

Briefing and discussion: Realities of being principled in today's field operations

Summary report of the online briefing and discussion event organized on 8 October 2015 on NRC's forthcoming study "Principles and Pragmatism in Conflict Settings"

October 2015



Professionals in
Humanitarian Assistance
and Protection



NORWEGIAN
REFUGEE COUNCIL

October 2015

CONTACT

International Association of Professionals in
Humanitarian Assistance and Protection (PHAP)
Rue de Montbrillant 87
1202 Geneva, Switzerland
+41 22 518 04 58
info@phap.org

DISCLAIMER: Neither PHAP nor any of its employees, nor any of their contractors, subcontractors or their employees, makes any warranty, express or implied, or assumes any legal liability or responsibility for the accuracy, completeness, or any third party's use or the results of such use of any information, apparatus, product, or process disclosed, or represents that its use would not infringe privately owned rights. Reference herein to any specific commercial product, process, or service by trade name, trademark, manufacturer, or otherwise, does not necessarily constitute or imply its endorsement, recommendation, or favoring by PHAP. The views and opinions of authors expressed herein do not necessarily state or reflect those of PHAP.

Briefing and discussion: Realities of being principled in today's field operations, 8 October 2015

Speakers

Andrew Cunningham, Research Consultant, Principles and Pragmatism in Conflict Settings Project

Fadi Hakim, Coordinator, Syrian NGO Alliance

Nathalie Herlemont-Zoritchak, Director of Operational Development, Handicap International Foundation

Christian Huber, Humanitarian Principles Advisor, Norwegian Refugee Council

Facilitator:

Angharad Laing, Executive Director, International Association of Professionals in Humanitarian Assistance and Protection (PHAP)

Executive Summary

On 8 October 2015, PHAP hosted a live online briefing and discussion event¹ in collaboration with the Norwegian Refugee Council (NRC) and Handicap International on NRC's forthcoming study *Principles and Pragmatism in Conflict Settings – Field perspectives*. The event attracted more than 100 participants who participated actively in the chat and Q&A, as well as the interactive participant polls.

The event started with an introduction from Christian Huber on the background and rationale of the study. The objective was to better understand how humanitarian agencies apply humanitarian principles in their field operations in order to generate recommendations relevant for states, donors, armed actors, and humanitarian organizations.

Andrew Cunningham, one of the researchers of the study, gave a presentation on the case studies for the study conducted in Colombia, Nepal, South Sudan, and Turkey (on the Syria response). The preliminary findings indicated a major disconnect between theory and practice for how the principles are followed in the field. The main challenges in these contexts concerned the politicization and diversion of aid, access constraints, and the financing of aid.

This was followed by a moderated panel discussion, including Fadi Hakim and Nathalie Herlemont-Zoritchak, which focused on the following:

- Humanity is the foundational principle, yet it is not mentioned or discussed very often; sometimes, going back to the principle of humanity could help an organization in their decision-making.
- In Syria, local actors are often trying to implement humanitarian principles, but without the experience of humanitarian action, support is needed for them to deal with the steep learning curve.
- We need to keep in mind the coexistence of humanitarian principles and pragmatism. Humanitarian actors in the field have to make choices, and when the principles contradict each other or other priorities, this leads to compromises.
- Actors working in the field must explain the actions that they take and on what basis. While it is a shared responsibility to inform about humanitarian principles, humanitarian actors have a special role to play.
- It is often easier to gain access for highly principled organizations, as principles aid in negotiating access.

¹ A recording of the event is available at <https://phap.org/OEV-8oct2015>

Introductory remarks

Christian Huber introduced the project along with the main objectives of the research: to better understand how humanitarian agencies apply and promote humanitarian principles and strengthen their application throughout the humanitarian system. Based on this, the aim of the study was to develop recommendations for states, armed actors, donors, and humanitarian organizations with practical measures to strengthen the operationalization of humanitarian principles based on actual needs and challenges in the field.

Presentation of preliminary findings

Following this introduction, **Andrew Cunningham**, one of the researchers for the project, gave a brief summary of some of the preliminary findings from the case studies in Colombia, Nepal, South Sudan, and Turkey (on the Syria response) and the reason for their selection as cases. The objective was to select a variety of cases from a variety of geographical locations and types of contexts, with a focus on situations of armed conflict.

