



ICRC

Humanitarian Diplomacy and
Principled Humanitarian Action

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This is an important moment as we are at the eve of the launching of the *Maison de la Paix* on 3 October: Peace deserves a home and there is hardly a better place than Geneva to offer this hospitality to all those who promote peace. It is even better to know that tonight is just the beginning of a series of conferences leading to the 2015 RCRC conference and during which various presenters will offer their perspectives on critical humanitarian issues: so come back to listen what others have to say.

For over 200 years, Geneva is at the crossroads of humanitarianism and international peace efforts, starting with Charles Pictet de Rochemont in early 1800 as one of the main architects of today's Europe, and Henry Dunant as the Founder of today's Red Cross and Red Crescent Movement. Peace and humanitarian policies elaborated here do resonate across the globe. There are no other locations where one can understand better the interdependence and specificities of the various domains related to the international response to humanitarian crises. International Geneva is the privileged host of a number of specialized humanitarian agencies and organizations: it embodies the importance of promoting a coherent response to today's international challenges, and of preserving the professional integrity of the respective domains of activities. It is also a place, which underlines the tensions, which may arise when the more aspirational agenda for Peace is encountering the aspiration to preserve a minimum of humanity in war....but I will come to this later.

Topic of today's discussion: Humanitarian diplomacy and principled action at the crossroads. What I would like to do over the next half hour is to reflect on the relevance of humanitarian principles in guiding today's international response to armed conflict.

Let me just set the stage first by situating the discussion: Over 20 billion USD are invested each year in responding to the essential needs of populations affected by humanitarian crises, including natural disaster, armed conflicts and other similar situations of violence. An estimated 250,000 humanitarian workers are engaged in these operations, many of which take place in highly hazardous environments, such as Ukraine, Syria/Iraq, South Sudan, Central African Republic (CAR), Eastern Congo and now Liberia with the latest Ebola pandemic. Relief and protection programs in favor of these populations affected are guided by humanitarian principles building on the century-old experience of humanitarian professionals and distinguishing the humanitarian response from purely political on the one side, or charitable activities, and providing a framework to deal with some of the most sensitive dilemmas which we can be confronted in the real world.

For example dilemmas of priority-setting in situations of overwhelming needs and limited resources; dilemmas between fulfilling our commitment to humanity and taking into account the stark realities of power, injustice and discrimination in many areas of operations; between access to populations and security and safety of humanitarian personnel and many more dilemmas.

Several guiding principles have emerged over the recent years, including the ones of accountability and participation of beneficiaries, the "do no harm" principle or the quest for sustainability of relief efforts. None of them has matched the historical importance of the principles of humanity, impartiality, neutrality and independence, which are at the centre of the ICRC's mission and identity, and which remain uncontested in the broader international community. These principles belong to the fundamentals of the International Red Cross and Red Crescent Movement. They were also the main sources of inspiration of the Guiding Principles of the United Nations action of UNGA Resolution 46/182, adopted by the UN General Assembly in 1991. They have been at the heart of all major humanitarian operations for over a century.

And yet, questions arise today about their relevance in addressing new and emerging challenges in a broadening humanitarian agenda:

What are those challenges? Look at the prolonged nature of some of the current conflicts (Afghanistan, DRC, Colombia or Sudan) and prolonged situations of occupation (like Palestine, Gaza) leading to a disintegration of state infrastructures. It is the disintegration of state infrastructure that affects the ability of public authorities to deliver on basic services like health, education, nutrition, water and sanitation, or law and order.

Most of the priority conflicts of today have been on top of the ICRC agenda for decades while humanitarian action and principles were first and foremost developed to respond to a temporary crisis.

Look at the superposition of different factors weakening states and society: poverty, armed conflict, inter-communal violence and crime, undermining fragile states and societies as we witness today in CAR, Somalia, and Yemen.

Look at the prevalent character of warfare, which is mostly affecting densely populated areas, leading to mass destructions and mass displacements: Where are the battlefields today? In Gaza, Lugansk, Aleppo, Bentiu or Gao and in many other densely populated areas where hundreds millions of people live.

