

Humanitarian Principles

Structure of the workshop (4 hours, either in one or two sessions)

I. Fictitious case and role play	45 minutes
“Press conference: Humanitarian Assistance in Apamia”	
<i>DEBRIEFING AND DISCUSSION</i>	15 minutes
II. Presentation	60 minutes
"Humanitarian Principles: Sources, Definitions and Challenges"	
III. Questions	15 minutes
<i>BREAK AND INFORMAL DISCUSSION</i>	20 minutes
IV. Case studies	
1) Brief introduction	15 minutes
2) Pair work on questions¹	30 minutes
A. "ICRC's approach to contemporary security challenges"²	
1. What is the meaning of “humanitarian”? Must humanitarian action necessarily be neutral and impartial? What risks to humanitarian organizations, their workers, and even the victims of conflict arise when humanitarian activities become blurred with political or military action? (Pictet Commentary to the Fundamental Principles; Art. 3 Common, arts. 9/9/9/10 GCs, art. 44 (2) GC I, art. 70 AP I, art. 81 AP I, art. 18 AP II, arts. 2 and 5 of the Statute of the Movement)	
2. Should military forces be engaged in humanitarian action? Should humanitarian organizations benefit from military protection, particularly with the increasing use of violence against them? Why? (Pictet Commentary to the Fundamental Principles; Art. 3 Common, arts. 9/9/9/10 GCs, art. 44 (2) GC I, art. 70 AP I, art. 81 AP I, art. 18 AP II, Arts. 2 and 5 of the Statute of the Movement)	
3. How does the ICRC traditionally guarantee the security of its staff? Which of these methods are challenged by the appearance of new trends in the security environment? (art. 44 GC I, arts. 2 and 5 of the Statute of the Movement)	

¹ Ideally, one question per pair.

² Case study and discussion taken from SASSÒLI Marco, BOUVIER Antoine, QUINTIN Anne, "How does law protect in war", ICRC, 2014, also available at <https://www.icrc.org/casebook/doc/case-study/icrc-security-challenges-case-study.htm> (consulted on 14.04.2015)

B. "UN Security Council Resolution on the Conflict in Syria"³

1. Is humanitarian assistance subject to any kind of limitations? Does the provision of humanitarian assistance require the consent of the territorial state? Even if the assistance is to be delivered to areas controlled by the enemy? Does IHL prohibit arbitrary withholding of consent? When is withholding of consent arbitrary? (CIHL, Rules 53 and 55; GC I - IV, Art. 3; GC IV, Arts. 23 and 59; P I, Arts 54, 69 and 70; P II, Art. 14 and 18)
2. (Paras. 4 – 8) If it is unable to meet the humanitarian needs of the population, is the Syrian government under an obligation to allow access by international aid organizations to all those in need? To allow access to the ICRC? What are the differences between the ICRC and other international or non-governmental organizations? What is the importance of neutrality for a humanitarian organization? (CIHL, Rule 55; GC I - IV, Art. 3; P II, Art. 18; Arts. 2 and 5 of the Statute of the Movement)

GENERAL DEBRIEFING
(2 minutes per question)

40 minutes

³ Case study and discussion taken from SASSÒLI Marco, BOUVIER Antoine, QUINTIN Anne, "How does law protect in war", Online, ICRC, 2014, also available online at <https://www.icrc.org/casebook/doc/case-study/un-security-council-resolution-on-the-conflict-in-syria.htm> (consulted on 14.04.2016)