Colombia has experienced a long-term conflict and has been engaged in peace-talks since 2012. It is a middle-income, development context with a presence of other situations of violence (primarily criminal activities not directly related to the conflict). The country is also prone to natural disasters.

- Humanitarian principles are generally seen as useful by the organizations that participated in the research and are seen as an important framework for decision making.
- *Independence:* With the political agendas of both foreign donors and the Colombian government active in both coordination and funding of aid, the possibility for independent humanitarian action could be questioned.
- *Impartiality:* It is not always easy for humanitarian actors to get security clearance for more remote areas. Moreover, there is a lack of a clear legal framework to facilitate access to people suffering from non-conflict related violence, leaving certain vulnerable groups out of the radius of humanitarian action.
- *Neutrality:* With close links between many humanitarian agencies and organizations and the government, usually in the form of development partnerships, the perception of their neutrality is impacted.

South Sudan faces a long-standing conflict, previously between North and South Sudan, and now an intense civil conflict in the newly independent country.

- In theory, there is generally a good understanding of humanitarian principles, but there are concerns about their practical application. There was concern that various stakeholders – whether government, local authorities, or even local communities – in some circumstances will use principles against the humanitarian actors themselves and manipulate the way in which humanitarian action is provided. Sometimes, the actual practice of using humanitarian principles in the field is understood better by the local actors than by the international actors.
- *Independence:* As the current crisis concerns a civil conflict in a complex geopolitical situation, both the government of South Sudan and foreign donors have a strong influence on how humanitarian action is carried out. The dependence of organisations on donor funding also imposes limits on programming.
- *Impartiality:* There is obstruction from the government to reach certain areas, both bureaucratic and political. There are also logistical and security constraints that constrain access in remote areas. There is concern from local communities of diversion of aid due to political considerations.
- *Neutrality:* It is particularly difficult for national NGOs and national staff to be seen as neutral because of their ethnicity, where they come from, or other factors. This can also lead to the perception of lack of neutrality of the organization they represent. Moreover, the lack of distinction between humanitarian actors and UN peacekeepers is problematic for the perception of neutrality.

Syria is currently experiencing an active civil conflict, a highly insecure setting for the population and humanitarian actors, while also presenting a highly internationalized, geo-politically sensitive, and complex environment.

In general, humanitarian principles are known by the actors, but implementation is very difficult, especially in the context of remote management of operations. The concept of acting as an NGO is new to local Syrian actors, as is acting in accordance with humanitarian principles.

- *Independence:* This principle is a sensitive issue in a highly politicized context such as Syria –donors and governments have particular agendas, leading to a perceived lack of independence of NGOs. Anti-terrorist laws and sanctions lists make it difficult for humanitarian actors to negotiate access with certain armed groups and stops them from independently determining with whom and how they need to engage.
- *Impartiality:* Local actors tend to conflate impartiality with neutrality, to a large degree due to the Arabic language not distinguishing between the two concepts. Impartiality is also made difficult by lack of access and the need for remote management of operations due to the security situation.
- *Neutrality:* Humanitarian actors active in the Syrian context had questioned whether neutrality was possible for either international or national actors.

Nepal is a development, post-conflict context, prone to natural disasters and politically very unstable. It was chosen as a case study to see if humanitarian principles were relevant in development contexts and not just ones with active armed conflicts.

- Humanitarian principles are known, but as it is primarily a development context, they are not given as much weight as in conflict zones, and organizations often have to shift their approach to them in emergencies.
- *Independence:* In emergency situations, it is hard for humanitarian organizations to work outside of the parameters set up for development actors. It is difficult to shift from government influenced development programming to more independent aid programming.
- *Impartiality:* There is social exclusion of certain groups. International agencies want to target those most in need, who are often also the most socially excluded, but the government of Nepal does not appreciate this focus, instead preferring an equal distribution of aid rather than targeted distribution.
- *Neutrality:* The attempts by political actors to co-opt humanitarian aid leads to constant tension. This leads to the question of how neutrality should be best used in relation to domestic political issues in a non-conflict setting.