Look at the changing character of non-state armed groups carrying increasingly radical ideologies (feeding on corruption, exclusion and injustices under which populations suffered for decades) and opposing today through their behavior and through their words and ideas some of the most basic humanitarian values as has been illustrated almost every day.

Look at the current dynamic of these de-structured and unstructured conflicts with effects of hostilities across entire regions and the displacement of large parts of the affected populations: What started as the Syrian crisis three years ago is today a regional breakdown of systems with global and long-term effects. Even more so, the instability in the countries of the Sahel and sub-Saharan Africa has become a big regional and global area of instability.

We are thus confronted today with transforming vulnerabilities of populations and needs beyond the traditional scope of humanitarian action like food, water, shelter and medicine.

We see patterns of Sexual Violence (SV) emerge, calling for psychosocial responses; we see massive traumas of displaced populations needing more than war surgery as a response, we see children displaced in masses and demanding educational facilities and programs as a core expectation to humanitarian actors.

So we are far beyond the definition of humanitarian action as a core survival of livelihoods.

In short: we witness the broadening of the humanitarian response or in other words: an increasing number of activities which fall under the category of humanitarian action.

In response to these challenges, the international community has mobilized its energies to address not only the immediate consequences of these emergencies on populations, but also to deal with their causes and prevent their resurgence in a more consistent and coherent manner. It has set up monitoring mechanisms (in the Security Council and the Human Rights Council) to gather information on evolving situations of concern and vulnerabilities; it has developed regional and international peace-making and enforcing capabilities (equipped like Peacekeeping Operations recently with enforcement and protection mandates), it has fostered development programs for conflict-affected populations (no development agency today would lack a conflict prevention division), and it has renewed its attempts to bring perpetrators of violence to justice (with the Special Tribunals and the International Criminal Court). Doing so, it has integrated the traditional emergency response and humanitarian action into a

complex architecture of developmental, security, political and judiciary programs drawing from various legal regimes – International Humanitarian Law, Human Rights Law, Refugee Law, and criminal law – making reference to international as well as national and regional jurisdictions. Since the Millennium Summit in the year 2000 the international community has to a large extent embraced and concretized the concept of integrated, comprehensive and holistic approach to crises, conflict and underdevelopment.

While we at the ICRC certainly recognize the significance of a greater integration of international programs in the international community's strategy in contemporary crises, we also wonder about the specific role of humanitarianism in today's national and international response to complex emergencies. There is a growing tension between the international efforts aimed at finding sustainable political solutions to ongoing crises on the one hand, and offering life-saving support to the most vulnerable populations according to strict requirements of impartiality and neutrality. While the two objectives can be combined in practice, there are situations, such as Syria or Ukraine, where providing life-saving assistance to affected populations has been subjugated to political maneuverings of the parties. Over the last year, we have witnessed in Geneva 1 and 2 on Syria how the impossibility to addressing the political causes of the conflict has brought the UN and regional mediators to negotiate humanitarian access to besieged areas against larger political agendas (or as a first step of confidence building in a transition process). The signal was thus given to the parties to conflict (willingly or unwillingly) that humanitarian requirements were not obligations to follow as a matter of principle and practice but rather issues to negotiate in the context of an overall political settlement. The same applies to the negotiations of relief convoys in Ukraine facing at times incompressible political obstacles from all sides due to the inability of all parties concerned to maintain a minimum of shared responsibility for the assistance and protection of over a million civilians affected by the armed conflict.

