

Revisiting the meaning of some humanitarian principles in new contexts

The traditional and universally accepted humanitarian principles, most of them captured in the so called “Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief”, have a history and background behind them which reveals how they were born, in which context and for what expected use.

Since its origin and later development, many things have changed in the humanitarian sector, and the evolution has been accelerated in the last years.

Some of the most significant trends in the sector are the increasing capacity of local, national and regional actors to respond to humanitarian crises; and the integration of a more comprehensive approach that includes building resilience as a key element of humanitarianism. Many other aspects like the professionalization of the sector, the entrance of new actors, the increasing emphasis on natural disasters while armed conflicts are taking new shapes, are new features of modern humanitarianism.

In this context and looking at the real scenarios where humanitarianism is taking place it is important to reaffirm the fundamental humanitarian principles, and at the same time, having enough courage to read them in the current contexts and times, rather than keeping and orthodox and rigid understanding of some of these principles.

I want to analyze a bit more in detail the principles of impartiality and independence, assuming that neutrality is not a common shared principle, at least as it is currently stated in the above mentioned code of conduct.

By Impartiality, traditionally we refer to ensuring that aid is given regardless of the race, creed or nationality of the recipients, and without adverse distinction of any kind; making sure that aid priorities are calculated on the basis of need alone; and aid will not be used to further a particular political or religious standpoint.

By independence we refer to Aid not being used or conditioned by the adherence of the recipients to certain opinions or standpoints. At the same time Humanitarian agencies ensure that they act independently from governments, and will formulate their own humanitarian policies and implementation strategies based on the needs and suffering of the victims.

More and more Humanitarian actors are local or national actors and therefore they are part of the society they belong to; and frequently they have social and political standpoints, so neutrality is a complex principle to be applied to genuine local actors, as usually they are an active and committed part of the society they are working with and serving to.



Having said this, the question of impartiality and independence becomes very relevant, and even if local, national humanitarian organizations are not neutral, (as many other International NGOS aren't) their independence and impartiality in practice are a condition "*sine qua non*" that should not be compromised.

Frequently international agencies might pose difficult questions to local and national NGOS regarding their ability to operate in an independent and impartial way inside their own country. We have seen this in many places as Darfur, Western Sahara, Palestine, and most recently in Myanmar. Being the question fair, legitimate and necessary, it should be posed carefully, and its answer should be listened with a very open mind and with good contextual knowledge.

In some cases international agencies might make "puritan" judgments on the inability of national NGOs to operate in an independent and impartial manner, and might restrict or cut funding support to these organizations, claiming that they cannot prove their full adherence to those humanitarian principles. Sometimes these judgments are done too quickly, too hands off and with not enough knowledge of the real humanitarian context. Frequently the direct implication of this kind of "preventive measures" is that victims are deprived of humanitarian aid, as in some cases only local and national NGOs do have access to the affected areas.

We might claim the debate of humanitarian access, and once more make the distinction between humanitarian access as such, and access of International agencies. Sometimes humanitarian access exists but the verification mechanisms of the conditions behind this access are not available to international agencies, but this does not mean that there is not humanitarian access.

National and local humanitarian actors should fully abide to all humanitarian principles stated in the Code of Conduct, but the way this is assessed or judged by the international humanitarian community, is still far away from being objective and responsible in the way some decisions are made.

External actors should not confuse being national with being partisan or non impartial in practice. The Humanitarian community must be aware of the risks involved in specific contexts, but prejudging organisations on the sole basis of its national backgrounds is not only unfair but a serious lack of professionalism in humanitarian terms, as the consequences could be devastating for the communities relying on the aid provided by those local actors.

Therefore I suggest that deep and sound conversations among international agencies and national ones should take place to set clearly the practical constrains as well as the verifications sources on how the principles of impartiality and independence are applied in practice. Humanitarian actors should agree on ways to ensure accountability on the implementation of those principles based on the actions and results of the humanitarian response, rather than on speculative assumptions with no evidence. The International Humanitarian community should



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avoid at all time to prejudge misconduct of national organisations on the basis of their nationality, origin or identity.

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