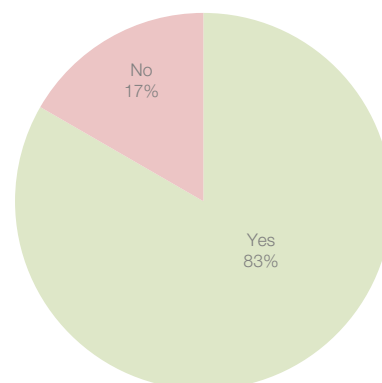
Andrew Cunningham concluded that while humanity is a foundational principle and the core of humanitarian action, it did not typically come up in discussions with the interlocutors. Going back to the principle of humanity can help an organization clarify some of its dilemmas and discussions on the principles would benefit from including this principle as well.

Panel Discussion

Question: There are situations where agencies choose to deliver aid to certain groups, who have a more acute need. However, other groups that may also be in need may not see this favorably. How should the more principled approach be reconciled with the perception of populations in need?

Nathalie Herlemont-Zoritchak answered that this is one of the main challenges related to humanitarian principles, and different humanitarian actors and beneficiaries will have their own perception of humanitarian principles. Humanitarian principles are not always adhered to across the board; humanitarian actors in the field have to make choices, and when the principles contradict each other or other priorities, this leads to compromises. It was also important to keep in mind that humanitarian principles are no longer the property

Participant poll:
Have you come across cases when communities find it unacceptable that humanitarian principles are followed? (n=24)



of humanitarian actors, but must be actively shared with other actors.

Question: How can we make neutrality and impartiality better understood, especially among local staff that may be very new to humanitarian action?

Fadi Hakim said that one of the biggest challenges faced by organizations in Syria is that most local staff was not working in the humanitarian domain before the start of current crisis. Because most local NGOs are working only on one or the other side of the conflict, they were to a certain extent incapable of being neutral and impartial even if they wanted to. He also pointed out that they were currently working on improving understanding of the humanitarian principles among the public and to convince them that this would lead to improved delivery of humanitarian assistance.

Question: When it comes to language, is there too great a focus on the specific formulation of the humanitarian principles, as they may not always translate that well?

Fadi Hakim agreed that the translation into Arabic led to confusion between neutrality and impartiality. There is also a lack of resources available in Arabic on this topic. While contextualizing the principles may help, language is not the only barrier to understanding – there also needs to be history and experience for humanitarian workers of working with the principles, which was largely absent from Syria until 2011.

Question: Could you elaborate on the possibility of adhering to the principle of neutrality in Syria?

Andrew Cunningham explained that the report is based on discussions with both national and international actors. For each case study there had been a principle that had the most challenges associated with it, and in the case of Syria it was neutrality. Several interlocutors there noted that neutrality is important but that there are no neutral actors in Syria. It is very difficult for Syrians working for NGOs or international organizations to be neutral. Meanwhile, for international NGOs, due to the

Participant poll: Are translations of the principles problematic?

Sometimes concepts are differently understood, such as neutrality, so there are some difficulties when you don't talk about it.

Health Cluster Expert, United Kingdom

Yes, as spoken about, in Arabic, we had to have those translated in house. In DRC they are available in French but no other local languages such as Lingala.

Staff member, International NGO, Lebanon

Participant poll: Where did communities find it unacceptable?

South Sudan.

Many instances in East Africa, both in communities, but also in government institutions.

Nicaragua & South Africa.

Pakistan in the current situation.

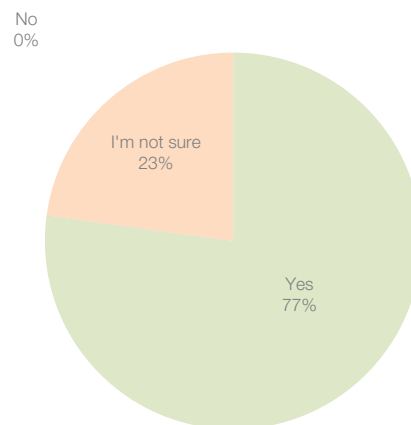
Indonesia.

Under integrated mission in Afghanistan.

