live up to commitments

For training and education providers

- Relevant, up-to-date, practice-based body of knowledge for curriculum development
- Increase value of existing training and education offerings by adding trusted and robust assessments
- Provide motivation and recognition to course and training participants

What is Required for Certification?

Before you begin preparing for the certification, it is important to ensure that you meet the qualifications.

In order to be eligible for a PHAP Credentialing Program certification, you must:

- Commit to abide by the PHAP Code of Ethics and Professional Conduct²
- Agree to participate in the continuing education program for maintaining the certification or to otherwise undertake a re-assessment at the end of the certification period, in order to maintain the credential
- Achieve a passing score in the proctored (invigilated) certification assessment

The certification assessment consists of 60 multiple-choice questions (MCQs). The MCQs are designed to measure candidate ability with regard to a specific area in the certification body of knowledge, and are of three main different types: *recall*, *interpretation*, and *problem solving*. Depending on the nature of the area in the body of knowledge, the mix of MCQs and level of difficulty will vary – for example, areas that ask for knowledge of facts are more likely to use recall questions, while areas that require judging a situation according to certain criteria would more likely use interpretation questions. It is important to note that the certification questions do not cover *all* of the knowledge in the domain, but are rather a sampling of the possible questions that could be asked. However, as you do not know which specific questions will be asked, you should prepare for each area in its entirety.

Each domain of the certification body of knowledge a certain percentage of the assessment, divided according to the relative importance determined for them in the certification job task analysis.

The assessments are delivered through a secure online system, which gives you the possibility to take the assessment at any time and from any place where you have a computer, an Internet connection, and a webcam. The assessments are proctored (invigilated).

It does **NOT** require participation in any particular preparatory course, nor does it require membership in PHAP.

Earning the certification requires making a firm commitment to dedicate the time required to achieve it and maintain it. Once you have confirmed that you are eligible and interested in seeking the certification, the next step should be self-assessment and planning. This is the topic of the next section.

For More Information

- For more information about the PHAP Credentialing Program, visit <https://phap.org/credentialing-program>
- For detailed information about the certification requirements, assessment registration, policies, fees, and the entire certification process, refer to the **Candidate Handbook** on the PHAP website
- For other questions, email the PHAP secretariat at certification@phap.org

² The PHAP Code of Ethics and Professional Conduct is available at <https://phap.org/code-of-ethics>

Creating and Executing Your Study Plan

Planning Your Certification Assessment Study Path

Your existing experience and knowledge as well as your learning preferences and available time will influence how to best prepare for the certification assessment. There is more than one path to follow – and as the certification does not require any particular course, it is up to you to decide how you would like to prepare.

You may of course already have the knowledge required to pass the assessment. However, in most cases, candidates will benefit from refreshing their understanding of the area – it will give you the opportunity to solidify your long-term ability to recall information when needed, and also to deepen your knowledge on topics that you may only have dealt with cursorily in the past.

This section is designed to help you approach your preparation in a purposeful and planned manner. Take a few minutes with this section to discover the different resources that are available to you and how they can be used.

What are Your Learning Preferences?

How do you prefer to learn new things? If you become interested in a new area of knowledge or skill – for example digital video editing – how do you approach it?

- a) Do an online search or get the latest book on video editing?
- b) Sign up for a course or workshop?
- c) Get in touch with a friend or colleague who you know is an expert in the area?
- d) Seek out other friends or colleagues who want to learn about video editing?
- e) Get the necessary software to start experimenting directly with video editing?

The one you are likely to gravitate towards is connected to your preferred way of learning:

- If *a*), you are likely to prefer reading new material and reflect on how you relate to it before try it out in practice.
- If *b*), this might indicate a preference for learning through organized and guided instruction from those already skilled in the area.
- If *c*), you might prefer learning through observing best practice.
- If *d*), your preference is likely for learning through an informal or formal study group.
- If *e*), you are likely to prefer getting started and figuring out as you go.

None of these options are necessarily better than the other, nor are they mutually exclusive. It is, however, important to note that you are likely to have a preference for one or two of them – keep this in mind when planning your studying.

Consider how this applies to you...

Which of the options above did you choose and why? Do you think this is generally applicable to your learning preferences? (*Write down your response, to include in your study plan*)

What We Know About How We Learn

How we best learn is a complex topic, and important new discoveries have been made in this area in the past decade. A few points are worth mentioning in this overview:

- It is clear that **last-minute cramming does NOT work**. While it might in some cases help you pass an assessment, but it will not help you with longer term understanding or retention.
- If you want to strengthen your long-term memory, and be able to recall information when needed, add new information gradually, and **repeat it at regular intervals**.
- Research also indicates that it is important *how* you repeat the material. Just repeating key points, while useful for initial learning, is of questionable value. Instead, **regularly recalling information is shown to be effective**. This can be through emulating a test environment and quizzing yourself (or having others quiz you), applying your knowledge through study questions, or thinking through the applicability of concepts in more complex real-world scenarios.

When preparing your study plan, try to include time for the gradual introduction of new information as well as opportunity for quizzing and discussion. Next we will be looking at resources to help you do so.

Consider how this applies to you...

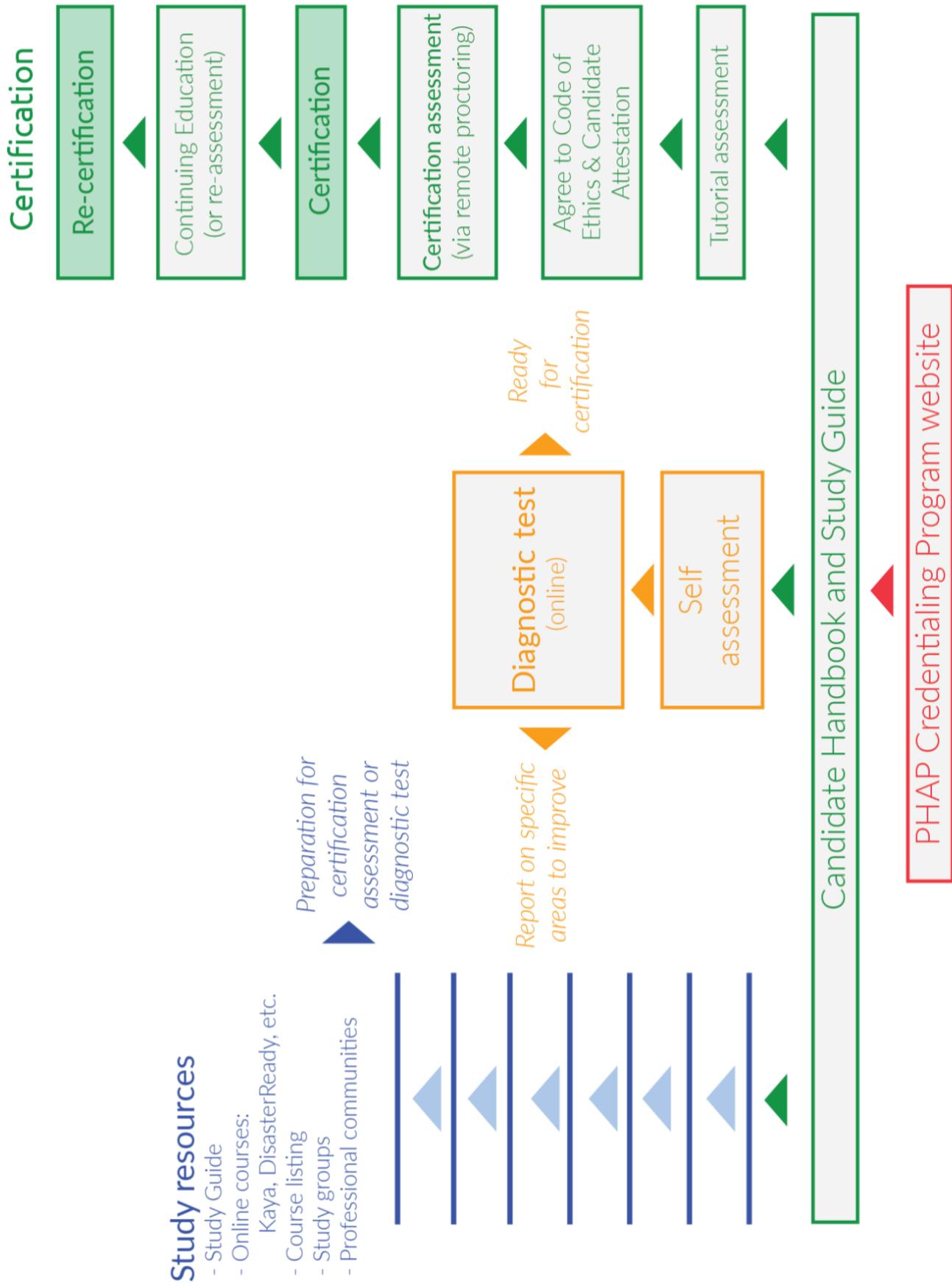
What do you think of the value of repeating material regularly? When planning your study schedule, how can you allocate sufficient time to practice recalling information? What methods will you use? (*Write down your response, to include in your study plan*)

Study Resources

In order to help candidates prepare for the certification assessment, PHAP has made available a range of resources, which together with resources from partner organizations provide support for different ways of learning. It is important to note that none of these resources are required in order to qualify for the certification, nor are any of the certification assessment questions taken from any of these resources.

Overview of resources available

A diagram showing the different resources available to you in your preparations is shown in *Figure 1*. It is recommended for all new candidates to first complete the self-assessment, followed by the online diagnostic tests, as described in more detail below. This will allow you to get an idea of whether you are ready to sit for the assessment or whether (and in what areas) you would need to strengthen your knowledge. However, this is not required – you can also access the study resources directly, or even attempt the assessment directly if you are convinced that you already have the necessary knowledge.



Certification Body of Knowledge

At the center of the certification is the body of knowledge, based on a methodical and comprehensive practice analysis that investigated the competencies required in the specific area of the certification, in this case *Applying Humanitarian Principles in Practice*. The body of knowledge is divided into four domains, each with between two and eight statements. Start by reading through the body of knowledge to familiarize yourself with the areas that will be assessed. You will find the body of knowledge in the self-assessment as well as at the beginning of Section 3.

Resources to evaluate your starting point

Self-assessment

The recommended starting point is to assess your existing knowledge in each of the areas of the certification body of knowledge. Use the tool in *Exhibit 1* to rate your own level of knowledge in each area, to the best of your ability. This self-assessment exercise is particularly valuable in combination with the Diagnostic Test (introduced in the next section), as the Diagnostic then provides an objective check on your own perceptions of your starting point. Moreover, the Diagnostic Test is not able to test all aspects of each area – your own perceptions are important for determining where you should focus your study.

Diagnostic test

It is essential for you to compare your own existing knowledge against what is contained in the certification body of knowledge. PHAP has developed online Diagnostic Tests for all certifications under the PHAP Credentialing Program. The Diagnostic Tests can help diagnose how well you know the relevant body of knowledge, as well as help refresh your test-taking skills in general.

You have 75 minutes to complete the 50 questions of the Diagnostic Test (the official certification has 60 questions and allows 90 minutes). Upon completing the diagnostic test, you will be sent a customized report detailing your performance in each the four domains of the certification body of knowledge.

It is recommended to take this diagnostic test in an environment that simulates that of the invigilated/proctored official certification assessment.

- Try to find a private, calm environment where you will not be disturbed for the duration of the test.
- Do not look up answers to the questions or ask others for help during the test. In the official certification assessment, the online proctor (invigilator) will be monitoring to ensure that you do not have access to any unauthorized resources or assistance.
- The questions on both this diagnostic test and the official certification assessment have been carefully designed so that the incorrect answer options may sound plausible but there is only one best answer. For each question, select the best answer option available, to the best of your understanding.

The Diagnostic Test questions are drawn from a bank of questions, which will be further expanded over time. This means that you can re-take the diagnostic after studying in your identified weak areas to get an indication of how your knowledge has improved.

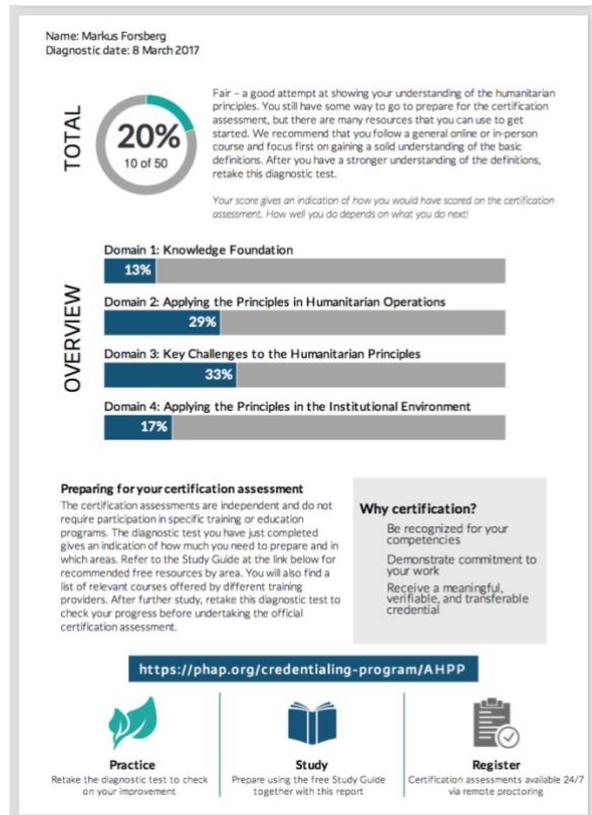
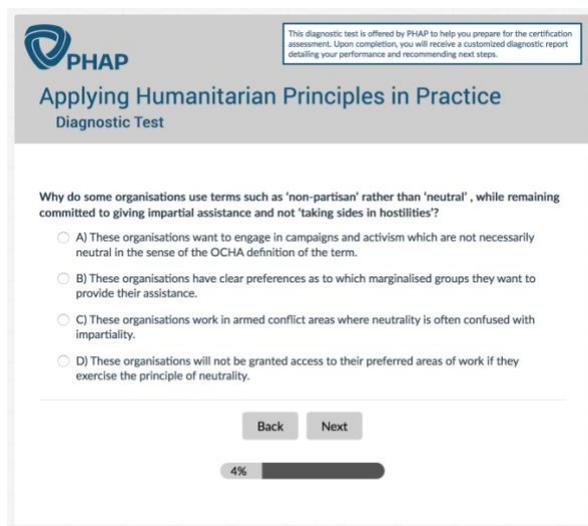
Exhibit 1: Self-Assessment

	Pre-existing knowledge				Diagnostic Test results: Area of particular focus?
	None	Some, but with gaps	Ok, but need refresher	Good	
Domain 1: Knowledge Foundation – The Meaning and Status of the Principles					____%
1.1 The definitions of the humanitarian principles of humanity, impartiality, neutrality, and independence.					
1.2 The function of the principles in inspiring, defining, and guiding humanitarian action, rather than as formulas or dogma.					
1.3 The function of humanity and impartiality as goals or ends in their own right, and neutrality and independence as pragmatic tools or means to an end.					
1.4 How the four principles form an integral set, with each one having its own distinct purpose.					
1.5 The ways in which the principles can both reinforce and be in tension with one another.					
1.6 The differing perspectives in the humanitarian sector related to the interpretation of and commitment to neutrality.					
1.7 The distinction between actual and perceived adherence to the principles.					
1.8 How the principles are inspired by ethics and practices that can be found across different cultures, religions, and belief systems in history.					
1.9 The modern foundation and history of these four principles as well as the basic content and history of the main other existing codes or sets of principles.					
1.10 The references to impartial humanitarian actors in international humanitarian law (IHL) and the implications for different actors in situations of armed conflict.					
1.11 The various ways in which the four principles have been incorporated into other standards, agreements, resolutions, etc., so as to establish guidance, policy, or obligations.					
1.12 The practical operational relevance of the four principles in various contexts, including situations of armed conflict, natural disasters, and other complex political and militarized environments.					
Domain 2: Applying the Principles in Humanitarian Operations					____%
2.1 Employ the principles to steer operational planning, decision-making, and activities.					
2.2 Recognize the rationale behind specific operational plans, policies, decisions, and activities in terms of the principles.					
2.3 Identify appropriate responses to key existing and/or potential compromises/challenges to principled action in a given context.					
2.4 Communicate to colleagues and to external stakeholders the core concepts behind each principle, their importance to humanitarian action, and the organization’s commitment to them.					