Connecting humanitarian and political negotiations in this way inevitably hijacks life-saving operations and impacts negatively on the credibility of international humanitarian actors. This is the reason why the ICRC, in Syria, Ukraine and elsewhere is tirelessly offering credible alternatives to such situations and which are compatible with fundamental humanitarian principles and implementable in practice. What does it mean? It means defining precise modalities for access, control of goods, transparency of procedures of distribution, creating confidence through proximity are all critical in our actions towards deploying neutral, impartial and independent humanitarian action. I am proud that my colleagues in Syria, Ukraine, in Iraq, South Sudan and many other places, are continuously managing to find pragmatic solutions inspired by humanitarian principles to overcome such obstacles. The ICRC is present today in all parts of Ukraine, doing cross-line in Syria, assisting those many times displaced in the most remote places of South Sudan and Yemen and chartering its way in some of the most difficult environments in Iraq.

The ICRC has at heart its historic contribution in the elaboration of the Principles to guide the deployment of international assistance and protection programs. These principles have been codified to a large extent in International Humanitarian Law. They emerged from a long humanitarian tradition of preserving the life and dignity of all those affected by armed conflicts without any distinction towards the sick and wounded in the battlefield, the prisoners of war and security detainees, as well as the civilians caught in the crossfire. Whoever wishes to brush-up its knowledge should visit the Red Cross Museum, which illustrates the emergence of humanitarian principles through history and cultures: it is important to remind ourselves - as these principles are questioned by too many today - that humanitarian principles are not the emanation of western values but deeply rooted in all the different cultures. In an open letter to the Head of ISIL,

Islamic scholars of all currents of belief have illustrated just two days ago, how deeply rooted some fundamental humanitarian principles are in Islamic tradition and how far away from these principles the behavior of extremist groups today is.

These Principles have also been shaped by practice over several decades. Humanitarian activities often take place in contested areas governed by loose coalitions of state and non-state entities. The ICRC's diplomacy of access is based on a continued process of negotiation to set its presence in these areas, maintain proximity to the affected people and communities, and seek the consent of the relevant parties to allow humanitarian operations to take place. This is, as everybody knows a risky and often very frustrating long process: we negotiated for months a cross-line operation in Aleppo, a license to operate in Sudan, minimal security guarantees for our field operations in Afghanistan and many more examples. Because of the lack of progress in such negotiations, very often populations are unattended, suffering or dying. Our experience illustrates that the maintenance of a space of "shared humanity" that can resist the temptation of politicizing or militarizing relief efforts is not a concept spontaneously shared by everybody: in a period where polarization, extremism, demonization and stigmatization are widespread and affecting body politics in many countries and not only in remote areas, the notion of shared responsibility of all belligerents for a humanitarian space in which civilians are protected and prisoners treated humanely is not an easy sell.

Just pass a second in front of your eyes the picture from the recent ICRC exhibition in the Musée Rath, where prisoners of war are shown playing cards in a leisurely guarded environment during the 1st WW and compare it to the practice and rhetoric of today. I am sure you agree that this does not look like a progress of civilization or a reaffirmation of such humanitarian space.

A key characteristic of this space is that all actors have the same roles and responsibilities in ensuring the assistance and protection of vulnerable populations. The failure of one party does not discharge the others from their duty. Equally, humanitarian assistance and protection is not the prerogative of any single party, state, non-state, or multilateral organizations. Through the presence and support of the neutral and independent organizations such as ICRC, the parties are able to preserve this space despite political tensions, and to consider regulating the effects of hostilities on populations.

The concepts as well as practices of "Principled Humanitarian Action" are increasingly being challenged in current conflicts. Parties to the conflict themselves may explicitly desist from this project of "shared humanity" for ideological or political reasons as witnessed in several instances over the recent years when the so-called "enemy population" is wholesomely and collectively dehumanized and degraded. The persistent demand to humanitarians on whether aid beneficiaries are in government or opposition controlled areas reflect the same dangerous trend to design programs according to political orientations of populations and not to needs. The legitimacy of Principled Humanitarian Action is also being challenged in a more paradoxical way by a number of national and international actors who purposefully mix essential emergency programs with political, security, developmental or otherwise transformative goals. We see an increasing number of programs and donor criteria, which 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 transformative agendas provides significant benefits in terms of sustained developmental goals or the promotion of human rights, it definitely comes at a cost:

At the cost of politicizing the shared space of humanity, at the cost of marginalizing or even antagonizing parties; at the cost of restraining avenues of collaboration and engagements.