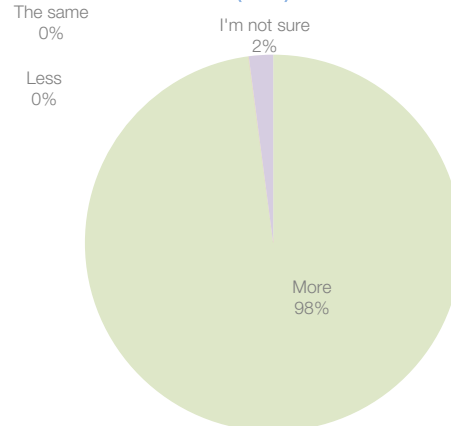
Some Lebanese communities opposed aid given to Syrian refugees in the Bekaa, especially last summer as a DA'ASH (ISIS) presence was strongly felt in Aarsal.

Kosovo.

Participant poll: Are principles still relevant as a primary reference point for humanitarian action? (n=35)

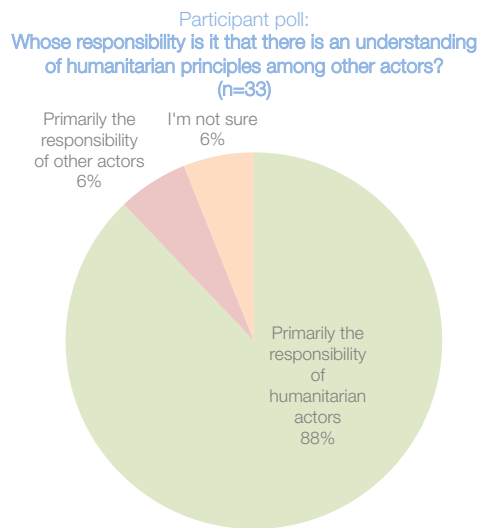


Participant poll: Has the humanitarian aid environment become more or less politicised over the last 10 years? (n=36)



highly politicized nature of the context, it is also very difficult for them to remain neutral. We may not be able to say that it is a neutrality-free zone, but it is extremely difficult to maintain neutrality.

Question: Whose responsibility is it to ensure that there is awareness of humanitarian principles among relevant actors?



Participant poll: Whose responsibility is it that there is an understanding of humanitarian principles among other actors?

Shared responsibility; defaults to humanitarian actors when needed.

Research analyst, United States

Humanitarian professionals should be exactly that, professionals who know their work and inform those involved who may not be previously exposed to these principles.

Staff member, international aid agency, Lebanon

Humanitarian actors and states (donors and affected states alike).

Humanitarian affairs consultant, Germany

Nathalie Herlemont-Zoritchak answered that to complement initiatives at the global level, each actor who is active in the field must explain why the humanitarian principles are important so that the local population understands. Impartiality is related to making choices – it is not about refusing to make choices and it is not equality, as it refers to needs. It is very important to elaborate needs assessments together with the affected populations, and to link this analysis with a “do no harm” analysis. It is also important to look at the way the population itself considers its needs rather than only relying on our own perspective. This could be a way to improve the way we develop impartial activities and lead to a better understanding from affected populations.

Question: In South Sudan, are the humanitarian actors able to handle how their impartiality is perceived given the impact of the diversion of aid in the country?

Nathalie Herlemont-Zoritchak agreed that the diversion of aid in South Sudan is a major challenge, with many actors trying to divert humanitarian aid for their own benefit. Just like in Syria, in South Sudan it is very difficult to retain being perceived as neutral in the internal conflict. The affected population thinks that most local NGOs are politicized, but this gap between perception and real action makes it difficult to know the actual level of diversion in this context.

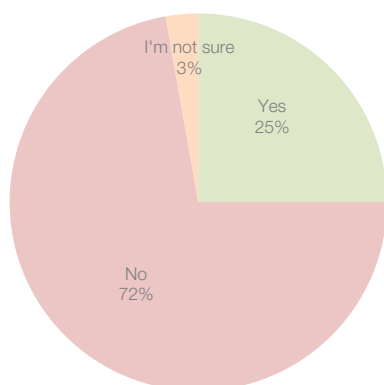
Question: The case study in Nepal pointed out a violation of the principle of impartiality, where humanitarian actors are unable to target aid to certain groups due to government policy. Meanwhile, Nepal has been held up as an example of constructive government engagement in development. Are we likely to see similar tensions with other governments follow the same route as Nepal?