2.5	Employ the principles in negotiations with external stakeholders.					
2.6	Employ the principles in negotiations or discussions within the humanitarian sector.					
2.7	Employ the principles to protect the organization against external pressure or security risks.					
Domain 3: Key Challenges to the Humanitarian Principles						____%
3.1	Identify the key conceptual challenges to the principles.					
3.2	Recognize common external challenges to the implementation of the principles, such as contextual factors or political and military actions.					
3.3	Recognize common internal challenges to the implementation of the principles, including both sectoral and institutional issues.					
Domain 4: Applying the Principles in the Institutional Environment						____%
4.1	Employ the principles in long-term planning to improve the organization.					
4.2	Situate the principles within an organization's mission and core strategies.					
4.3	Use the principles as guidance in the establishment of internal policy.					

Note that relying only on simulated assessments is not the best way to increase knowledge and understanding. Use the Diagnostic Test to provide insight into the areas in which you should engage in additional study, and then use other methods to strengthen your capacities in those areas.

You can access the Diagnostic Test at <https://diagnostics.phap.org/s3/ahpp>



Self-study resources

Study Guide

The Study Guide you are currently reading provides you with guidance for each of the domains and statements of the certification body of knowledge. For each statement, you are presented with key points and recommended resources, as well as study questions and scenarios.

With a few exceptions where motivated, all recommended resources in the Study Guide are freely available online.

Note that the Study Guide has been developed independently from the PHAP Credentialing Program and it neither is a required resource for certification nor guarantees to provide you with all information needed for the certification assessment.

Humanitarian Leadership Academy: Kaya

Kaya (kayaconnect.org) is a free online learning platform of the Humanitarian Leadership Academy, providing self-guided and blended learning opportunities to over 60,000 humanitarian volunteers and professionals worldwide. The Humanitarian Leadership Academy is a global learning initiative set up to facilitate partnerships and collaborative opportunities to enable people to prepare for and respond to crises in their own countries. The Academy supports the

needs of individuals, organisations and communities by facilitating access to learning resources, platforms and tools.

Resources available on Kaya are also marked in this guide with **k**

DisasterReady

DisasterReady provides an open online library of more than 600 training resources. Specific resources in DisasterReady are also mentioned throughout this Study Guide, when relevant for specific domains and statements.

Courses and training

A number of humanitarian agencies, training providers, colleges, universities, and private companies offer study courses and materials that may be of use to candidates when preparing for PHAP Credentialing Program certification examinations. Some of these are freely available and others are paid. In order to facilitate for candidates to select a course, PHAP publishes a mapping of existing courses to the certification body of knowledge at <https://phap.org/credentialing-program/ahpp>

Please note that the mapping is self-reported by the training providers. PHAP neither endorses the providers shown on the online list nor evaluates the providers or the providers' materials for consistency with certification body of knowledge.

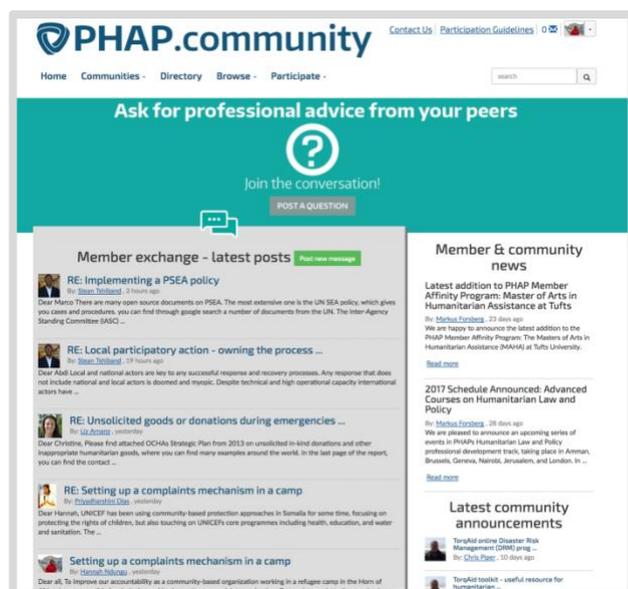
Candidates must contact these other providers directly about materials, course schedules, fees, or matters related to satisfaction with their offerings.

Professional communities

When preparing for certification assessment, you are likely to come across issues that would benefit from discussion with other practitioners. If your local network does not provide you with the advice and expertise you need, there are dedicated online professional communities that you can turn to.

If you are a PHAP member, The **PHAP Member Exchange** community is focused on the exchange of targeted professional advice among peers, following best practice in professional community management to provide a practical and dynamic information resource relevant to the day-to-day needs of humanitarian practitioners.

For less actively managed groups, there are several options on Facebook and LinkedIn. Some organizations focusing on specific technical specializations also have their own dedicated online communities.



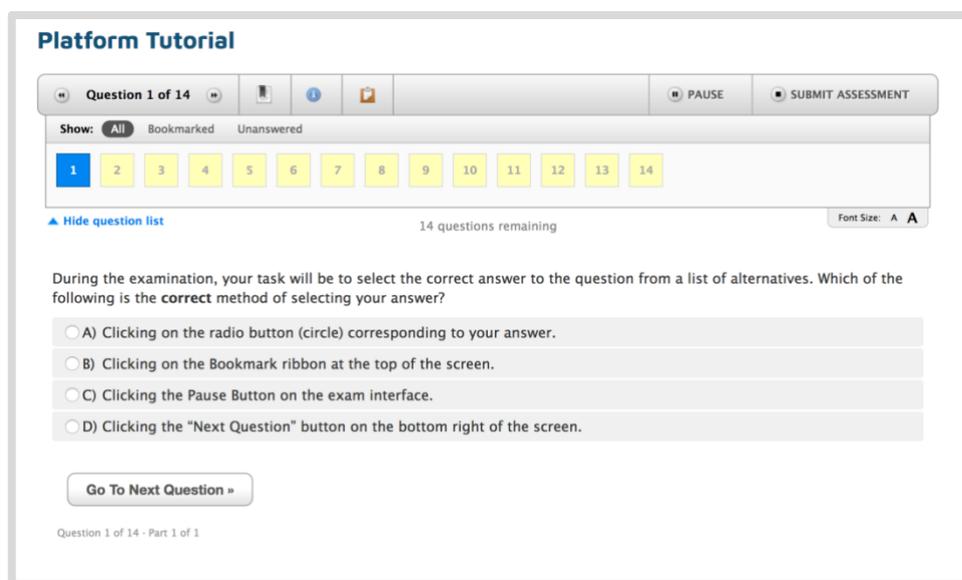
Understanding the certification and assessment process

PHAP Credentialing Program Candidate Handbook

If you think you are ready for the certification assessment, or would like to learn more about the specifics of the PHAP Credentialing Program certifications, PHAP provides a comprehensive Candidate Handbook, available at <https://phap.org/credentialing-program>

Tutorial assessment

In order for you to be able to acquaint yourself with the testing platform used for the certification assessments, PHAP offers a tutorial assessment that you are able to take for free. This is available at the PHAP Certification Assessment Center after you create an account. (Note that the previously mentioned Diagnostic Tests are not delivered through the PHAP Certification Assessment Center, but through a different platform.)



Consider how this applies to you...

Having had a quick overview of the available resources and tools, which are you planning to use, and at what stages of your preparations? (*Write down your response, to include in your study plan*)

Creating a Personalized Study Schedule

The decision to pursue a PHAP Credentialing Program certification is a major commitment, made more difficult by conflicting priorities for how to allocate your time. To give yourself the best chance for success, your personal study plan should take into account a number of factors, in particular:

- How much you already know and how much you need to learn (based on the self-assessment and Diagnostic Test)
- Your learning preferences
- Your work commitments and schedule
- Your personal and family commitments
- Any eventual work or personal travel

Considering all the relevant factors, decide on the amount of time you can dedicate to preparations – whether through self-study, in a course, or in a study group. Allow more time than you expect you will need. If your calendar currently is packed, allow for a longer time period to prepare with fewer hours per week. Make sure that you focus most of your efforts on the areas that you have identified in the self-assessment, in the Diagnostic Test, or both.

Establish good study habits based on knowledge of your own preferences and history. Identify how you study, how much time you need to read and go through study questions, etc., and then decide on which resources to focus on and how much time you will need to spend. Try to commit the same amount of time every week to make it habitual. Build review time into your study schedule.

Keep track of your progress in writing. Writing things down helps us keep commitments to ourselves. Exactly how you do it is up to you, but some form of planning and tracking system is strongly recommended. We provide you with a starting point in Exhibit 2 – use this as it is or modify it to suit your needs. We have allowed for 10 weeks of preparation in the template– you may need more, or less.

Exhibit 2: Certification Preparation Schedule Planner

Weeks left	Calendar dates	Domain and statements	Resources	Available study time	Date completed
10			Complete self-assessment Complete diagnostic test		
9					
8					
7					
6					
5					
4			Re-take diagnostic test to check on progress		
3					
2					
1			Re-read the Candidate Handbook Take the Tutorial Assessment		
0			Book and sit for your assessment		

Participating in a Study Group

Although it is possible to study on your own for the assessment, many find that a combination of individual and group study helps them prepare more effectively. Self-study is critical, but a study group can help keep you on track, give you insights into areas you might not fully understand, and potentially lighten your study load when it is possible to distribute responsibilities among group members.

What makes a study group successful? Organizing a group can be challenging, but very rewarding if done well. Consider some of these tips when joining or establishing your group.

- A study group is generally small, but if well-organized can also be beneficial with larger numbers.
- Make an initial study group plan so everyone knows what to expect. You may not want to go through the topics in numerical order. A starting point is provided in Exhibit 3.
- Seek diversity among the group members – you will learn the most from having different perspectives on the studies topics. Consider whether you need the face-to-face interaction of a local group or whether you can organize your group virtually.
- Assign specific detailed readings to each person and have them share a content summary and insights with the rest of the group as basis for discussion. Assign areas to group members where they are relatively weak.
- Make sure to include enough time to discuss the study questions and scenarios in the guide. Ask group members to think of further scenarios from their professional experience to discuss in the group.
- Build in regular recall into the group sessions. Prepare questions on what you discussed in the last session and quiz each other.

Exhibit 3: Certification Study Group Schedule Planner

Weeks left	Date	Domain and statements	Resources	Study leader	Notes
10					
9					
8					
7					
6					
5					
4					
3					
2					
1					
0			Book and sit for your assessment		

Approaches to the Domain Content

As you work your way through the Study Guide and the recommended material and other resources, consider the following tips:

- Start with examining each domain as a whole, looking at the overview of statements, and revisiting your self-assessment and Diagnostic Test results. Look at the recommended resources for the domain as a whole – are there any that would be relevant for you as a starting point?
- Next, focus on each domain in turn and consider each statement in that domain. Look through the key terms and concepts to re-evaluate where you may have gaps. Select resources to study accordingly. Keep in mind that the Study Guide is developed independently from the assessment – there is no guarantee that everything you need to know for the assessment is mentioned in the guide. Use your judgment – if something seems to be missing from the guide, consider finding additional resources on the topic.
- Don't use the study questions as the guide to what you should know, but rather as tools to help you practice recalling the knowledge you have already gained. Attempt the study and scenario questions after you have gone through your selected resources.
- For each resource, improve your comprehension by asking yourself first what you already know about the topic and what you want to find out. After finishing, ask yourself what you learned. Think actively about examples and real-world applications from your own experience. See if you can apply this learning to some aspect of your current work.
- Read purposefully. Ensure you fully understand the concepts being covered; memorizing is not sufficient for most content.
- Periodically quiz yourself on the content – return to the study questions of previous sections and use the Diagnostic Test again.

Symbols used for recommended resources

 Webpage

 Report or other standalone document

 Journal article or book chapter

 Brief focusing on statistics

 Brief outline of main points

 Video or other recording

 Course

 Book

 Resource available on Kaya (kayaconnect.org)

 Resource available on DisasterReady.org

Domain 1: Knowledge Foundation – The Meaning and Status of the Principles

The first domain of the body of knowledge for Applying Humanitarian Principles in Practice covers the knowledge base regarding humanitarian principles and how they are used.

This domain constitutes 47% of the certification assessment.

