REPORT
Roundtable on the costs of principled humanitarian action
November 2015

The principles of humanity, impartiality, neutrality and independence are foundation stones for humanitarian organisations. As Hugo Slim writes in his book, Humanitarian Ethics, the first two principles describe moral ends, or goals, whereas the latter two represent practical means of achieving those ends. However, there is a wide diversity of humanitarian actors and some may prioritise other principles, such as advocacy, over these.

It is clear that, across organisations and even within the same organisation, there exist different understandings of the principles of humanitarian action and their application. Moreover, adherence to the principles is not without costs, whether in terms of resources, access, security or perception.

The 'costs' of principled humanitarian action

The principles can come up against resistance or unintended consequences, and are even sometimes in conflict with each other. There can be external causes or forces that require humanitarians to strike an appropriate balance and compromise when applying the principles of humanitarian action. The uncompromising observance of principles, such as independence and neutrality, that are designed to facilitate the delivery of aid can sometimes lead to tensions with States, non-State groups and affected populations themselves, resulting in limitations to humanitarian action.

To discuss these costs and how they are managed, Deakin University's Humanitarian Assistance team and the International Committee of the Red Cross brought together academics from the field of humanitarianism and humanitarian practitioners from non-government organisations in Australia and overseas.

For the purposes of the roundtable, 'principled humanitarian action' refers to the behavior of humanitarian organisations in conflict situations guided by the principles of humanity, impartiality, independence and neutrality.

"Humanitarian principles represent the idea that there are limits in the way in which wars are fought. In the twentieth century, this is embodied in International Humanitarian Law – the Geneva Conventions and the Additional Protocols – which have been further strengthened through International Human Rights Law. In sum, these principles serve to restrain the manner in which belligerents fight wars. The principles of humanitarian action, in contrast, represent a framework to guide humanitarian organisations' behaviour in conflict situations. They consist of the well known principles of humanity, impartiality, independence and neutrality and were developed by the ICRC as an ethical and pragmatic framework to facilitate their engagement in conflict zones. They are a means to prevent and alleviate human suffering and have been widely adopted by

humanitarian organisations, such as through the Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs, established in 1994. It is important to note that **humanitarian principles** were established to regulate the conduct of warring parties, whilst the **principles of humanitarian action** were developed to regulate the behaviour of humanitarian organisations in conflict situations." Source: Leader (2000) taken from Sarah Collinson and Samir Elhawary, Humanitarian Space: a review of trends and issues, HPG Report 32, April 2012 http://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/7643.pdf

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

Under Chatham House rule, the 15 participants formed two roundtable groups to discuss the theme topics. The first topic centred on the costs of principled humanitarian action associated with partnerships, with an emphasis on private or commercial bodies that evolved into a focus on implementing partners. The second topic examined the costs of principled humanitarian action through a security prism. The attendees found the event an extremely useful opportunity for in-depth consideration of the topic and for sharing experiences and thoughts among like-minded participants. The free-flowing discussions, moderated by Deakin University and ICRC staff, touched on concerns common to many humanitarian organisations and actors.

Theme 1: Partnerships

Adhering to principled humanitarian action can be difficult enough within a discrete organisation, but the 'humanitarian space' is not a vacuum. Humanitarian organisations must work with other agencies in order to run their operations, whether as donors, implementing partners, or service providers. How do humanitarian organisations ensure adherence to principles of humanitarian action in these scenarios?

Participants first interrogated the meaning of the word 'partnership'. Some noted that the word implies a mutually beneficial or equal relationship, whereas perhaps 'relationship' is a better word. In particular, government partnerships were considered to be more of a giver-receiver dynamic than a true partnership. In the Australian context, some felt that humanitarian agencies were considered by the government as activists. Some felt then that every interaction could be qualified as a relationship at some level. Would an agreement constitute a partnership? One party to an agreement may consider it a partnership but the other party may not. Alternatively neither party to

an agreement may consider themselves in a partnership but a third party may interpret it as such. It was noted that the definition of partnership may vary depending on who is using the term and whether it is of utility to do so. Types of relationships discussed that could potentially be considered partnerships included donor or contractual relationships with governments and private organisations; local sub-contracting and implementing partners; and facilitative arrangements and contracts with service providers (such as private security).