Andrew Cunningham concurred that Nepal is held up as an example for how governments can coordinate aid. There are, however, some negative consequences due to this in Nepal – not only for humanitarian assistance, but also in non-emergency circumstances. Governments will have their own perspectives, which will clash with the perspectives of international organisations. It is likely that we will be faced with this kind of issue in other contexts.

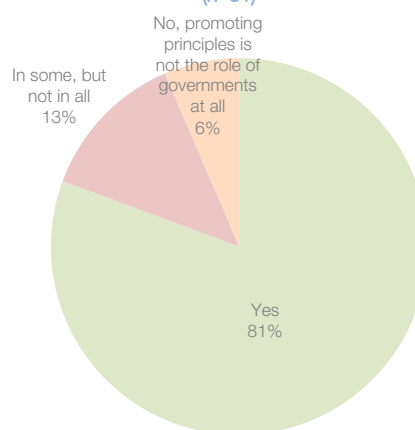
Question: The case studies point to the wide range of ways donors approach principles, depending on the context. Can we expect a more consistent approach from donors?

Fadi Hakim pointed out that there has been a sharp decrease in aid to areas controlled by ISIS due to counter-terrorism measures and how they relate to financing. Most local actors would be afraid of being accused of siding with the group and having all of their operations completely stopped. He recommended finding ways to instead support and provide protection to these humanitarian actors, who are willing to provide assistance in these particularly dangerous areas. He also noted that counter-terrorism measures also has an impact on the pooled-fund for local NGOs, as all transactions are taking a very long time in order to implement due to the counter-terrorism checks and verifications.

Participant poll:
Can humanitarian action exist without the humanitarian principles?
(n=36)



Participant poll:
Should donors actively and consistently promote the humanitarian principles in all humanitarian contexts?
(n=31)



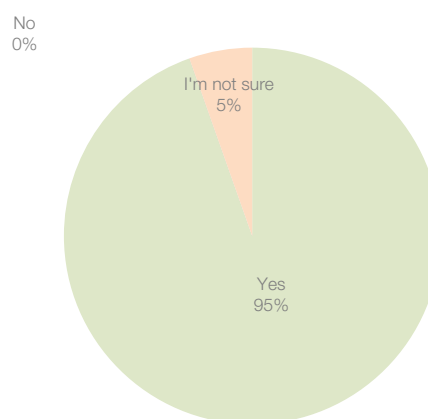
Question: Have you come across situations where principles need to be set aside in order to deliver aid?

Nathalie Herlemont-Zoritchak answered that principles should never be set aside. While on the one hand, decisions need to be made that compromise the principles to a certain extent, it is essential that impartial assistance is delivered to those in need –many organizations find themselves in situations where humanity and impartiality are prioritized over independence and neutrality.

Question: When thinking about principles and access, should we differentiate between “Dunantist” organizations, who are normally universally present and are also known for adhering strongly to principles, such as the ICRC, and other humanitarian actors?

Andrew Cunningham said that it can be very difficult for multi-mandate organizations to implement humanitarian action in a principled manner, especially in conflict areas, due to the variety of other policies and principles that drive their actions. Purely humanitarian organizations that put humanitarian principles at the center of their decision-making do seem to be better at gaining access in conflict zones, especially for those that have independence in decision-making stemming from their funding structure.

Participant poll:
Are principles useful in negotiating access?
(n=37)



Closing Remarks

Fadi Hakim stated that at least in the Syrian context, local actors are trying to implement humanitarian principles, even if they are not always succeeding. The intentions are ever-present, but there is a learning curve, and the best thing that we can do is to further build their capacity and advocate for their protection to be able to bring assistance.

Andrew Cunningham emphasized the importance of the principle of humanity. While we often talk about the other three principles, we rarely talk about humanity. Bringing in the principle of humanity would make many of the discussions around principles easier, as it would make the fundamental starting point for the assistance clearer.

Nathalie Herlemont-Zoritchak highlighted that we need to keep in mind the coexistence of humanitarian principles and pragmatism. We will always have to make ethical choices and we are not intervening in a vacuum – we are affected by each action made by the other actors in humanitarian contexts.