Domain Outline

Humanitarian practitioners must be able to:

- 1.1 The definitions of the humanitarian principles of humanity, impartiality, neutrality, and independence.
- 1.2 The function of the principles in inspiring, defining, and guiding humanitarian action, rather than as formulas or dogma.
- 1.3 The function of humanity and impartiality as goals or ends in their own right, and neutrality and independence as pragmatic tools or means to an end.
- 1.4 How the four principles form an integral set, with each one having its own distinct purpose.
- 1.5 The ways in which the principles can both reinforce and be in tension with one another.
- 1.6 The differing perspectives in the humanitarian sector related to the interpretation of and commitment to neutrality.
- 1.7 The distinction between actual and perceived adherence to the principles.
- 1.8 How the principles are inspired by ethics and practices that can be found across different cultures, religions, and belief systems in history.
- 1.9 The modern foundation and history of these four principles as well as the basic content and history of the main other existing codes or sets of principles.
- 1.10 The references to impartial humanitarian actors in international humanitarian law (IHL) and the implications for different actors in situations of armed conflict.
- 1.11 The various ways in which the four principles have been incorporated into other standards, agreements, resolutions, etc., so as to establish guidance, policy, or obligations.
- 1.12 The practical operational relevance of the four principles in various contexts, including situations of armed conflict, natural disasters, and other complex political and militarized environments.

General Recommended Reading and Resources

For an overview of the core humanitarian principles from the perspective of the ICRC (approximate reading time 40 minutes):



Principles guiding humanitarian action

International Committee of the Red Cross (ICRC) (2016)

E-briefing on law and policy

phap.org/ahpp-Q7HN

For a brief overview (~60 minutes) of the four core humanitarian principles, this webinar focuses on the potential dilemmas that humanitarian practitioners face when following them:



Advanced learning session on humanitarian principles

PHAP (September 2015)

Online Learning Series on Humanitarian Law and Policy

phap.org/ahpp-ZJM5

For an overview of the four core humanitarian principles, this webinar also focuses on their relationship to international humanitarian law (IHL):



HL and Core Humanitarian Principles: humanity, neutrality, impartiality and independence

PHAP (June 2015)

Online Learning Series on Humanitarian Law and Policy

phap.org/ahpp-Y2N6

For a personal account of the dilemmas facing principled humanitarian action, the following documentary focuses on the experiences of Dr. James Orbinski as President of Médecins Sans Frontières (MSF) [documentary not freely available]:



Triage: Dr. James Orbinski's Humanitarian Dilemma

White Pine (2008)

phap.org/ahpp-KFU3

1.1 Defining the four core humanitarian principles

The definitions of the humanitarian principles of humanity, impartiality, neutrality, and independence.

Key Points and Concepts

Collective terminology

The humanitarian principles of humanity, impartiality, neutrality and independence as a set are referred to with different terms, including:

- ❖ “humanitarian principles”
- ❖ “core humanitarian principles”
- ❖ “principles guiding humanitarian action”

However, note that many humanitarian actors follow other principles as well and may also be including those when using the terms above.

Underlying ideas

The basic ideas of the four core humanitarian principles can be summarized as follows:

- ❖ **Humanity:** The motivation of humanitarian action is based on the inherent dignity of each person.
- ❖ **Impartiality:** Assistance should be based on needs alone.
- ❖ **Neutrality:** Humanitarian actors should refrain from taking sides in conflicts.
- ❖ **Independence:** Humanitarian actors should maintain autonomy from other interests.

Simple description

Using simpler language, the principles can be considered to say the following of humanitarian action:

- ❖ Humanitarian action should be motivated by the sole aim of helping other human beings affected by conflicts, disasters, or emergencies (**humanity**); exclusively based on people’s needs and without discrimination (**impartiality**); without favoring any side in a conflict or engaging in controversies where aid is deployed (**neutrality**); and free from any economic, political or military interest (**independence**).

No authoritative definition

Although most definitions used of the principles of humanity, impartiality, neutrality, and independence are similar, there are no universally and formally agreed or adopted definitions by the humanitarian community as a whole, nor by the UN (with the potential exception of independence – see below).

RC/RC Movement

The principles of humanity, impartiality, independence and neutrality are included in the Seven Fundamental Principles of the International Red Cross and Red Crescent Movement. These principles were carefully drafted based on many years of humanitarian practice and previous iterations. The RC/RC Movement agreed to be bound by these principles as defined in their 1965 conference, and they are

since part of the statutes of the Movement. As part of the adoption, State Parties to the Geneva Conventions also agreed to these definitions.

The RC/RC Movement definitions, which also provide a useful guide to other organizations, are as follows:

RC/RC Movement definitions

- ❖ **Humanity (RC/RC):** The Red Cross, born of a desire to bring assistance without discrimination to the wounded on the battlefield, endeavors, in its international and national capacity, to prevent and alleviate human suffering wherever it may be found. Its purpose is to protect life and health and to ensure respect for the human being. It promotes mutual understanding, friendship, cooperation and lasting peace amongst all peoples
- ❖ **Impartiality (RC/RC):** It makes no discrimination as to nationality, race, religious beliefs, class or political opinions. It endeavors to relieve the suffering of individuals, being guided solely by their needs, and to give priority to the most urgent cases of distress.
- ❖ **Neutrality (RC/RC):** In order to continue to enjoy the confidence of all, the Movement may not take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature.
- ❖ **Independence (RC/RC):** The Movement is independent. The national societies, while auxiliaries in the humanitarian services of their governments and subject to the laws of their respective countries, must always maintain their autonomy so that they may be able at all times to act in accordance with the principles of the Movement.

The other three principles of the RC/RC Movement (**Voluntary Service, Unity and Universality**) are specific to the RC/RC Movement and guide the Movement in how it is organized.

UNGA definition of independence

While the UN General Assembly has passed resolutions calling for humanitarian assistance to be carried out in accordance with the humanitarian principles of humanity, impartiality, neutrality (Res. 46/182) and independence it has only provided specific wording for the principle of independence (Res. 58/114). This follows a somewhat different approach from the RC/RC definition:

- ❖ **Independence (UNGA):** “the autonomy of humanitarian objectives from the political, economic, military or other objectives that any actor may hold with regard to areas where humanitarian action is being implemented.”

OCHA definitions

The definitions of humanitarian principles published by the UN Office for the Coordination of Humanitarian Affairs (OCHA) in 2012 are widely referred to in the humanitarian sector. These definitions are worded more generically than the RC/RC

Movement's, while following the UNGA definition of independence:

- ❖ **Humanity (OCHA):** 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 (OCHA):** 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 (OCHA):** Humanitarian actors must not take sides in hostilities or engage in controversies of a political, racial, religious or ideological nature.
- ❖ **Independence (OCHA):** 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.

*PHAP Code of Ethics
and Professional Conduct*

The definitions of the four core principles included in the PHAP Code of Ethics and Professional Conduct closely follow those proposed by OCHA.

Recommended learning resources

For a webinar providing an overview of the principles, as well as their relationship to international humanitarian law (IHL):



Humanitarian Law and Core Humanitarian Principles: humanity, neutrality, impartiality and independence

PHAP (June 2015)

Online Learning Series on Humanitarian Law and Policy

phap.org/ahpp-Y2N6

For a description of the key elements of the principles by using the example of Somalian Red Crescent (*note that the description is based on the RC/RC Fundamental Principles*) (pp. 14-22):



Principles in Action in Somalia

Sorcha O'Callaghan & Jane Backhurst (2013)

British Red Cross & Uruka Bisha Cas

phap.org/ahpp-LMXE

Primary sources

For the document providing OCHA's definitions of the principles, as well as brief overview of their usage:



What are Humanitarian Principles?

United Nations Office for the Coordination of Humanitarian Affairs (OCHA) (2012)

OCHA on Message

phap.org/ahpp-PRYT

For the statutes of the RC/RC Movement (see art. 4(10)):



Statutes of the International Red Cross and Red Crescent Movement

International Committee of the Red Cross (ICRC) (1986)

Adopted by the 25th International Conference of the Red Cross at Geneva (amended in 1995 & 2006)

phap.org/ahpp-SFZ5

Jean Pictet was a well-regarded jurist with the International Committee of the Red Cross (ICRC) who is credited with drafting the wording of the Fundamental Principles. He wrote a comprehensive and seminal Commentary on the seven principles, which provides an in-depth discussion of their foundations and meaning:



The Fundamental Principles of the Red Cross: commentary

Jean Pictet (1979)

International Committee of the Red Cross (ICRC)

phap.org/ahpp-YHBL

For the first UNGA resolution that included a call for humanitarian actors to follow the humanitarian principles (note that this resolution did not include the principle of independence):



Resolution on Strengthening of the coordination of emergency humanitarian assistance of the United Nations

UN General Assembly (19 December 1991)

Resolution A/RES/46/182

phap.org/ahpp-W64B

For the second UNGA resolution that included a call for humanitarian actors to follow the humanitarian principles (including the principle of independence):



Resolution on Strengthening of the coordination of emergency humanitarian assistance of the United Nations

UN General Assembly (17 December 2003)

Resolution A/RES/58/114

phap.org/ahpp-P44M

Additional learning and resources

For a plain speaking overview of the RC/RC Movement’s Fundamental Principles:



The Fundamental Principles of the Red Cross and Red Crescent

IFRC & ICRC (2015)

phap.org/ahpp-NMRR

An old but still useful description of the elements of the principles and their relationship to each other, including the difference between neutrality and impartiality:



“Neutrality and Impartiality: The Importance of These Principles for the International Red Cross and Red Crescent Movement and the Difficulties Involved in Applying Them”

Marion Harroff-Tavel (1989)

International Review of the Red Cross, No. 273, pp. 536–552

phap.org/ahpp-24F6

For a discussion on the relationship of the concept of humanitarian space to the purposes of the four core humanitarian principles:



“Dunant’s pyramid: thoughts on the ‘humanitarian space’”

Daniel Thurer (2007)

International Review of the Red Cross, Vol. 89, No. 865

phap.org/ahpp-FNU4

For a summary of the elements of principles and their underlying values:



7 Fundamental Principles

International Federation of Red Cross and Red Crescent Societies (IFRC) (2015)

phap.org/ahpp-H4DG

Study questions

1. Where can you find definitions of the core four humanitarian principles?
2. How would you compare the legitimacy and acceptance of the different sources of definitions of the humanitarian principles?
3. What UN General Assembly resolutions are relevant in terms of the humanitarian principles? How are they defined in these resolutions?
4. What are the key elements of the definition of each of the four humanitarian principles: humanity, impartiality, neutrality, and independence?

5. Explain the difference between neutrality and impartiality.
6. Independence refers to independence from what and/or whom?

Scenario

Read the following brief descriptions of situations and discuss which of the core principles, if any, are at stake.

Situation	Principles at stake
1. An NGO negotiates with all relevant parties to access a remote area in order to conduct a needs assessment.	
2. An NGO decides not to accept funding from a country which is considered a belligerent in the conflict.	
3. An organization assists a persecuted minority despite the disapproval of State authorities.	
4. An organization decides to criticize the government of a country for the horrific scale of malnutrition and disease.	
5. An aid worker takes the time to speak to one of many people they are trying to assist.	
6. A local community has learned that a distribution is planned in another community of a different ethnicity and its leaders inform the NGO that “either you provide us with more equal amounts of aid or we will no longer see you as neutral in this conflict and you will no longer be able to operate in our territory.”	

1.2 The role of the humanitarian principles

The function of the principles in inspiring, defining, and guiding humanitarian action, rather than as formulas or dogma.

Key Points and Concepts

<i>Dual roles</i>	Broadly speaking, the humanitarian principles set the ethical goals of humanitarian action and provide an operational framework and tools for decision making and action. They are at once aspirational and operational . On the one hand they offer an ideal to strive for in humanitarian work, and on the other provide a pragmatic framework for decision making. They varyingly tend to be described as a “moral and ethical compass,” “inspiration,” a “framework,” a “guide,” and a “tool for action.”
<i>Based in practice</i>	The principles were developed based on over 100 years of humanitarian practice and are not intended as only abstract ideals but as a practical measure to gain and maintain the respect and trust of people in order to respond effectively to humanitarian crises. The humanitarian principles are central to how many organizations establish and maintain access to affected people, whether in a natural disaster or a complex emergency, such as armed conflict.
<i>Defining feature of humanitarian action</i>	The humanitarian principles are so entwined with humanitarian action that, for many, the principles themselves distinguish humanitarian organizations from other actors in the same space. They have contributed significantly to shaping the identity of the humanitarian sector.
<i>Guiding rather than dictating</i>	These principles are not a fixed set of rules or formulas that dictate which decisions to make. Instead, the principles serve as a guide for decision-making, with the principles to be balanced against one another in order to navigate difficult situations and achieve the best possible humanitarian outcomes. The principles serve as a framework to navigate dilemmas requiring some kind of compromise or balancing act between different demands.
<i>Challenging dilemmas</i>	The decisions and dilemmas that arise from following the humanitarian principles are often challenging both at the operational level and the personal ethical level. This is not surprising considering that the principles are designed to guide action in the midst of some of the most difficult situations faced by humanity.
<i>Applicable at multiple levels</i>	Principles can be used to apply to behavior and actions on an individual, operational, or institutional policy level.

Recommended learning resources

For an overview of the core humanitarian principles from the perspective of the ICRC (approximate reading time 40 minutes):



Principles guiding humanitarian action

International Committee of the Red Cross (ICRC) (2016)

E-briefing on law and policy

phap.org/ahpp-Q7HN

For a brief overview (~60 minutes) of the four core humanitarian principles, this webinar focuses on the potential dilemmas that humanitarian practitioners face when following them:



Advanced learning session on humanitarian principles

PHAP (September 2015)

Online Learning Series on Humanitarian Law and Policy

phap.org/ahpp-ZJM5

Additional learning and resources

For an overview of the Fundamental Principles of the RC/RC Movement focusing on how individual practitioners can relate to them in their work:



The Fundamental Principles of the Red Cross and Red Crescent: Ethics and Tools for Humanitarian Action

IFRC & ICRC (November 2015)

phap.org/ahpp-9QHL

For an argument that the principles provide a pragmatic operational framework as well as an ethical compass for aid delivery in complex and dangerous environments:



Istanbul on the Road: How can the World Humanitarian Summit make humanitarian response more effective?