Donor partnerships

One of the most animated discussions centred on donor partnerships, and the effect of financial resources on principled humanitarian action. Participants recognised the primacy of funding for humanitarian organisations' ability to operate, and agreed that the finite pool of available funding is a source of pressure and competition that can lead to moral dilemmas. Although untied funding is ideal for humanitarian organisations to ensure independence, it is not always possible to avoid tied funding, particularly for emergency/crisis responses. Government funding decisions in particular tend to be politically motivated.

Some participants took the view that accepting funds from any donor results in compromises. Accepting funds binds the organisation into a contract, which is inherently conditional. This includes a public (or social) contract with regard to funds raised from the public. Conditions can be explicit, such as prohibitions on working with particular groups or permission to work only in certain areas. On the other hand, there are implicit conditions whereby donors could withdraw, or threaten to withdraw, funding should an organisation be perceived to be aligned with a particular side to a conflict. One attendee related a case of funding for a particular project being threatened because the organisation was in contact with a particular armed group.

Neutrality in the humanitarian view – being in contact with all sides to conflict – can translate as lack of neutrality in others' views. This occurs with the public too; one representative advised that their phones always rang hot with accusations of partiality in the aftermath of appeals for populations in need in divisive conflicts. Either way, these considerations influence an organisation's ability to act with independence and impartiality. Another attendee felt that the decision to accept only financial resources is far more straightforward than accepting or utilising other resources such as facilities and infrastructure. Some discussants had positive examples of donor partnerships, particularly when they held the upper hand in terms of technical expertise.

In addition to conditions placed on the allocation of funds, humanitarian organisations face pressure to demonstrate the efficient use of those funds. Performance assessments are based on project outcomes, not on the application of principled humanitarian action. However, adhering to principles may require a less cost-efficient manner of operating. This can be difficult to explain to donors, who are more interested in partnering with organisations that can achieve the best outcomes for the investment.

One attendee queried whether money could ever be free from morality (moral-free). Indeed there was a lot of discussion about the ability to remain neutral when receiving funding from states that are parties to a conflict. For example, the current situation in Yemen is resulting in catastrophic humanitarian consequences and yet the only donor to the UN's Yemen appeal is Saudi Arabia, one of the parties to the conflict causing much of the humanitarian crisis. Perhaps it is right that those who

cause problems should pay to rectify them. But would accepting funding from Saudi Arabia, in order to fulfil the principle of humanity, come at a cost to other principles, such as neutrality? One organisation insisted on refusing funds from a party to a conflict for projects related to that conflict.

Such moral dilemmas mirrored concerns that participants had about the private sector, particularly with companies that had reputations for negative consequences to local environments, health and security. For example, is it acceptable to partner with extractive industries when operating in areas affected by the industry? Or corporations such as Coca Cola when their products contribute to epidemics of non-communicable diseases? Some felt that independence could be achieved if humanitarian organisations remain in control of decision-making with regard to needs assessments and access. Others noted that this requires organisations to be clear about their principles and have policies to guide decision-making.

One participant noted that accepting funds from a mining company in order to operate only in the mining area was no different to accepting government funds that are earmarked for a particular region. Debate on this proposition returned to the morality of money and the role of the donor in the humanitarian crisis. One representative noted that funds from extractive industries are not accepted for development aid so that their advocacy efforts would not be compromised, but occasionally funds were accepted for other projects. Some argued that if a needs assessment had already indicated a need for a program in a particular area in which a mining company also happened to be located, it would make sense to utilise funds offered by that company to pursue a pre-identified, and therefore independent, objective. On the other hand, it was argued that the goal of or benefit to the private company must be taken into consideration to ensure perceptions of independence.