Together all these elements come at a heavy price of hindering access to the populations in need.

The debate here is not one of principles, but one about pragmatism. The ICRC has learned along its history that the implementation of its humanitarian mission will require contextual balance of interest regarding its neutrality, independence and even in some cases its impartiality. While it will never negotiate on its core goals of preserving the life and dignity of everyone affected by conflicts and similar situations of violence, it is dedicated to engage in all confidentiality with all the parties to discuss and accommodate, as far as ever possible, other political, social and security constraints. It remains pragmatic and does not take side on these or any other aspects of the conflict. It ensures that the experience and professionalism of its staff relentlessly negotiates the best possible deal in specific circumstances and at a given moment to maintain a space for humanity. This, again, is not an issue of abstract principles; it is an issue of pragmatic solutions inspired by principles.

The required debate today on pragmatism is very frankly not coming so much from the ICRC or other principled organizations like MSF, but on the side of NGOs, multi-mandated agencies, donor governments and international actors that have vowed to serve both: the humanitarian needs of affected populations and the transformation agendas of the international community. In theory we all share the same aspirations for global peace, development and security, as well as the understanding about the limits of humanitarian action in addressing or preventing the causes of crisis. In practice however, our experience shows that emergency access to vulnerable populations in some of the most contested areas depends on the ability to isolate humanitarian goals from other transformative goals, be they economic, political, social or human rights related. A specific pragmatism is required to operate in these areas - from Syria to Yemen, from Mali to Myanmar - that allows all the parties to recognize their shared humanity in the goals of the humanitarian organizations present on the ground. In absence of this recognition and dialogue, our ability to intervene in favor of affected populations diminishes considerably.

There are evidently exceptions to this understanding. In situations where parties have persistently desisted from their humanitarian responsibility and denied access to the most vulnerable groups, different - more forceful - approaches are required and explicitly regulated by the UN Charter. But this very clearly is not any more the area of humanitarian. but of political action.

In many situations however, the only way to access populations is to rely on seeking the consent through dialogue and not coercion. Parties to conflict, state and non-state alike need to see benevolent actors availing themselves to assist them in implementing their humanitarian agendas. Such an approach does not prevent us to shape and form humanitarian action as a building block or a foundation for more ambitious response systems if such ambition is supported by a large consensus. But it imposes self-limitation first and the ability to build and broaden consensus afterwards.

Let me make some concluding remarks: Emergency humanitarian response is and should remain a distinct professional domain from conflict resolution processes, development programming, stabilization efforts and the transformation of societies based on universal human rights. Principled humanitarian action and diplomacy is about the preservation of this neutral, impartial and independent space: an

embodiment of our shared humanity that persists even in the most challenging circumstances of the armed conflicts and natural disasters of tomorrow.

But let me be very clear on this as well: distinct approaches does not mean unwillingness or inability to exchange, coordinate and cooperate – on the contrary: the distinct character of humanitarian action needs, in today's environment more than ever, tireless engagement to understand and define the interface between different actors and agendas, the research for complementarity, coordination and cooperation where broad consensus allows.

In that sense let me express my hope that the next RCRC Conference and the subsequent World Humanitarian Summit will not become remote islands on which humanitarian organizations and bureaucrats work through their predefined agendas and discourses. These are too serious times to engage in business-as-usual. We need international gatherings that put the needs of people first and true engagement on how best to respond and not only conversations amongst humanitarian organizations. We need to have a serious and forward-looking debate and hopefully reach some understanding on how humanitarian action relates to the broader international agenda, how it interfaces with security, development, human rights and peace aspirations, on how we finance in an equitable way the growing needs and how we intertwine in a more creative way local, regional and global efforts. With a series of international gatherings in 2015 - from revisiting the Hyogo Framework for Action, the Millennium Development Goals, to the RCRC Conference and the World Humanitarian Summit - the field is wide open to find a better deal for people in need.

Thank you.

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