Jeremie Labbe (2015)

Humanitarian Accountability Report, CHS Alliance

phap.org/ahpp-3BNN

A discussion on how the Fundamental Principles of the RC/RC Movement should not values and the individual perspective:



“From Fundamental Principles to individual action: Making the Principles come alive to promote a culture of non-violence and peace”

Katrien Beekman (2016)

International Review of the Red Cross, Vol. 97, No. 897-898

phap.org/ahpp-236Z

For an overview of the principles and their ethical origins (see part 2) [book not freely available]:



Humanitarian Ethics: A Guide to the Morality of Aid in War and Disaster

Hugo Slim (2015)

C Hurst & Co Publishers Ltd

phap.org/ahpp-AGEM

Study questions

1. What is the overarching aim of humanitarian work?
2. How do the principles help to address the issues faced by humanitarian workers and organizations?
3. How might an individual humanitarian worker act in accordance with the principles? Provide an example.
4. Do the principles apply to individuals, organizations, or both?

1.3 The functions of the principles

The function of humanity and impartiality as goals or ends in their own right, and neutrality and independence as pragmatic tools or means to an end.

Key Points and Concepts

Aims: humanity and impartiality

Humanity is the overarching and essential principle. Along with the principle of impartiality it provides the motivation and purpose of humanitarian work: to alleviate human suffering, protect life and health, and ensure respect for the human being. Humanity provides the ethical basis of the humanitarian gesture that aims not only to deliver assistance to victims of crises but also protection, regardless of their nationality, religious beliefs or political allegiance, even in wartime.

The corollary of having the principle of humanity as the ethical basis is non-discrimination, embodied in the principle of impartiality, which provides that aid should be given on no other criteria than the severity of needs and in proportion to these needs.

Tools: neutrality and independence

The principles of neutrality and independence provide the “how” – the pragmatic steps that must be taken to be able to achieve our aims. They are practical tools that enable humanitarian actors to achieve the humanitarian ideal. These two principles, developed out of decades of field experience, have no moral value in themselves but are a means to an end.

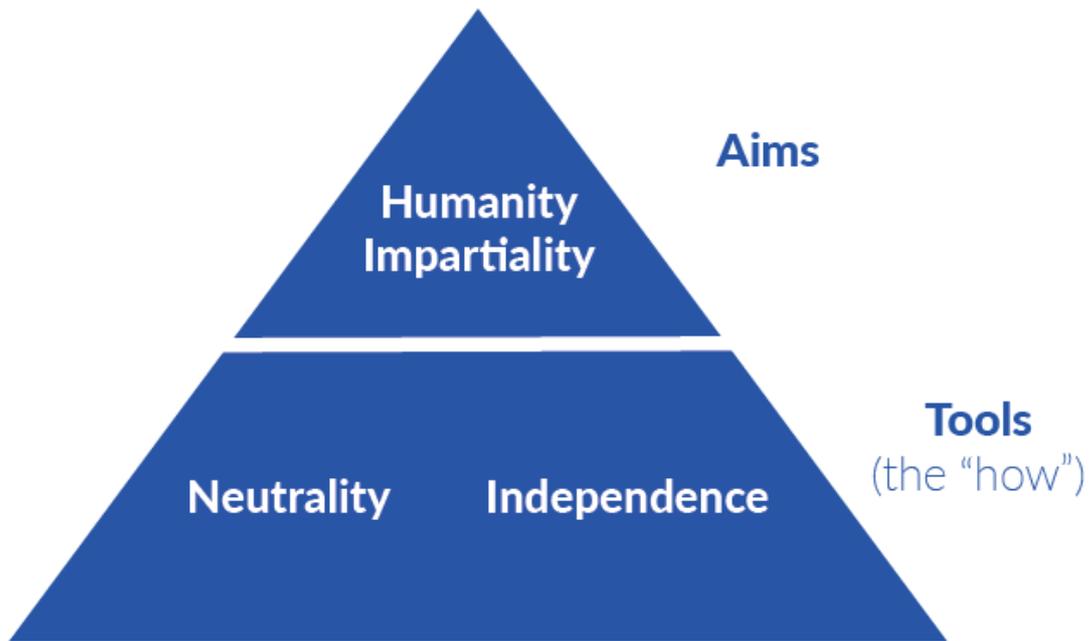
Demonstrating that one does not take sides, abstaining from taking part in controversies of a political, religious or ideological nature, and being autonomous from other political or economic interests at stake (as well as demonstrating this fact) helps to promote acceptance by all, which facilitates safe access and lays the conditions for genuinely impartial assessment of need.

Substantive vs derived principles

Jean Pictet distinguishes between the “substantive” principles of humanity and impartiality, which belong to the domain of objectives, the “derived” principles of neutrality and independence, which are practical means for humanitarians to build and maintain the trust of all in order to be able to undertake their work. (Note that Pictet also distinguishes these from the “organic” principles particular to the RC/RC Movement – voluntary service, unity, and universality.)

Pictet’s pyramid

The hierarchy of the principles can be represented diagrammatically as per the diagram below. (Note that the full pyramid also included the other three principles of the RC/RC Movement’s Fundamental Principles – voluntary service, unity, and universality – as the foundational level in his pyramid, below neutrality and impartiality.)



Recommended learning resources

For a webinar focusing on the principle of humanity (see in particular the introductory lecture on the principle):



Humanity: Practical dilemmas of principled action

PHAP (September 2015)

Online Learning Series on Humanitarian Law and Policy

phap.org/ahpp-FX9P

For a webinar focusing on the principle of impartiality (see in particular the introductory lecture on the principle, which also includes an overview of the functions of the four principles):



Impartiality: Practical dilemmas of principled action

PHAP (September 2015)

Online Learning Series on Humanitarian Law and Policy

phap.org/ahpp-QN7S

For a webinar focusing on the principle of neutrality (see in particular the introductory lecture on the principle):



Neutrality: Practical dilemmas of principled action

PHAP (October 2015)

Online Learning Series on Humanitarian Law and Policy

phap.org/ahpp-4U3R

For a webinar focusing on the principle of independence (see in particular the introductory lecture on the principle):



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Independence: Practical dilemmas of principled action

PHAP (October 2015)

Online Learning Series on Humanitarian Law and Policy

phap.org/ahpp-DF5P

For an overview of Pictet’s division between substantive and derived principles (see definition and classification in the introduction):



The Fundamental Principles of the Red Cross: commentary

Jean Pictet (1979)

International Committee of the Red Cross (ICRC)

phap.org/ahpp-YHBL

Additional learning and resources

For a discussion about the hierarchy of the principles:



“Applying the humanitarian principles: Reflecting on the experience of the International Committee of the Red Cross”

Jeremie Labbe & Pascal Daudin (2016)

International Review of the Red Cross, Vol 97, No. 897/898

phap.org/ahpp-3RXQ

For a more in-depth discussion of the different aspects of the principles of neutrality and independence:



“Coming clean on neutrality and independence: The need to assess the application of humanitarian principles”

Ed Schenkenberg van Mierop (2016)

International Review of the Red Cross, Vol 97, No. 897/898

phap.org/ahpp-5QTM

For an overview of the aims of the principles and the challenges in following them:



Humanitarian Diplomacy and Principled Humanitarian Action

Peter Maurer (2014)

Conference organized by ICRC & Graduate Institute

phap.org/ahpp-UHSG

Study questions

1. What does it mean to say that humanity and impartiality are the “goals” of humanitarian action?

2. How do the principles of neutrality and independence function as “tools” for humanitarian workers and organizations?
3. Is impartiality also a tool of action?
4. Explain what is meant by the phrase “pragmatic tools.”

Scenario

A country is affected by a large natural disaster and for a variety of reasons the relief distribution has been slow, some communities have not received items that were promised to them, and tensions in communities are high. You are in the process of planning a distribution of non-food items to a remote community approximately 1.5 hour drive away. Due to two recent hijackings of INGO vehicles and demonstrations protesting the governments’ response, the local police commander has advised you that they will provide a police escort for the vehicles and will provide site security at the distribution.

How can you use the principles to come to a decision about how to respond?

1.4 Distinct purposes working together

How the four principles form an integral set, with each one having its own distinct purpose.

Key Points and Concepts

Closely related but with distinct purposes

The humanitarian principles all relate to, and flow from, each other – they cannot easily be considered in isolation. They follow an internal logic and hierarchy (see section 1.3). At the same time, each principle has its own distinct purpose that needs to be understood.

Humanity

Humanity is the essential principle, providing the ethical basis of humanitarian action together with the principle of impartiality. The purpose of humanitarian action is to prevent and alleviate suffering, protect life and health, and ensure respect for the human being. Non-discrimination, primarily associated with the principle of impartiality, is also at the core of the principle of humanity.

Impartiality

Impartiality, providing the ethical basis of humanitarian action together with the principle of humanity, has three primary components:

- ❖ **Non-discrimination:** Aid should be delivered based on needs only, regardless of nationality, race, religious beliefs, class, gender, or political affiliation.
- ❖ **Proportionality:** Humanitarian actors cannot meet all needs. Recognizing this, aid should be delivered based on and in proportion to the priority and severity of needs. This justifies why particularly vulnerable categories of people might require specific assistance and protection.
- ❖ **Exclusion of personal bias:** At the individual practitioner level, subjectivity and any eventual personal preferences must be put aside.

Neutrality

Neutrality is fundamentally about gaining trust and acceptance by all the relevant actors in a conflict or disaster situation – parties to conflict, government authorities, affected communities, etc. This trust is essential to ensure safe access and deliver impartial aid.

The principle of neutrality can be broken down into several different aspects. The most apparent distinction can be found in the commonly accepted definitions of the principle:

- ❖ **Military neutrality:** In a conflict or other situation of violence, humanitarian actors should not take sides or act in a way that could give an advantage to any particular party to the conflict.
- ❖ **Ideological neutrality:** Humanitarian actors should avoid taking sides in controversies of a political, religious, or ideological nature that could antagonize some actors and undermine the acceptance of the organization.

Independence

Independence requires humanitarian actors to be autonomous from the political or economic interest that others might have in a given context – in other words, to avoid being “instrumentalized.” It is in practice a corollary to neutrality – it is difficult to maintain neutrality if not independent from political actors. Like neutrality, it is an operational principle whose primary aim is to gain acceptance and to ensure programs can be designed solely based on an independent and objective assessment of needs.

Recommended learning resources

For a webinar focusing on the principle of humanity (see in particular the introductory lecture on the principle):



Humanity: Practical dilemmas of principled action

PHAP (September 2015)

Online Learning Series on Humanitarian Law and Policy

phap.org/ahpp-FX9P

For a webinar focusing on the principle of impartiality (see in particular the introductory lecture on the principle, which also includes an overview of the functions of the four principles):



Impartiality: Practical dilemmas of principled action

PHAP (September 2015)

Online Learning Series on Humanitarian Law and Policy

phap.org/ahpp-QN7S

For a webinar focusing on the principle of neutrality (see in particular the introductory lecture on the principle):



Neutrality: Practical dilemmas of principled action

PHAP (October 2015)

Online Learning Series on Humanitarian Law and Policy

phap.org/ahpp-4U3R

For a webinar focusing on the principle of independence (see in particular the introductory lecture on the principle):



Independence: Practical dilemmas of principled action

PHAP (October 2015)

Online Learning Series on Humanitarian Law and Policy

phap.org/ahpp-DF5P

Study questions

1. Identify the purpose of each principle and its function.

2. What are the relationships between the principles?
3. Is one principle more important than the others?
4. Is it possible to apply all four principles at once? Is it necessary?

Scenario

In recent years, the capital city of a country has seen increasing violence between the main ethnic group (80% of the population) and a minority group (10% of the population). A needs assessment shows that the minority group badly requires humanitarian assistance, while the majority's needs are mostly covered by the public authorities. However, in order to avoid antagonizing any group, your Operations Manager recommends that the organization delivers aid equally to both communities.

How does this recommendation balance the principles?

1.5 Tensions and mutual reinforcement

The ways in which the principles can both reinforce and be in tension with one another.

Key Points and Concepts

<i>Consideration of all principles</i>	The principles have been developed in order to help resolve ethical and operational dilemmas. Such dilemmas require consideration of the principles as a whole, and it is not usually possible or helpful to respond to a dilemma by considering only one principle in isolation.
<i>Balancing against each other</i>	Rather than a strict hierarchy, they are interconnected and their application requires humanitarians to balance the principles according to the specific situation that they face. All other principles are designed to support the goal of alleviating human suffering and protecting life and health. Conversely, the principle of humanity cannot be followed without consideration of the other principles.
<i>Humanity as “trump card”</i>	As the essential principle, humanity is sometimes referred to as a “trump card,” allowing compromising on the other principles in order to reach people affected by crisis and save lives. However, this approach cannot always be followed as compromising the other principles comes with potentially severe consequences for humanitarian organizations’ possibility to carry out their work in the medium and long term.
<i>Neutrality and independence</i>	The objective of the principles of neutrality and independence is to enable assistance and protection programs to be implemented in an impartial manner in politically polarized situations such as armed conflicts – they have no intrinsic moral value. But if compromised they can result in humanitarian organizations losing the ability to act or reach those in need in order to undertake life-saving work.

Recommended learning resources

For a webinar focusing on the principle of humanity (see in particular the discussion on various tensions between the principles):



Humanity: Practical dilemmas of principled action

PHAP (September 2015)

Online Learning Series on Humanitarian Law and Policy

phap.org/ahpp-FX9P

For a webinar focusing on the principle of impartiality (see in particular the discussion on various tensions between the principles):



Impartiality: Practical dilemmas of principled action

PHAP (September 2015)

Online Learning Series on Humanitarian Law and Policy

phap.org/ahpp-QN7S

For a webinar focusing on the principle of neutrality (see in particular the discussion on various tensions between the principles):



Neutrality: Practical dilemmas of principled action

PHAP (October 2015)

Online Learning Series on Humanitarian Law and Policy

phap.org/ahpp-4U3R

For a webinar focusing on the principle of independence (see in particular the discussion on various tensions between the principles):



Independence: Practical dilemmas of principled action

PHAP (October 2015)

Online Learning Series on Humanitarian Law and Policy

phap.org/ahpp-DF5P

Additional learning and resources

For an overview of how the principle of humanity can come into tension with the other principles:



“Unpacking the principle of humanity: Tensions and implications”

Larissa Fast (2016)

International Review of the Red Cross, Vol 97, No. 897/898

phap.org/ahpp-856M

For dilemmas that arise when applying humanitarian principles in different humanitarian contexts:



Applying Humanitarian Principles in Context

International Training Centre of the International Labor Organization and the Humanitarian Leadership Academy

phap.org/ahpp-MDK

Study questions

1. Can all of the principles be applied at all times?
2. What might be the long term consequences of a decision that does not adequately balance the principles?
3. Identify five examples of situations when the principles are in tension with one another.