A participant suggested that the humanitarian sector was too risk-averse with partnerships with the corporate sector. Noting the increasing involvement of the private sector in the delivery of humanitarian aid, another asked if there is a moral problem with private companies making a profit from humanitarian assistance. It was stated that corporate partnerships are a fact of life that humanitarian organisations need to accept. However, not all perspectives were negative. One participant drew attention to the value of the private sector in enabling the humanitarian sector to become more innovative. Some examples of good 'moral' practice were noted, such as the IKEA Foundation's work with NGOs to identify and stamp out child labour practices in supply chains.

Local partnerships

Apart from donor relations, participants were keen to discuss partnerships at a more operational level – that is, with implementing or facilitating partners, particularly those that are not part of the humanitarian sector. The main concern was how to enforce principled humanitarian action with external partners. Another matter of interest was how to maintain one's own principled humanitarian action when interacting with partners who are not neutral.

Noting the growing emphasis on localisation of aid in the lead-up to the World Humanitarian Summit, participants discussed the benefits and challenges of working with local partners. Local actors have a far greater understanding of and acceptance from the local community, and this can lead to enhanced access for outside organisations. Working with respected local organisations can

also improve the reputation – and therefore security – of international actors. The trade-off can be difficulties in realising principled humanitarian action.

One attendee made the insightful point that civil society generally reflects social power structures, be they based on gender, wealth, caste, etc, and are often politically aligned. In other words, civil society organisations form a microcosm of their society with all its inequalities, and therefore partnerships with civil society can effectively be partnerships with existing power structures that are sometimes invisible to the foreign eye. These power dynamics, which can often be accentuated in times of crisis, may be incompatible with putting principles into practice. How can humanitarian organisations maintain neutrality and independence when working with, or contracting out work to, local civil society organisations that are not necessarily purely humanitarian? Moreover, how can adherence to principles be monitored and enforced? Organisations may agree to adhere to certain principles when making contractual arrangements, but to whom are they accountable in demonstrating the translation of principles into action? One attendee also made the point that behaviour changes over time, so actions can align with principles at one point but not in the future, and vice versa.

Some discussants noted that knowledge of principled humanitarian action varies considerably among local actors, some of whom may deem them too complicated to follow. There are also higher risks to local staff than international staff in applying principles of humanitarian action. How do humanitarian organisations ensure the safety of local partners when their principled approach is mistaken for partiality, or treason, or a form of activism (eg promoting the rights of women or the poor or people with disabilities), or foreign/neo-colonial influence?

Ultimately, civil society humanitarian organisations have their own objectives and their own principles to prioritise. Discussants noted contexts in which local humanitarian organisations were patently not neutral, such as agencies that support and advocate for only certain ethnic groups in Myanmar. There are also faith-based groups that seek to incorporate a missionary element into aid programs; one organisation disclosed that a potential partnership with a faith-based agency had to be scrapped because the conditions placed on the partnership called for a significant compromise on the principles of neutrality and impartiality. Participants debated whether advocacy organisations – particularly in the area of human rights – would be considered political and therefore incompatible with neutrality. One discussant argued that human rights are politicised and therefore problematic to bring into the humanitarian domain. Another responded that even principles of humanitarian action can be politicised, as neutrality and impartiality are inherently political concepts that can be manipulated through perceptions.

If it becomes too difficult to work with local partners because of the risk to principled humanitarian action, what are the costs? Attendees noted that working independently could compromise the quality of delivery or access. In this case, a balance needs to be struck between humanity and independence, resulting in a compromise of some sort. In addition, another participant cautioned that duplicating existing services in an effort to maintain neutrality and independence comes at a significant cost. Those costs could be considered a waste of resources that may have been able to meet more humanitarian needs.

Service-provider partnerships

Humanitarian organisations may be able to choose with whom to work in implementing projects, but political actors such as states cannot be avoided. Some states enforce conditions on humanitarian organisations that do not recognise the need for principled humanitarian action. In such situations, how do humanitarian organisations respond to the tension between immediate humanitarian imperatives and the long-term effects of upholding humanitarian values?