Scenario

An organization with a mandate to work with children is opening a new mission in a country facing a civil war. It decides to focus on providing assistance to people in government-controlled areas rather than entering insecure parts of the country controlled by armed opposition, even though the needs are likely at least as great in those parts.

What issues arise from this decision from a principled perspective and what could be the longer term consequences?

1.6 Differing perspectives on neutrality

The differing perspectives in the humanitarian sector related to the interpretation of and commitment to neutrality.

Key Points and Concepts

<i>Contested principle</i>	<p>Neutrality is one of the most contested principles in both theory and practice, even within the humanitarian sector. While it was included as a required humanitarian principle in UN resolution 46/182 (which did not include the principle of independence), humanitarian organizations have expressed differing levels of comfort with the concept, which in turn has informed their interpretations and operational approaches to the principle.</p>
<i>Purpose of neutrality</i>	<p>The purpose of the principle of neutrality is to generate the necessary level of trust and confidence which allows humanitarian organizations access to render life-saving assistance. It is a means to an end, not a virtue in itself. All organizations must be aware that the decision to speak out can impact how authorities and others perceive the organization and have consequences on operations.</p>
<i>Military neutrality</i>	<p>Typically, organizations do not have an issue with the so-called military neutrality (not taking sides in times of conflict). In addition, that the Geneva Conventions and their Additional Protocols allow for impartial humanitarian assistance indicates that it should not in itself be regarded as interference in the conflict – in other words not to be seen as a violation of neutrality in this sense of the principle.</p>
<i>Ideological neutrality</i>	<p>Ideological neutrality and the requirement not to be involved in “controversies of any kind” proves to be a more difficult condition for all organizations to accept, because of the limits it imposes on their ability to advocate and their wider organizational values.</p>
<i>NGO Code of Conduct</i>	<p>This was seen in the 1990’s during the development of the Code of Conduct for International Red Cross and Red Crescent Movement and NGOs in Disaster Relief. In order to achieve consensus across all organizations, only a diluted reference to neutrality was included, referencing the right of humanitarian organizations to “espouse particular political or religious opinions,” and only committing to not “tie the promise, delivery or distribution of assistance to the embracing or acceptance of a particular political or religious creed.”</p>
<i>CHS</i>	<p>This can also be seen in the Core Humanitarian Standard on Quality and Accountability (CHS), for which the inclusion of the principle of neutrality was a contentious issue. It includes a definition of neutrality that is in line with that of OCHA and the RC/RC Movement, but also includes in a footnote that some organizations “do not consider that the principle of neutrality precludes undertaking advocacy on</p>

issues related to accountability and justice.”

Multi-mandated organizations

Multi-mandated or development focused organizations face particular challenges in relation to the principle of neutrality. The principle of neutrality is thought by some to confine the activism of these organizations because their work on justice and development issues might be of a political nature. As a counterweight to the principle of neutrality, some organizations invoke the notion of solidarity – that they “are on the side of the victim.”

Criticism of passivity

Neutrality is sometimes criticized for indicating indifference and passivity of humanitarian organizations. The answer to this criticism is that following the principle of neutrality is not a passive, defensive stance; it requires constant work aimed at being trusted and accepted by all in order to reach people in need.

MSF

Médecins Sans Frontières (MSF) actively carries out advocacy work, using a variety of terminology for this interchangeably, such as “témoignage,” “witnessing,” “campaigning,” and “speaking out”. Their humanitarian advocacy flows directly from its experience in the field, through medical data and eyewitness accounts.

No absolute adherence

No organizations are absolute in their “silence.” Even the ICRC, in general the strictest adherent to the principle of neutrality, reserves the right to speak out in certain conditions.

Neutrality of individuals

Staff of humanitarian organizations are not asked to *be* neutral – everyone is entitled to an opinion – but to act in a neutral manner.

Recommended learning resources

For an overall explanation of the principle of neutrality and related challenges (see pp. 297-299):



“Coming clean on neutrality and independence: The need to assess the application of humanitarian principles”

Ed Schenkenberg van Mierop (2016)

International Review of the Red Cross, Vol 97, No. 897/898

phap.org/ahpp-5QTM

For an overview (and rebuking of) five criticisms of the principle of neutrality, from the perspective of the ICRC:



Principles under fire: does it still make sense to be neutral?

Marion Harroff-Tavel (December 2003)

ICRC's article - Humanitarian Exchange

phap.org/ahpp-BKJA

For a webinar focusing on the principle of neutrality (see in particular the discussion on various tensions between the principles):



Neutrality: Practical dilemmas of principled action

PHAP (October 2015)

Online Learning Series on Humanitarian Law and Policy

phap.org/ahpp-4U3R

Additional learning and resources

For a written exchange of views on the value of including the principle of neutrality in the Core Humanitarian Standard:



“Contrasting views – including ‘Neutrality’ in the CHS”

Anne de Riedmatten & Nigel Timmins (April 2015)

URD Humanitarian Aid on the Move, No. 15

phap.org/ahpp-2W2Z

For a discussion on following the principle of neutrality, focusing on the consequences of Western military interventions:



“How important is neutrality to humanitarian aid agencies?”

Priya Shetty (August 2007)

The Lancet World Report, Vol. 370, pp. 377-378

phap.org/ahpp-QV3L

For a brief discussion on the practical difficulties involved in maintaining a neutral approach (see section “The temptation to abandon neutrality” on pp. 346-348):



“Relief agencies and moral standing in war: principles of humanity, neutrality, impartiality and solidarity”

Hugo Slim (November 1997)

Development in Practice, Vol. 7, No. 4

phap.org/ahpp-JRNN

For an interview on the dilemma faced by the ICRC between denunciation and maintaining trust:



'Enduring dilemmas' of speaking out

Pierre Krahenbuhl (2013)

BBC's show HardTalk

phap.org/ahpp-35BE

For a compelling account of the ICRC decision in 1944 not to speak out publicly against the concentration camps in Europe and the individual opinions of each Committee member (see in particular the introduction) [book not freely available]:



Dunant's Dream

Caroline Moorehead (1999)

Carroll & Graf Publishers

phap.org/ahpp-8D83

For reflections on what the principle of neutrality means for an individual humanitarian practitioner:



On being neutral: Reflections on neutrality in humanitarian action

Martin Damary (June 2014)

PHAP's member articles

phap.org/ahpp-UQPY

For a discussion on the various views on neutrality in the late 1990s (see sections on ‘the problem of neutrality’ and ‘neutrality and politics’, pp. 20-21):



The Politics of Principle: the principles of humanitarian action in practice

Nicholas Leader (March 2000)

ODI Humanitarian Policy Group Report No. 2

phap.org/ahpp-A8EM

Study questions

1. What are the main different approaches to neutrality among different humanitarian organizations?
2. What might be alternative approaches to “speaking out” against issues of concern?
3. What are the factors and risks that a humanitarian organization should consider when deciding whether to make a public statement on an issue of concern?
4. What operational consequences might have speaking out on a politically sensitive issue for a humanitarian organization?

Scenario

During a media interview, the spokesperson of your organization condemns the sexual and gender-based violence that is occurring across the country during the crisis.

What criteria would you use to decide whether this statement was consistent with upholding the principle of neutrality?

1.7 Actual and perceived adherence to the principles

The distinction between actual and perceived adherence to the principles.

Key Points and Concepts

<i>Perceptions vs actual adherence</i>	Generally speaking, perceptions of how humanitarian organizations adhere to the humanitarian principles have an impact on their access to people affected by crisis, as well as access funding in certain circumstances. Actual adherence to the principles is particularly important for the principles of humanity and impartiality, as they have an intrinsic value.
<i>Factors affecting relationship</i>	<p>The relationship between actual and perceived adherence to the principles can be complicated, as perceptions can vary considerably between different actors (and even different individuals) as well as between different principles, and whether organizations are attempting to actively managing perceptions or not.</p> <p>Perceptions are shaped by what people hear through direct contact with the organization, their promotional activities, and other communication activities. They can be based on reality or on false assumptions. However, as positive perceptions are essential to ensuring access and security, action is required to address low or negative perceptions.</p>
<i>Perception of neutrality</i>	Perceptions are particularly relevant for the principle of neutrality. If the relevant authorities or communities perceive the actions of an organization to be biased, notwithstanding the intent of the actions, there can be considerable consequences for the ability of that organization to carry out its work.
<i>Perception of all four principles</i>	Perceptions regarding all four principles can have an impact on an organization's ability to operate in a given context, as they can help build the trust and respect of stakeholders of the organization.
<i>Negative consequences</i>	Perceptions of following a principled approach can also have negative consequences. For example, in certain conflict situations, being perceived as impartial may lead to hostility from those that believe that certain groups should not receive assistance based on notions of justice.
<i>Acceptance approach</i>	As perceptions influence actions and attitudes, they have a potentially major impact on the security of humanitarian workers. An “acceptance approach” to security management implies that aid agencies should examine the perceptions of any actor with the capacity to negatively affect the organization, not only those with whom they interact on a regular basis. Implementing an acceptance approach requires attention to detail, from decisions about staffing

and the physical location and profile of offices and compounds to how individual staff members interact with community members and others, whether at project sites or checkpoints.

Interdependence of perceptions

Given the interdependence of humanitarian organizations in terms of perceptions of their activities, lack of transparency or clarity about an organization's stance in relation to humanitarian principles can lead to problems for other humanitarian actors on the ground. ICRC and others have therefore actively advocated for other organizations, especially political and military actors, to not use the label “humanitarian.”

Recommended learning resources

For an overview of “acceptance” and its impact on access (see pp. 7-9):



Tools for the Job: Supporting Principled Humanitarian Action

Ingrid Macdonald & Angela Valenza (October 2012)

Norwegian Refugee Council & ODI Humanitarian Policy Group

phap.org/ahpp-3UL7

For a discussion on the effects of perception of neutrality in situations of armed conflict:



Humanitarian Aid and Neutrality

Nicholas Morris (February 1998)

Conference on The Promotion and Protection of Human Rights in Acute Crisis

phap.org/ahpp-WF77

Additional learning and resources

For remarks from the Director-General of the ICRC on the use of the humanitarian label by political and other actors:



Humanitarian principles - the importance of their preservation during humanitarian crises

Angelo Gnaedinger (2007)

ICRC Statement

phap.org/ahpp-KL7X

For examples of how ACF has taken decisions related to the perception of its independence and neutrality in armed conflict situations (see p. 11) and its impartiality when dealing with governmental authorities (see p. 12):



Humanitarian Principles in Conflict - Ensuring humanitarian principles are respected in armed conflicts and other situations of violence: ACF's experience and position

Yulia Dyukova & Pauline Chetcuti (2013)

ACF-International, pp. 10-16

phap.org/ahpp-B5QG

For a description of an MSF project to investigate perceptions in general of the organization and change decision-making to improve perceptions:



Perception Project: A Remedy Against Complacency

Bruno Jochum

Médecins Sans Frontières

phap.org/ahpp-JGSB

For a more in-depth discussion about the MSF Perception Project [book not freely available]:



Dilemmas, Challenges, and Ethics of Humanitarian Action: Reflections on Médecins Sans Frontières' Perception Project

Caroline Abu-Sada (2012)

McGill-Queen's University Press

phap.org/ahpp-6WGB

Study questions

1. Why is it important to consider the link between perceptions of and actual adherence to the humanitarian principles?
2. Describe how perceptions of humanitarian organizations are related to the safety of humanitarian workers?
3. How can respect and implementation of the principles contribute to acceptance and access?
4. Whose perceptions should humanitarian organizations consider or be concerned about?

1.8 The principles in different cultures and religions

How the principles are inspired by ethics and practices that can be found across different cultures, religions, and belief systems in history.

Key Points and Concepts

<i>Western rather than universal?</i>	The humanitarian principles are commonly criticized as being an expression of Western rather than universal values. While local charities had long existed everywhere, the organization of <i>international</i> relief actions on a systematic basis originated primarily in the West in the 19 th century. Even today, the majority of large international humanitarian organizations have a strong European or American footprint.
<i>Shared underlying values</i>	The values underlying humanitarian principles (in particular the principle of humanity) – such as charity, compassion, mercy, and respect for human life and dignity – can be found in all societies and religions (e.g. Christian alms; <i>dāna</i> in Hinduism, Buddhism, Jainism, and Sikhism; <i>zakat</i> in Islam; <i>tzedakah</i> in Judaism).
<i>Shared humanity</i>	To ensure that humanitarian action is universal, the humanitarian community, which still largely consists of Western organizations, needs to take care that the principles remain based on a call for a shared humanity, one that is sensitive to – and compatible with – cultural and religious differences.
<i>Faith-based organizations</i>	Faith-based organizations can approach humanitarian action in a manner that is relevant, complementary to – and even compatible with – humanitarian principles. This has been illustrated by the endeavor to mitigate the effects of the post-9/11 counterterrorism sanctions and its polarizing effect on the humanitarian sector, in particular for Islamic NGOs: there has been significant work done by and with Islamic charities and NGOs to document their relationship with humanitarian principles.
<i>Global support</i>	There is evidence of global appreciation for the humanitarian principles. An opinion poll carried out on behalf of the ICRC in 2015 in 13 countries across the world showed strong support for both the principles of impartiality and neutrality.

Recommended learning resources

For a discussion on the universality of the principle of humanity:



Uniting Around the Principle of Humanity

Peter Maurer & Sheikh Sabah Khaled Al-Hamad Al-Sabah (September 2015)

ICRC's High-Level Panel Debate

phap.org/ahpp-AF2D

Additional learning and resources

For more details on the process leading to the development of codes of conduct in Islamic faith-based organizations:



“Rahmatan lil-alamin’ (a mercy to all creation) – Islamic voices in the debate on humanitarian principles”

Mohamed, A. S. & Oftringer, R. (2016)

International Review of the Red Cross, Vol. 97, No. 897/898

phap.org/ahpp-KQRF

In 2014, in an open letter to the head of the Islamic State, Islamic scholars of different schools of thought highlighted how some of the basic tenets of humanity are part of Islam, recalling for instance that it is forbidden in Islam to kill “emissaries, ambassadors, and diplomats; hence it is forbidden to kill journalists and aid workers:



Muslim Scholars Release Open Letter to Islamic State Meticulously Blasting Its Ideology

Lauren Markoe (25 September 2014)

The Huffington Post

phap.org/ahpp-N3WB

Study questions

1. Does a natural impulse to help our fellow human beings exist across all cultures, faiths, and belief systems? Can you name any examples?
2. Do you agree that the principle of humanity is based on universal values?
3. Do you see other principles as universal? What are they? Where can they be found?

1.9 Historical foundations and other principles

The modern foundation and history of these four principles as well as the basic content and history of the main other existing codes or sets of principles.

Key Points and Concepts

Foundation in the RC/RC Movement

Although the underlying values of the four core humanitarian principles can be found in various forms throughout history, the modern foundation of the humanitarian principles is laid with the creation of the Red Cross and Red Crescent Movement.

Solferino, 1859

In June 1859, Swiss businessman Henry Dunant witnesses the bloody aftermath of the battle of Solferino, Northern Italy, between the armies of France and Piedmont-Sardinia and the Austrian forces. Dunant helps organize aid for wounded soldiers on all sides with the rallying cry “*tutti fratelli*” (all men are brothers). He returns to Geneva and goes on to publish *A Memory of Solferino*. Thus begins an intensive lobbying campaign to gain support for his idea of an international volunteer corps to assist wounded soldiers in war as well as a proposal to formalize laws of war which results in 1864 in the First Geneva Convention.

First ICRC experience of neutral medical care

Prior to the Convention being agreed, the first example of Red Cross delegates in the field is instructive. In the winter of 1864, two representatives of the newly created International Committee for Relief to the Wounded (later the ICRC), set out to offer their services was a testing ground for a new idea – neutral medical care for all sides, provided by volunteers working alongside military forces to both sides of the conflict between Danish and Austro-Prussian forces. They received a skeptical reception but were ultimately allowed to organize treatment for soldiers on both sides of the battle lines. Although the scale of the relief operation was dwarfed by the number of casualties, it nevertheless proved that aid could be delivered without discrimination even in war.

First iteration of the RC/RC principles

The first written iteration of the principles for the ICRC is proposed in 1875 and in 1921 the Red Cross incorporates the first set of principles into its Statutes (impartiality, political, religious and economic independence, universality of movement and equality of its members).

Seven Fundamental Principles, 1965

Following almost a century of humanitarian practice, the seven Fundamental Principles and their definitions were adopted in 1965 at the 20th International Conference of Red Cross Red Crescent, which also included States parties to the Geneva Conventions.

UNGA Resolutions

On 19 December 1991, United Nations (UN) General Assembly Resolution 46/182 endorsed the principles with the statement

“humanitarian assistance must be provided in accordance with the principles of humanity, neutrality and impartiality”. In 1994, UN General Assembly resolution 58/114 added independence as a fourth key principle.

*RC/RC and NGO
Code of Conduct, 1994*

The Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief was introduced in 1994. It rephrased the underlying ideas of the principles of humanity, impartiality, and independence. Only a watered-down version of neutrality was included.

Further standards

Further standards have been introduced in an attempt to facilitate more efficient and effective action by the entire humanitarian community.

*Three additional
principles of the RC/RC
Movement*

The seven Fundamental Principles of the RC/RC Movement include, apart from the four core humanitarian principles, three other principles that primarily apply to the Movement:

- ❖ **Voluntary service:** It is a voluntary relief movement not prompted in any manner by desire for gain.
- ❖ **Unity:** There can be only one Red Cross or one Red Crescent Society in any one country. It must be open to all. It must carry on its humanitarian work throughout its territory.
- ❖ **Universality:** The International Red Cross and Red Crescent Movement, in which all Societies have equal status and share equal responsibilities and duties in helping each other, is worldwide.

*The ten principles of the
RC/RC and NGO
Code of Conduct*

The Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief includes ten principles, some of which are closely related to the four core humanitarian principles:

- ❖ The humanitarian imperative comes first (*cf. principle of humanity*)
- ❖ Aid is given regardless of the race, creed or nationality of the recipients and without adverse distinction of any kind. Aid priorities are calculated on the basis of need alone (*cf. principle of impartiality*)
- ❖ Aid will not be used to further a particular political or religious standpoint (*cf. principle of neutrality – although a weak relationship*)
- ❖ We shall endeavor not to act as instruments of government foreign policy (*cf. principle of independence*)
- ❖ We shall respect culture and custom
- ❖ We shall attempt to build disaster response on local capacities
- ❖ Ways shall be found to involve program beneficiaries in the management of relief aid
- ❖ Relief aid must strive to reduce future vulnerabilities to disaster as well as meeting basic needs

- ❖ We hold ourselves accountable to both those we seek to assist and those from whom we accept resources
- ❖ In our information, publicity and advertising activities, we shall recognize disaster victims as dignified humans, not hopeless objects

Do No Harm

“Do No Harm” as a principle of and analytical framework for conflict sensitivity was first developed by Mary Anderson in 1999. Several humanitarian and multi-mandated organizations follow this approach, notably World Vision.

Other principles

Some humanitarian organizations have adopted other operational and ethical principles, including professionalism, transparency, and confidentiality.

Principles of IHL

The humanitarian principles should NOT be confused with the principles of international humanitarian law (IHL), which are:

- ❖ Proportionality
- ❖ Distinction
- ❖ Military necessity
- ❖ Precaution

Primary sources

For the definitions of the Seven Fundamental Principles of the Red Cross and Red Crescent Movement:



The seven Fundamental Principles

International Federation of Red Cross and Red Crescent Societies (IFRC)

phap.org/ahpp-V62Q

For the Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief:



Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief

International Federation of Red Cross and Red Crescent Societies (IFRC) (1994)

phap.org/ahpp-D6E9

For the first UNGA resolution that included a call for humanitarian actors to follow the humanitarian principles (note that this resolution did not include the principle of independence):



Resolution on Strengthening of the coordination of emergency humanitarian assistance of the United Nations

UN General Assembly (19 December 1991)

Resolution A/RES/46/182

phap.org/ahpp-W64B

For the second UNGA resolution that included a call for humanitarian actors to follow the humanitarian principles (including the principle of independence):



Resolution on Strengthening of the coordination of emergency humanitarian assistance of the United Nations

UN General Assembly (17 December 2003)

Resolution A/RES/58/114

phap.org/ahpp-P44M

Additional learning and resources

For an overview of the Do No Harm framework:



Do No Harm

Conflict Sensitivity Consortium

phap.org/ahpp-2G2A

For an examination of the scope of Do No Harm, its connection to the humanitarian principles, and how to implement Do No Harm practices into Humanity and Inclusion's (HI) ethical framework, policies, tools and practices, according to analysis of internal and external literature, interviews, and an extensive survey of HI staff:



Incorporating the principle of “Do No Harm”: How to take action without causing harm: Reflections on a review of Humanity & Inclusion’s practices

Humanity & Inclusion (Operations Division) and F3E

phap.org/ahpp-2G2B

1.10 Humanitarian principles and international humanitarian law

The references to impartial humanitarian actors in international humanitarian law (IHL) and the implications for different actors in situations of armed conflict.

Key Points and Concepts

IHL and the Geneva Conventions

IHL attempts in broad terms to regulate conflict in order to minimize human suffering. IHL reflects this constant balance between the military necessity arising in a state of war and the needs for humanitarian protection.

The humanitarian principles are incorporated into international humanitarian law via the Geneva Conventions.

Only humanity and impartiality

Only the principles of humanity and impartiality are specifically mentioned, allowing for an “impartial humanitarian body” to offer its services to parties to a conflict.

Impartiality

The enshrinement of the principle of impartiality in IHL demonstrates that non-discrimination is a universal requirement. It also implies that, for the States party to the Geneva Conventions, humanitarian action is in general acceptable to all States if it is limited to providing assistance and protection to the victims of conflicts “must not be affected by any political or military consideration.” The condition that humanitarian assistance must be impartial was strengthened by the two Additional Protocols to the Geneva Conventions, which state that “relief actions which are humanitarian and impartial in character and conducted without any adverse distinction” may be undertaken.

Neutrality and independence

The principles of neutrality and independence are not explicitly mentioned in the Geneva Conventions.

Although not explicitly mentioned in the Geneva Conventions, the principle of neutrality can be said to permeate the Conventions in the form of the idea of non-intervention. Independence, as a corollary to the principle of neutrality can also be claimed to be alluded to.

ICJ Nicaragua Case

The International Court of Justice (ICJ) confirmed the idea of non-intervention, tacitly recognizing neutrality and independence as an approach in the Nicaragua Case. Even though neither neutrality nor independence are mentioned, it is clear that, in the Court’s view, assistance provided exclusively to one party would constitute an intervention in the affairs of a State and thus would not be strictly humanitarian.

*Humanitarian principles
v. principles of IHL*

The four core humanitarian principles are not to be confused with the principles of IHL. IHL is founded on the following principles: distinction between civilians and combatants and between civilian objects and military objectives, the principle of humanity, proportionality, and military necessity.

The principles of IHL should be found within the specific rules and norms of IHL itself, but the principles may also help interpretation of the law when the legal issues are unclear or controversial.

Recommended learning resources

For an overview of the humanitarian principles in IHL:



The Principles of Humanitarian Action in International Humanitarian Law

Kate Mackintosh (2000)

ODI Humanitarian Policy Group Report No. 5, p. 8

phap.org/ahpp-CMYT

Primary sources

For the Geneva Conventions and Additional Protocols:



Geneva Conventions of 1949 and Additional Protocols, and their Commentaries

International Committee of the Red Cross (ICRC)

phap.org/ahpp-RX69

For ICJ's judgment on Nicaragua confirming the idea that assistance provided exclusively to one party would constitute an intervention in the affairs of a State (see in particular pp. 124-125):



**Case concerning military and paramilitary activities in and against Nicaragua
(Nicaragua v. United States of America)**

International Court of Justice (27 June 1986)

Reports of judgements, advisory opinions and orders

phap.org/ahpp-JUK5

Study questions

1. In which IHL treaties are the principles mentioned?
2. Which principles are specifically mentioned in IHL?
3. What are the rights of humanitarian organizations under IHL?

4. What are the responsibilities of organizations under IHL?

1.11 Incorporation into standards, agreements, and resolutions

The various ways in which the four principles have been incorporated into other standards, agreements, resolutions, etc., so as to establish guidance, policy, or obligations.

Key Points and Concepts

RC/RC and NGO Code of Conduct

The Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief (RC/RC and NGO Code of Conduct) was a ground breaking initiative developed in 1994 by the Steering Committee for Humanitarian Response (SCHR). At a time of increased numbers of crises and greater numbers of organizations involving themselves in humanitarian action, the Code sought to reinitiate common minimum standards of behavior grounded in humanitarian principles and the concept of accountability, not only to donors but also to affected populations

The code sets ethical standards for organizations involved in humanitarian work and the humanitarian principles directly inform this framework. Today over 600 agencies have signed the voluntary code.

Humanity, impartiality and independence are all prominently referenced (but not mentioned by name) while neutrality is mentioned more obliquely. Principle three of the code alludes to neutrality in the action of agencies, in that “aid will not be used to further a particular political or religious standpoint.”

Sphere and Humanitarian Charter

The Sphere Project (now renamed Sphere) was initiated in 1997 by a group of humanitarian non-governmental organizations (NGOs) and the International Red Cross and Red Crescent Movement. Their aim was to improve the quality of their actions during disaster response and to be held accountable for them. They based Sphere’s philosophy on two core beliefs: first, that those affected by disaster or conflict have a right to life with dignity and, therefore, a right to assistance; and second, that all possible steps should be taken to alleviate human suffering arising out of disaster or conflict.

The Humanitarian Charter provide the legal and ethical backdrop to the Sphere minimum standards. The Charter refers directly to the principles and draws from the RC/RC and NGO Code of Conduct. It makes strong mention of the principle of humanity and calls “upon all state and non - state actors to respect the impartial, independent and non-partisan role of humanitarian agencies.” The term “non-partisan” was used instead of the term “neutral” to allow space for different interpretations of the principle of neutrality.

CHS

The Core Humanitarian Standard on Quality and Accountability (CHS) was introduced in 2015 as an attempt to streamline and draw together the key elements of several existing humanitarian standards in order to facilitate more efficient and effective action by the entire

humanitarian community. While not directly mentioned as part of any nine commitments, the four core humanitarian principles are listed together with their commonly used definitions (see section 1.1) in the separate chapter defining what humanitarian work is.

HQAI

Third party verification and certification against the CHS is available through the Humanitarian Quality Assurance Initiative (HQAI), which includes auditing organizations on their organizational principles.

GHD

The Good Humanitarian Donorship (GHD) initiative is an informal donor forum and network that has endorsed the Principles and Good Practice of Good Humanitarian Donorship to provide both a framework to guide official humanitarian aid and a mechanism for encouraging greater donor accountability. The four core humanitarian principles are foundational in this document as part of the objectives and definition of humanitarian action.

PHAP Code of Ethics and Professional Conduct

The four core principles are a part of the PHAP Code of Ethics and Professional Conduct, as part of the shared understanding of what constitutes humanitarian action.

Context-specific frameworks

Context-specific codes and frameworks have also been developed in attempts to translate the humanitarian principles into practice.

Primary sources

For the RC/RC and NGO Code of Conduct:



Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief

International Federation of Red Cross and Red Crescent Societies (IFRC) (1994)

phap.org/ahpp-D6E9

For the Sphere Handbook and accompanying standards:



Sphere Handbook: Humanitarian Charter and Minimum Standards in Humanitarian Response

The Sphere Project (revised 2011)

phap.org/ahpp-D6CD

For the Core Humanitarian Standard on Quality and Accountability (CHS):



Core Humanitarian Standard on Quality and Accountability

CHS Alliance, Groupe URD & the Sphere Project (2014)

phap.org/ahpp-A7BX

For the Principles and Good Practice of Good Humanitarian Donorship:



23 Principles and Good Practice of Humanitarian Donorship

Good Humanitarian Donorship Group (2003)

phap.org/ahpp-5N9S

For the PHAP Code of Ethics and Professional Conduct:



PHAP Code of Ethics and Professional Conduct

PHAP (revised March 2017)

phap.org/ahpp-7MKZ

Additional learning and resources

For a commentary on the inclusion of principles in the Humanitarian Charter (see pp. 4-6):



“Cracking the code: the genesis, use and future of the Code of Conduct”

Peter Walker (December 2005)

Disasters, No. 29(4), pp. 323-336

<http://phap.org/ahpp-G57A>

Study questions

1. Why is the RC/RC and NGO Code of Conduct considered to be an important document?
2. How does the RC/RC and NGO Code of Conduct incorporate the principles?
3. Is the principle of neutrality included in the Code of Conduct?
4. What are the principles in the Humanitarian Charter that inform how humanitarian action is carried out?
5. How does the Core Humanitarian Standard differ in the way it treats the humanitarian principles compared with the RC/RC and NGO Code of Conduct?