Discussants were particularly interested in the case of Myanmar, where state agencies retain a lot of control over the operations of humanitarian organisations. One representative noted that gaining permission to work in Myanmar required many compromises to independence. It was considered a worthwhile cost in order to operate at all in areas of great need, and potentially an investment in more autonomy in the future. What is not clear is at what point, and on what basis, the organisation would reassess the cost and benefit of compromising its independence. As an example, one attendee pointed out that international organisations maintained silence on atrocities witnessed in Syria in order to secure access, but ultimately access to the most vulnerable was not granted. Moreover, these organisations have then lacked moral legitimacy to hold the international community to account and mobilise adequate resources.

In Sri Lanka, access was achieved on the condition that organisations would not speak publicly about the humanitarian needs that were observed. A participant suggested that the ability to protect was compromised for the ability to provide assistance. Another queried whether speaking out is automatically a betrayal of neutrality; couldn't keeping silent also be a betrayal of neutrality? And in Lebanon, access depended on the relationships built with certain parties, but these relationships could become a source of tension with other parties.

Theme 2: Security

Humanitarian action in conflict situations is inherently risky. The security of staff and the populations they serve is of paramount concern to humanitarian organisations, and ensuring safety is vital for gaining access to those in need. Principled humanitarian action can be both a tool for, and a challenge to, the acceptance and thus security of humanitarian actors. There was general consensus that acceptance (of humanitarian activity and actors) is the precursor to security. However, can it be argued that acceptance derived from demonstrating neutrality with all parties to a conflict is better/more secure than 'protection'-type acceptance derived from demonstrating allegiance to one side? Protection in the latter sense is likely to apply only within the domain of the particular side's control.

Participants debated whether the 'immunity' of the aid worker exists any longer, given the prevalence of direct attacks against humanitarian practitioners. It was queried whether this might be due to a lack of upholding the significant responsibilities that attach to this immunity, or whether humanitarians are targeted precisely because of their commitment to neutrality and their vulnerability. Attendees also discussed what an organisation might consider an acceptable level of

human cost. What is the level of insecurity that precipitates the suspension or withdrawal of operations? Do security strategies require the quantification of acceptable and unacceptable risks? Another topic of interest related to the humanitarian cluster system; several participants felt strongly that security, and principles of humanitarian action and ethics more broadly, should be discussed in the cluster system. The cluster group could potentially be a vector for encouraging organisations to keep referring back to the principles.

The discussions broadly covered the costs as well as the benefits of principled humanitarian action in terms of security, and included the impact of increasing securitisation on principled humanitarian action.

Security costs

Principled humanitarian action can have a negative effect on the security of humanitarian organisations and thus their effectiveness. When there are security risks, participants queried whether staff would remain with the organisations; on the other hand, it could be argued that staff may not remain with humanitarian organisations that do not adhere to principled humanitarian action.

Discussants noted that it is not only the application of principled humanitarian action that has an impact on security – inconsistent application of principles also has a negative effect. Participants felt that local organisations are more focused on donor reporting demands than on principles and likewise, contracting organisations focus on local actors' capacity to deliver programs rather than implement principles. This can lead to situations where local organisations claim to be neutral or impartial but are not so in reality, and the consequences could be misperceptions and a lack of trust of all humanitarian organisations' principles. Discussants deliberated for some time on the responsibility that humanitarian organisations have for other organisations that do not adhere to principled humanitarian action. Some suggested that as long as organisations are transparent about their position vis-à-vis the principles, it is up to them to act as they see fit. Others argued that they could pose a security risk to all humanitarian actors by acting partially. On the other hand, denouncing one organisation's inappropriate operations could result in all humanitarian organisations being ejected from the area.

The rise of non-state armed groups was another topic of concern to many participants, who noted that the meaning and understanding of impartiality may not be universally understood due to culturally relative understandings of the concept. As an aside, discussants noted that even where principles of humanitarian action are understood, they may not be respected in situations of asymmetric warfare in which the laws of armed conflict are not as reciprocal as between conventional State forces.