1.12 Operational relevance in different contexts

The practical operational relevance of the four principles in various contexts, including situations of armed conflict, natural disasters, and other complex political and militarized environments.

Key Points and Concepts

<i>Restricted access</i>	The concept of neutral, impartial, and independent humanitarian action takes account of the fact that during armed conflict, internal disturbances, and tensions, access to local populations may become more restricted and the insecurity of those in need and of humanitarian personnel may increase. To provide assistance in such contexts, humanitarian agencies and their activities must be accepted and respected by State and non-State armed groups and by the local people.
<i>Gaining acceptance</i>	At their heart, operationally the principles are essential in order to gain the acceptance needed to get access to populations in need in some of the most adverse circumstances faced by humanity. Building and maintaining trust of authorities (including military commanders and governments) and communities through being seen not to take sides and to make needs based decisions is crucial to be able to continue to work alongside affected populations.
<i>Navigating operational dilemmas</i>	Principles can provide a framework to navigate the operational dilemmas humanitarians are confronted. While principles were developed as a means of navigating humanitarian issues in times of conflict, today they are applied (in different ways depending on the context) in all aspects of humanitarian action, including natural disaster and other crises.
<i>Explaining decisions</i>	The principles are a useful framework not only for making decisions but for explaining those decisions to stakeholders.

Study questions

1. How might the approach to applying the principles differ depending on the context, in particular in conflict or in natural disaster?
2. Are the stakes higher in a conflict situation?

Scenario

Consider a distribution of food to a crisis-affected community. How might considerations related to the principles differ depending on whether it is carried out after a natural disaster or during an armed conflict?

Recommended learning resources

For dilemmas that arise when applying humanitarian principles in different humanitarian contexts:



Applying Humanitarian Principles in Context

International Training Centre of the International Labor Organization and the Humanitarian Leadership Academy

phap.org/ahpp-MDK

Domain 2: Applying the Principles in Humanitarian Operations

The second domain of the body of knowledge for Applying Humanitarian Principles in Practice covers how the principles are applied in practice in humanitarian operations.

This domain constitutes 28% of the certification assessment.

Domain Outline

Humanitarian practitioners must be able to:

- 2.1 Employ the principles to steer operational planning, decision-making, and activities.
- 2.2 Recognize the rationale behind specific operational plans, policies, decisions, and activities in terms of the principles.
- 2.3 Identify appropriate responses to key existing and/or potential compromises/challenges to principled action in a given context.
- 2.4 Communicate to colleagues and to external stakeholders the core concepts behind each principle, their importance to humanitarian action, and the organization's commitment to them.
- 2.5 Employ the principles in negotiations with external stakeholders.
- 2.6 Employ the principles in negotiations or discussions within the humanitarian sector.
- 2.7 Employ the principles to protect the organization against external pressure or security risks.

General Recommended Reading and Resources

For a history and overview of current challenges involved in applying the humanitarian principles of humanity, impartiality, neutrality, and independence in practice, from the perspective of the ICRC:



“Applying the humanitarian principles: Reflecting on the experience of the International Committee of the Red Cross”

Jeremie Labbe & Pascal Daudin (2016)

International Review of the Red Cross, Vol 97, No. 897/898

phap.org/ahpp-3RXQ

This paper goes through practical ways in which humanitarian principles should inform organizational practice in the field as well as funding policy:



Tools for the Job: Supporting Principled Humanitarian Action

Ingrid Macdonald & Angela Valenza (October 2012)

Norwegian Refugee Council & ODI Humanitarian Policy Group

<https://phap.org/ahpp-3UL7>

Although a few years old, this report provides a good overview of the development of the principles and their practical relevance to humanitarian action:



The Politics of Principle: the principles of humanitarian action in practice

Nicholas Leader (March 2000)

ODI Humanitarian Policy Group Report No. 2

<https://phap.org/ahpp-A8EM>

Expert panel discussion on the application of the principles of humanity, impartiality, neutrality and independence in operational environments. The panel discussed the practical relevance of the principles, the challenges to their application, and the question of whether they should be “measured” or “assessed” so as to best allocate resources and prioritize responses:



Walk the talk: Assessing the application of humanitarian principles on the ground

International Committee of the Red Cross (ICRC) (February 2015)

Recordings of expert panel discussion

<https://phap.org/ahpp-36RA>

2.1 Operational planning and decision-making

Employ the principles to steer operational planning, decision-making, and activities.

Key Points and Concepts

<i>In difficult environments</i>	Humanitarian principles are particularly useful to navigate tense and chaotic environments in armed conflicts and natural disaster response, where affected communities, local power holders, military and armed groups and national authorities are all likely to view offers of assistance with suspicion and hostility.
<i>Ensuring access</i>	Applying humanitarian principles in a clear and consistent manner is designed to build trust, foster acceptance, and ensure access to those who need it.
<i>Impartiality</i>	For example, impartiality requires non-discrimination and delivery of aid in proportion to need. This principle plays a particularly prominent role in informing how needs-assessments are carried out, but should guide all activities of humanitarian actors.
<i>Factors enabling consistent application</i>	<p>Principles are used at all levels of decision making, from the daily operations at the field level to the highest levels of decision-making. Consistent application of the principles relies on, among other things:</p> <ul style="list-style-type: none">❖ Sound understanding of the principles by both staff and managers❖ The ability to collection sufficient information about the context and situation (including systems for independently conducting assessments and evaluating the reliability of external information)❖ The ability to articulate and communicate the principles as the basis for decision making to other stakeholders❖ Clear organizational decision-making frameworks that enable the necessary independent decision-making at all levels (through defining appropriate red lines, etc.)❖ Robust training of staff and internal dissemination.
<i>All levels of decision-making</i>	Virtually all staff of humanitarian organizations carry out decision-making in one form or another. The principles are relevant for providing guidance at all levels of decision-making, both macro and micro, and consequently all humanitarian practitioners should have a firm understanding of the core humanitarian principles.

Study questions

1. Consider each principle and how it can assist in decision making.
2. How might an organization ensure that the principles are followed within the organization?

3. In what situations should organizations consider the application of the principles?
4. How can consideration of the principles improve long term outcomes for organizations and those it is assisting?

2.2 Recognizing the rationale behind decisions

Recognize the rationale behind specific operational plans, policies, decisions, and activities in terms of the principles.

Key Points and Concepts

<i>Building trust and securing access</i>	Humanitarian principles are considered a precondition for building and maintaining trust with local communities, military actors, non-State armed groups, public authorities, and others – thereby securing access to disaster- or conflict-affected people.
<i>Safety</i>	Adhering to and communicating their adherence to the principles is in many cases considered central to the safety of aid workers.
<i>Resource allocation</i>	Principles can aid long term thinking and provide a sound rationale for how to make the best use of resources – and build the stability and longevity of a mission.
<i>Consequences of ignoring the principles</i>	Consequences of not being guided by the principles in crisis situations can in some cases be severe even in the short term – and result in a loss of trust and ability to act in the medium and long term.

Study questions

1. How might the application of the principles improve organizational decision-making in the field?
2. How might application of the principles improve organizational decision making at the headquarters level?
3. What are the risks of the principles not being considered?

2.3 Responding to challenges to principled action

Identify appropriate responses to key existing and/or potential compromises/challenges to principled action in a given context.

Key Points and Concepts

	To be able to respond to the challenges in the field organizations can ensure that they are:
<i>Organizational measures</i>	<ul style="list-style-type: none">❖ developing clear guidance and systems for implementing and monitoring compliance with the principles;❖ developing clear decision-making frameworks;❖ adopting common approaches; and❖ strengthening training of staff and internal dissemination.
<i>Staff composition</i>	Ensuring that staff composition reflects the diversity of the operating environment can in some cases reinforce the local perception of the organization as principled, transparent, and accountable.
<i>Communicating with all actors</i>	A key finding of the <i>Stay and Deliver</i> study is that the greater an organization’s demonstrated capacity to communicate and negotiate with all relevant actors, the better access and security is achieved for humanitarian operations.
<i>Proximity</i>	Proximity to communities is essential for establishing accountability mechanisms and a needs-based approach, and support quality programming.
<i>Principled funding</i>	Humanitarian organizations also encounter significant obstacles in the area of “principled funding” – donor funding that enables principled humanitarian action. Ensuring needs-driven allocations, addressing the transition gap and safeguarding humanitarian aid from securitization and politicization are serious challenges. Humanitarian agencies need genuine and continuous dialogue with donors needed on a number of issues such as risk management, reporting, and accountability.

Recommended learning resources

For the *Stay and Deliver* study concluding that communicating with all relevant actors is a foundation for secure humanitarian access (see in particular pp. 18-25):



To Stay and Deliver: Good practice for humanitarians in complex security environments

Jan Egeland, Adele Hamer & Abby Stoddard (2011)

UN OCHA Policy and Studies Series

phap.org/ahpp-HHQU

Study questions

1. What does it mean for an organization to be working in close proximity to the community?
How does that concept relate to the principles?
2. What challenges might humanitarian organizations face related to donor policies and funding conditions that limits the possibility of applying the humanitarian principles?
3. How might local actors face different challenges to their applying humanitarian principles compared with international actors?

2.4 Communicating about the principles

Communicate to colleagues and to external stakeholders the core concepts behind each principle, their importance to humanitarian action, and the organization's commitment to them.

Key Points and Concepts

<i>Ongoing dialogue</i>	<p>Ongoing dialogue is an essential element in communicating about the principles – clarifying responsibilities, strengthening transparency, and enabling acceptance with all parties and actors in the context. This means identifying and engaging influential political, military, and religious leaders to further their understanding and acceptance of humanitarian action.</p>
<i>Different approaches to communication</i>	<p>Different approaches to communicating the principles are possible – the most suitable approach will depend on the organization and the context in which it operates. A report from NRC and ODI classified approaches to communicating the principles as follows:</p> <ul style="list-style-type: none">❖ Explicit: Principles are communicated at all stages of contact, negotiation, and discussion as concepts to which an organization strictly adheres.❖ Negotiated: Principles are integrated into messages about the organization and explained while discussing program implementation with stakeholders.❖ Implicit: Principles are embedded into an organization's best practice, but the fact is not overtly communicated.
<i>Communicating with all actors</i>	<p>A key finding of the <i>Stay and Deliver</i> study is that the greater an organization's demonstrated capacity to communicate and negotiate with all relevant actors, the better access and security is achieved for humanitarian operations.</p>
<i>Local politics</i>	<p>The principles can also help in negotiating community and local stakeholder politics. Tensions within communities can be exacerbated if an organization or project is seen as taking sides with a specific group or individual. The principles provide a platform for communication and negotiation, which humanitarian actors can use to explain why they are unable to engage in favoritism and patronage, or why they cannot align themselves with political factions within communities.</p>

Recommended learning resources

For the different approaches to communicating the principles (see pp. 7-10):



Tools for the Job: Supporting Principled Humanitarian Action

Ingrid Macdonald & Angela Valenza (October 2012)

Norwegian Refugee Council & ODI Humanitarian Policy Group

phap.org/ahpp-3UL7

For the *Stay and Deliver* study concluding that communicating with all relevant actors is a foundation for secure humanitarian access (see in particular pp. 18-25):



To Stay and Deliver: Good practice for humanitarians in complex security environments

Jan Egeland, Adele Hamer & Abby Stoddard (2011)

UN OCHA Policy and Studies Series

phap.org/ahpp-HHQU

Study questions

1. How would you define what the humanitarian principles mean and why they are important to someone who has never heard of them?
1. Can you explain simply what each of the principles mean? Which key words would you say are the most important for each principle?
2. How would you change your description of what the principles are and what they are for if your audience was the military instead of a local community?

Scenario

During a distribution of goods, a community member approaches you to complain that he is not eligible for assistance. He is angry because he believes that the real reason he was overlooked is that the local staff member who was tasked with registration is a member of an opposing political party. In fact, the community member was excluded on the grounds that their livelihood status does not merit assistance, given the much greater needs among others in the community.

How can the principles assist you to explain the situation to this person?

2.5 The principles in negotiations with external stakeholders

Employ the principles in negotiations with external stakeholders.

Key Points and Concepts

Claims, behavior, and perceptions

It is not enough for an aid agency to simply claim that it is impartial, neutral, and independent, or that it is there solely to meet humanitarian needs. Agencies must be seen to behave accordingly. Any deviation from agreed or accepted actions and behaviors can exacerbate suspicions. High-quality programming that is responsive to community needs is essential to maintaining positive perceptions and enabling agencies to work safely.

Recommended learning resources

For a clear overview of how to incorporate humanitarian principles in negotiations with armed groups (see pp. 25-29):



Humanitarian Negotiations with Armed Groups: A Manual for Practitioners

Gerard McHugh & Manuel Bessler (January 2016)

United Nations

phap.org/ahpp-PFVK

For an overview of the components of humanitarian negotiations:



Negotiating humanitarian access: Between a rock and a hard place

Soledad Herrero (February 2014)

PHAP's member article

phap.org/ahpp-WM5N

For a discussion of negotiating access in line with the humanitarian principles (see pp. 21-25):



What's the magic word? Humanitarian access and local organizations in Syria

Saleem Haddad and Eva Svoboda (2017)

Humanitarian Policy Group (HPG)

phap.org/ahpp-WM5M

Additional learning and resources

For a study on the perceptions of non-State armed groups, including on how they understand the humanitarian principles (see pp. 10-12):



In Their Words: Perceptions of Armed Non-State Actors on Humanitarian Action

Ashley Jackson (May 2016)

Geneva Call

phap.org/ahpp-2A7Y

For an in-depth analysis of negotiations for access as carried out by MSF and how the principles are used and compromised in various situations [full version not freely available]:



Humanitarian Negotiations Revealed: The MSF Experience

Claire Magone, Michael Neuman & Fabrice Weissman (2011)

Hurst & Company

phap.org/ahpp-AEKS

For a study on humanitarian negotiations with Al-Shabaab in Somalia, concluding that organizations pursuing an approach of continuous engagement at all levels were more able to implement principled assistance:



Talking to the other side: Humanitarian negotiations with Al-Shabaab in Somalia

Ashley Jackson & Abdi Aynte (December 2013)

Humanitarian Policy Group Working Paper

phap.org/ahpp-CPDA

For an example of a negotiated compromise and the ensuing challenges from the humanitarian operation in Bosnia (see p. 15)



The humanitarian operation in Bosnia, 1992-95: dilemmas of negotiating humanitarian access

Mark Cutts (May 1999)

UNHCR, Policy Research Unit, New Issues in Refugee Research, Working Paper No. 8

phap.org/ahpp-4MX2

For a manual on humanitarian negotiation techniques and best practice (not directly referencing using the principles) (see p. 36):



Humanitarian Negotiation: A Handbook for Securing Access, Assistance and Protection for Civilians in Armed Conflict

Deborah Mancini-Griffoli & André Picot (October 2004)

HD - Centre for Humanitarian Dialogue

phap.org/ahpp-UT5T

Study questions

1. How might each of the principles be used in a negotiation for access?

2.6 The principles in discussions within the humanitarian sector

Employ the principles in negotiations or discussions within the humanitarian sector.

Key Points and Concepts

<i>Interdependence</i>	The inter-agency nature of most operating environments or humanitarian organizations means that the actions of one organization may affect the perceptions of humanitarian response as a whole. If one agency is not acting in a principled manner, that can affect the perceptions of other agencies, and the extent to which they are accepted and protected. External actors are likely to associate humanitarian actors with each other, given the shared “labelling” and overall mission of humanitarian actors.
<i>Uneven understanding</i>	Given an uneven understanding and – on certain points – interpretation of the principles across different organizations in the humanitarian sector (and between individuals within the same organization), it is necessary to be very clear in communications and discussions to ensure that all stakeholders understand each other
<i>Principles and coordination</i>	Many systemic issues facing principled humanitarian work could benefit from a better coordinated approach, including responding to counter terrorism measures and policies of donors.

Study questions

1. Describe an example of how a humanitarian organization might choose to compromise on its principles in order to align its work with other parties.

2.7 Protection against external pressures

Employ the principles to protect the organization against external pressure or security risks.

Key Points and Concepts

<i>Interdependence</i>	Recent research highlights the perceived loss of impartiality and neutrality of humanitarian action, including as a result of politicization, militarization, or instrumentalization of aid in recent conflicts in Iraq, Afghanistan, Syria, Somalia, and elsewhere. This is seen to be exposing humanitarians to greater levels of hostility as well as direct attacks on aid workers.
<i>Increased risks</i>	Following a principled approach can often result in an organization becoming subject to increased security risks, for example if the organization is determined to provide assistance to areas where the needs are greatest, but where their staff may come under direct attack.
<i>Perceptions of principled action: Overall respect</i>	The principles are primarily useful for improving security in volatile situations if governments and non-State armed actors see value in allowing and respecting principled humanitarian actors on their territory. Building this kind of respect is in general a long-term project, which to a considerable degree overlaps with building respect for international humanitarian law (IHL). Actors particularly concerned with building this longer-term perspective include the International Committee of the Red Cross (ICRC).
<i>Perceptions of principled action: Image management</i>	Apart from building respect for principled humanitarian action, humanitarian organizations also have to work on ensuring that actors consider their organization as principled in order to strengthen their security. In many situations, the principle of neutrality is of particular importance for such image management for security purposes.

Domain 3: Key Challenges to the Humanitarian Principles

The third domain of the body of knowledge for Applying Humanitarian Principles in Practice covers both conceptual and externally imposed challenges to implementing a principled approach.

This domain constitutes 12% of the certification assessment.

Domain Outline

Humanitarian practitioners must be able to:

- 3.1 Identify the key conceptual challenges to the principles.
- 3.2 Recognize common external challenges to the implementation of the principles, such as contextual factors or political and military actions.
- 3.3 Recognize common internal challenges to the implementation of the principles, including both sectoral and institutional issues.

General Recommended Reading and Resources

For an overview of pressures both internal and external to the humanitarian sector:



Protecting Humanitarian Action: Key Challenges and Lessons from the Field

Julia Brooks (October 2016)

ATHA - Harvard Humanitarian Initiative

phap.org/ahpp-PV29

For an overview of the main challenges faced in the field when delivering principled humanitarian assistance through four case studies:



Challenges to principled humanitarian action: Perspectives from four countries

Norwegian Refugee Council & Handicap International (July 2016)

phap.org/ahpp-RAHB

3.1 Conceptual challenges

Identify the key conceptual challenges to the principles.

Key Points and Concepts

<i>Prolonged nature of conflicts</i>	<p>While the principles were first and foremost developed to respond to short-term crises and conflicts, the prolonged nature of today's conflicts often leads to a disintegration of State infrastructure and institutions. Humanitarian organizations are confronted with transforming vulnerabilities of populations and needs beyond the traditional scope of humanitarian action like food, water, shelter, and medicine.</p>
<i>Questioned universality</i>	<p>The universal nature of the principles has been questioned, as part of a criticism that the humanitarian principles are a Western-centric concept. This criticism underlines the need to continue the dialogue between faith-based and secular actors, across different cultures, religions, and States to ensure that there all actors can understand each other's' viewpoints on central humanitarian concepts.</p>
<i>New technologies and operational models</i>	<p>New technologies provide both opportunities for and threats to principled humanitarian work. While new technologies can improve the ability to communicate directly with affected people, to provide immediate assistance through electronic cash transfers, and collect information more quickly, they also have potential to weaken the application of the principles when leading to fundamentally changed operational models.</p>
<i>Integrated agendas</i>	<p>The legitimacy of principled humanitarian action is being challenged by a number of national and international actors who purposefully mix essential emergency programs with political, security, developmental, or otherwise "transformative" goals. An increasing number of programs and donor policies expect humanitarian actors not only to cover humanitarian needs, but also lay the ground for gender equality, social equity, and sustainable development. While the integration of relief and assistance activities into such agendas provides significant benefits in terms of sustainable developmental goals or the promotion of human rights, it comes at a cost of potentially politicizing humanitarian action and making it difficult for organizations to remain neutral and independent.</p>

Study questions

1. Which conceptual challenge to principled humanitarian action do you regard as the most pressing? Why?

3.2 External challenges

Recognize common external challenges to the implementation of the principles, such as contextual factors or political and military actions.

Key Points and Concepts

<i>9/11</i>	<p>The attacks of 11 September 2001 are often cited as a turning point which dramatically changed how war is fought, and the way humanitarian action can be carried out in conflict situations, often with grave consequences for civilians and those trying to assist them.</p>
<i>Polarization challenging neutrality</i>	<p>On the one hand, States have taken a hard line against what they consider to be terrorist groups, using controversial measures that may step beyond the bounds of accepted practice under international humanitarian law and human rights law. Meanwhile, radical non-State entities have increasingly resorted to non-conventional methods of warfare, including deliberate attacks against civilians and so-called soft targets, including humanitarian organizations. In an increasingly polarized environment, the expectation that everyone will take sides grows, posing a considerable challenge to principled humanitarian action.</p>
<i>“Hearts and minds”</i>	<p>In addition, efforts to “win hearts and minds” in major armed conflicts, e.g. in Afghanistan, have blurred the lines between political and military strategies on the one hand, and humanitarian action on the other. Those engaged in the fighting and people in adversely affected communities have in many cases tended to associate the overall humanitarian response with a political or military agenda.</p>
<i>Coherence</i>	<p>Donor States and host States commonly want humanitarian action to contribute directly or indirectly to their own national interests. The resulting drive towards increased “coherence” aimed at harmonizing political, military, and humanitarian objectives creates challenges to upholding humanitarian principles for humanitarian organizations.</p>
<i>Counter-terrorism measures</i>	<p>Counter-terrorism measures raise serious obstacles to principled humanitarian action and to accessing populations in need. Such measures generally seek to criminalize the provision of “material support” to designated terrorists or other proscribed groups, posing a challenge to impartial assistance and maintaining perceptions of neutrality. Material support is defined very broadly and can include humanitarian aid that may end up directly or indirectly benefiting a blacklisted group, regardless of intent of the humanitarian organization.</p>

Study questions

1. Which conceptual challenge to principled humanitarian action do you regard as the most pressing? Why?

3.3 Internal challenges to the implementation of the principles

Recognize common external challenges to the implementation of the principles, such as contextual factors or political and military actions.

Key Points and Concepts

Need for consistent consideration

The principles are not a box ticking exercise but a framework that needs consistent and intelligent consideration.

Increased diversity

The number of organizations providing humanitarian assistance has grown considerably in recent years. While a diversity of perspectives and approaches is in general a good thing, the proliferation of organizations with widely different interpretations of humanitarian principles and their uneven application has led to considerable confusion.

Lack of guidance

Several reports have noted a lack of guidance, both sectorally and at the individual agency level, on how to operationalize the humanitarian principles.

Coordination challenges

Given the nature of humanitarian work, and the humanitarian principles themselves, coordination and collective action is often complicated. Decisions often need to be made based on sensitive information, leading to a reluctance for agencies to share information and address issues collectively in a principled manner.

Perceptions of UN agencies

In some places, the United Nations is perceived to be a party to certain conflicts because UN peacekeeping troops are deployed, a Security Council resolution has authorized the use of force by one or more member States, or because the UN is working directly in support of governments to which there is armed opposition. In such situations, the neutrality and independence of UN humanitarian agencies is frequently called into question, and how the UN are seen in a conflict can have wider effects for other non-UN humanitarian organizations

Domain 4: Applying the Principles in the Institutional Environment

The fourth domain of the body of knowledge for Applying Humanitarian Principles in Practice covers the ability to apply the principles at the strategic and organizational policy levels.

This domain constitutes 12% of the certification assessment.

Domain Outline

Humanitarian practitioners must be able to:

- 4.1 Employ the principles in long-term planning to improve the organization.
- 4.2 Situate the principles within an organization's mission and core strategies.
- 4.3 Use the principles as guidance in the establishment of internal policy.

4.1 Long-term planning

Employ the principles in long-term planning to improve the organization.

Key Points and Concepts

<i>Different levels of applicability</i>	Humanitarian principles apply at the individual, operational, and institutional levels as a set of shared standards that can be used to shape day-to-day operational decisions in the field, as well as decide on long-term strategy.
<i>Long-term benefits</i>	At the organizational and governance levels, the systems, approaches, and relationships that are underpinned by the principles may contribute to acceptance and trust of the organization which can bring benefits for example through improved security of staff, improved trust with external stakeholders, and access to certain kinds of funding.
<i>Why principled action?</i>	For long-term planning, clarity about the reasons why an organization is following the humanitarian principles is particularly important in order to provide meaningful guidance to staff operating in different roles and contexts.
<i>Long and short term tensions</i>	Tensions can arise between long term strategic goals and compromises to the principles – for example between immediate operational activities to address needs and long term access. Having long-term organizational planning informed by the principles can reduce such tensions.
<i>Predictability</i>	Considering the local context is essential – yet given the interconnected nature of today’s world, decisions taken in one region of the world can impact on other operations. Consistent, principled decision-making will not be a panacea but can enhance the predictability of an organization for its staff and the communities and authorities it works with.
<i>Cost of a principled approach</i>	When forming organizational strategy, it is important to understand that following a principled approach comes at a cost, both in terms of financial resources and in terms of restricting suitable modes of operation.

4.2 Mission and core strategies

Situate the principles within an organization's mission and core strategies.

Key Points and Concepts

<i>Mission statements</i>	Mission (and vision) statements is a prominent way to articulate how an organization works. Some humanitarian organizations specifically refer to the principles in their mission statements, while others do not.
<i>Underlying rationales</i>	Regardless at what level they communicate, all organizations with a commitment to the humanitarian principles should be able to articulate the organization's rationale behind why they have decided to follow them and how they are including them in their decision-making.
<i>Moving from statements to implementation</i>	Including them in publicly (or internally) facing strategies and communications is not enough to actually implement them. The principles must be revisited, examined, emphasized in debates, used to approach dilemmas, and promoted in management decision-making and corporate strategies.

Recommended learning resources

For a comparison of the International Committee of the Red Cross (ICRC) and Médecins Sans Frontières and their adherence to the principles:



Médecins Sans Frontières and the ICRC: matters of principle
[Rory Braumann \(2012\)](#)

International Review of the Red Cross, Vol 94, No. 888

phap.org/ahpp-RAHC

4.3 Internal policy

Use the principles as guidance in the establishment of internal policy.

Key Points and Concepts

For the most part, policy documents of humanitarian organizations address humanitarian principles broadly, rather than in depth. However many, if not most, areas of an organization's policies can benefit from being reviewed with a humanitarian principle lens. A report from NRC and ODI identified the following areas:

- ❖ **Public messaging and advocacy:** Many organizations engage in advocacy in support of the principles, including with political and military entities, especially related to conflict, security, and aid.
- ❖ **Codes of conduct:** Many organizations include the principles in their own policies and codes of conduct. Some require staff to sign these policies, acknowledging that they have read them and agree to adhere to them.
- ❖ **Security management:** Increased awareness of the risks humanitarian actors face, and the chronic insecurity of the environments in which they operate, combined with the recognition by many agencies of the need to strengthen staff understanding of security policies and protocols, have led the principles to be increasingly integrated into security management, including guidance on acceptance strategies.
- ❖ **Fundraising and funding:** The principles often plays an important role when designing fundraising and considering funding operations from both corporate and government donors.
- ❖ **Recruitment and procurement policies:** To promote the impartial distribution of aid (perceived and actual), some organizations have recruitment policies to ensure that their staff members reflect the ethnic diversity of the operational environment. Some also apply this concept to contractors and suppliers. Non-discrimination is also normally a cornerstone of recruitment and procurement.

Policy areas commonly referencing principles

Investing in staff knowledge and confidence to apply the principles consistently has been identified as a challenge and as imperative. The behavior of individual staff members is critical for the reputation and acceptance of an organization. Ensuring that staff use principles as a framework for all levels of decision-making is essential for consistency and managing perceptions.

Staff capacity

Recently attention has been given to the extent to which implementation of the principles can be evaluated and measured as well as how this can contribute to evaluating the overall effectiveness of a humanitarian mission, including through the Humanitarian

Organizational evaluations

Quality Assurance Initiative (HQAI), which accredits organizations to the Core Humanitarian Standard on Quality and Accountability (CHS).

Recommended learning resources

For an overview of the main policy areas commonly referencing principles (see pp. 6-7):



Tools for the Job: Supporting Principled Humanitarian Action

Ingrid Macdonald & Angela Valenza (October 2012)

Norwegian Refugee Council & ODI Humanitarian Policy Group

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