On the other hand, some participants felt that lack of respect for principled humanitarian action is a greater problem with State forces than with non-state armed groups. State parties to conflict, particularly from the West, were regarded as acting 'above the law' and one discussant asked whether impartial aid organisations could morally continue their work in areas where a western coalition is party to a conflict. It was posited that non-state armed groups tend to be more respectful of medical facilities than States.

In contexts where the principle of impartiality is not well-understood or respected, impartial agencies may be viewed as very partial and therefore at risk of attack. Even when working in an independent facility, humanitarian organisations may be considered non-neutral due to their impartial treatment of all those in need, including those from the 'wrong side' according to the view of each party. A participant argued that even humanitarian organisations that are considered neutral are not necessarily safe, as neutrality can be perceived as being against all parties. The raid and bombing of a neutral, impartial medical facility in Afghanistan was raised as examples of the security implications of impartiality; some parties may be hostile to the idea that an organisation would willingly provide medical care to 'enemy' combatants and/or civilians.

There was general consensus that a significant amount of work and resources is required to implement principled humanitarian action. Organisations need to communicate precise intentions and meanings of principled humanitarian action not only to external actors, but also within organisations in order to appropriately manage staff opinions and values. This work is an investment in acceptance and security, but it is not considered an operational cost when it comes to project budgets. In addition to dissemination of principled humanitarian action, organisations invest a considerable amount of resources in 'humanitarian intelligence' to maintain their safety and security. One attendee noted that the gathering and analysis of humanitarian intelligence can be as costly as other, non-principled means of ensuring security, such as the employment of armed guards. As mentioned above, other costs in ensuring impartiality and neutrality, such as establishing and resourcing independent infrastructure, are significant.

Security benefits

On the topic of the security advantages of adhering to principled humanitarian action, one discussant cautioned humanitarian organisations against being too wary of interacting with parties to a conflict. Demonstrating impartiality or neutrality does not require an avoidance of parties to a conflict; on the contrary these principles require interaction with all parties. For example, a State armed force had difficulty in accessing pre-deployment training on community relations with minors from humanitarian organisations, whereas this kind of training can positively influence behaviour in a way that minimises the humanitarian consequences for affected populations.

Moreover, dialogue with all parties to a conflict is considered vital for security, which comes from acceptance. A participant noted that refraining from dialogue with all actors in a conflict zone results in isolation, a lack of contacts when the need for negotiation arises, and diminished understanding of the security context. Another discussant agreed, adding that the entire population – including combatants – needs to perceive humanitarian organisations as available to all. One way to achieve this perception is to employ a diverse workforce that represents the various religious and/or ethnic groups existing in the conflict area.

Participants discussed the idea of principled humanitarian action as a long-term investment in humanitarian situations. This view assists in the balancing of immediate imperatives with long-term benefits. Some argued that it was difficult to determine if adherence to principled humanitarian action has in fact been a good investment over time. Others emphasised that the framework of principled humanitarian action gives organisations strength to counter demands from other actors; an example was given of a condition imposed on humanitarian organisations to use armed escorts

that was successfully denied on the basis of the importance of the principles for security in the future, not just in the immediate context.

Increasing securitisation

An issue of significant concern to roundtable attendees is the increasing securitisation of activities conducted in conflict zones. This securitisation, which is based on the labelling of certain conflicts as 'terrorism' or 'counter-terrorism' operations, is seen by participants to have two particular negative consequences for humanitarian activity in conflict zones: politicisation and criminalisation of humanitarian assistance.

The politicisation of all actors' roles in conflict zones impinges on humanitarian organisations' efforts in demonstrating neutrality and impartiality. Discussants noted that the space for moral and humanitarian discussion is being restricted, that humanitarian organisations are being forced to 'choose sides', and that other actors are prioritising security and political perception over the humanitarian imperative.

One participant suggested that the increasing burden of security management – such as vetting staff, stringent documenting of aid recipients, and ensuring against inadvertent diversion of aid – is deterring humanitarian organisations from operating in certain areas. It can also have a negative impact on perception, as aid recipients may be suspicious of humanitarian organisations' relationships with donor governments and the 'real' purpose behind collecting data.

Participants noted that remitting funds to certain conflict areas can prove problematic among financial and/or charity regulators, particularly for faith-based organisations, which has a considerable impact on operations. Discussants shared their experiences of enforced restrictions to operations due to donor fears that funds would be diverted to members of particular organisations and the impact these restrictions had on remaining neutral and impartial. In this case, the cost of insisting on complete impartiality may be loss of donor funds to provide any assistance at all – even in a partial manner.

In addition to the politicisation of humanitarian activities – that affects everything from staff to finances to supply chains – humanitarian organisations are witnessing a trend of counter-terrorism (and other) legislation that criminalises even neutral and impartial humanitarian activity. Engagement with groups deemed 'terrorist organisations' is illegal in certain contexts, and yet humanitarian organisations would be acting partially and non-neutrally if it were to provide humanitarian assistance according to membership or affiliation rather than need. Participants protested that armed groups would have no reason to trust and respect humanitarian organisations that are bound by law to avoid engagement. On the other hand, breaches of the law have serious consequences for organisations as well as their relationship with the relevant government(s) as well as their public perception or reputation.

Discussion ensued on the meaning of 'engagement' or 'support' for proscribed organisations. Apart from the impartial delivery of assistance to all who are need, humanitarian organisations need to speak with all parties for security reasons. A representative recounted a donor's prohibition on speaking with a particular party to a conflict, which hampered their ability to be neutral. Without neutrality, safe and secure access is difficult to obtain. Another participant agreed that isolation

from parties to conflict can have security implications for humanitarian organisations. Yet another complained that being unable to speak to certain parties constrained their ability to explain their role and protected status.

The roundtable discussants concluded that securitisation of armed conflict has imposed several costs on principled humanitarian action which humanitarian organisations must consider how to address and manage.

Conclusion

The attendees found the event an extremely useful opportunity for in-depth consideration of the topic and for sharing experiences and thoughts among like-minded participants.The participants were in agreement that there were costs associated with both adhering to principled humanitarian action and failing to adhere to it. The former costs are largely borne by humanitarian organisations whereas the latter usually result in costs to those in need. The overriding sentiment was that despite the challenges, dilemmas and shades of grey, it is important for humanitarian practitioners to approach their work through the lens of the principles of humanitarian action.

Many participants reflected positively on the value and utility of discussing how the principles of humanitarian action relate to their organisation and were inspired to continue the discussion among their colleagues. In particular, there were several lines of questioning that resonated with the participants, and are likely to be relevant to all humanitarian organisations. The issues and contradictions raised in the roundtable – grouped below into three areas – can serve as a useful basis for further dialogue and debate among humanitarian organisations and academics.

Relevance of the principles of humanitarian action
Are they the right fit for the organisation? Do they form the framework for decision-making? Are they driven from the leadership level or only implemented at the practical level? Can their application be incorporated into recruitment, appraisal and assessment discussions? What are the benefits and risks of paying lip-service to principles of humanitarian action?

Principled pragmatism
Roundtable discussants recommended that humanitarian organisations be honest and transparent about the difficulties and challenges of principled humanitarian action. If it is accepted that principled humanitarian action results in certain costs, how are these managed? Is there clarity on the limits of compromise or cost that is acceptable to the organisation? How are the principles prioritised when in conflict with each other?

Responsibility to principled humanitarian action
What is the humanitarian community's responsibility to safeguarding principles of humanitarian action given the diversity of the humanitarian community and the breadth of partnerships? What is your specific organisation's responsibility? Do we have the appropriate educational and promotional tools? How can the corporatisation of the aid industry be reconciled with principled humanitarian action?