

Workshop on Humanitarian Principles

Instructions

OBSERVATION

The ideal target audience for which this workshop has been conceived is students/practitioners with a legal background. However, the issue of humanitarian principles could also be relevant for who have international studies backgrounds (including international relations and development), healthcare-related subjects, etc. Additionally, the workshop provides for an excellent discussion and networking tool for humanitarian practitioners from various background and organisations. For this reason, speakers/teachers are strongly recommended to adapt the content of the workshop to their audience and to encourage participants and practitioners with a non-legal background to complete the [ICRC's e-learning course on basic rules and principles of IHL](#) beforehand.

OBJECTIVES

- Participants will gain a good understanding of the distinction between the NIIHA (Neutral, Impartial, Independent Humanitarian Action), its conceptual distinction from the Fundamental Principles and with the Humanitarian Principles.
- Participants will gain an in-depth understanding of the source, definition and challenges of the NIIHA and the Fundamental Principles.
- Participants will acquire greater knowledge of the legal framework regulating humanitarian protection and assistance under the angle of the Fundamental Principles. As a consequence, they will understand the differences of the roles played by the main actors that occupy the actual humanitarian space.
- Participants will gain a better understanding of the meaning of the humanitarian principles, who is bound by them and who are their beneficiaries under the law; they will acquire the awareness of what are the actual legal and practical challenges and dilemmas that surround the issue.
- Participants will hone their ability to think critically about this issue and to develop their own arguments concerning the implementation of the NIIHA in light of International Humanitarian Law and International Law.
- Practitioners will acquire a clearer understanding of the legal framework that regulates humanitarian action through an in-depth immersion into IHL and International Law. The greater knowledge of the normative framework surrounding humanitarian action will contribute to facilitate their everyday work.
- Speakers/teachers will have the opportunity to develop their skills in a specific area of international law, to raise awareness of the issue of the Fundamental Principles, and to promote action by means of additional research (*International Review of the Red Cross*), conferences, and other events and teaching opportunities within their academic institutions.

SPECIFICS

0. Preliminary remarks for the trainer

- 1) The “workshop structure” document shows the materials on which it is based: the fictitious case and role play, the power-point presentation on the Fundamental Principles and in particular on the NIIHA, and the 2 case studies “UN Security Council Resolution on the Conflict in Syria” and “ICRC’s Approach to Contemporary Security Challenges” on humanitarian assistance and the Fundamental Principles.
- 2) It should however be kept in mind that it is also possible to start with the case studies and follow up with the presentation and then the role play or start with the presentation, then the case studies and eventually conclude with the role play. All three types of exercises are therefore interchangeable in order. It is also possible to conduct the workshop in two separate sessions: a course presenting the issue and a seminar with the role-play exercise and the two case studies.
- 3) In general, trainers should feel free to adapt the workshop according to their teaching method, the time available and the level of the audience. The most important thing is to take the time to read, prepare and master all the material beforehand.

I. Reading list

Several days before the workshop, participants should receive a package of essential material to prepare. They will in particular have the opportunity to go through the workshop structure, including the required and further reading list. Compulsory references include the case studies and the related fact sheets with questions, as well as the relevant legal provisions. The purpose of this is to allow participants to familiarize themselves with the topic and get a general sense of what is the approach that the ICRC suggests towards the issue of the Fundamental Principles. The optional reading list, on the other hand, is intended to provide participants and teachers with material for further research and in-depth analysis. Finally, participants should also receive the print version of the required reading on “Legal Framework of the Fundamental Principles”, which contains relevant legal provisions on the topic for reference during the in-class discussion.

II. Fictitious case and role play as an introduction to the topic

The workshop is meant to start with a fictitious case and related role play so that participants can discover for themselves the issues of Fundamental principles in practice and from different angles through dialogue, confrontation, trial and error. The role play calls on their personal experience and thinking, and on the use of background materials (suggested readings) to solve the given problem.

As the role play scenario alone can be challenging for participants with no humanitarian or IHL experience, some guidelines have been developed in order to support them. Indeed, these guidelines take the form of substantively and pedagogically structured questions that the trainers, while playing the role of journalists, will ask. The questions formulated as such should constitute a support to participants without any humanitarian background, helping them understand the problem and provide some answers. The suggested questions can also be dismissed, if participants are

humanitarian practitioners with a sufficient background for the simulation. The questions provided in the simulation can nevertheless constitute a source of inspiration for the trainers/journalists.

The trainers should select, already before the group preparation, three participants/practitioners within each group that will play the roles for each team. The other members of the group will either play the role of journalists together with the trainers (expectedly or unexpectedly, according to the level), or listen to the presentations and answers provided by other participants. The former option allow participants and practitioners to see the issues of Fundamental principles from different perspectives.

After the role play, a few minutes should be spent debriefing on the issues touched upon in the fictitious case. The speaker could use a flipchart or a whiteboard to write down the main topics raised in the brainstorming. During the subsequent presentation, the speaker should then refer back to those topics in order to encourage participants to make the connection between theory and practice, abstract information and images and scenarios. It should be kept in mind that all the problems raised in the simulation find a legal or practical answer in the power-point presentation. In particular, a specific slide deals with the topic “cross-border v. cross line” humanitarian assistance that indeed corresponds to the object of the simulation exercise.

III. Theory – Power Point presentation

The purpose of the PowerPoint (PPT) presentation is to make participants understand the meaning of the Fundamental Principles, their significance and their challenges by exploring the legal framework and how it applies in practice. To help the speaker convey the message effectively, the following features have been incorporated:

Content: Part one focuses on the definitions; part two, on the legal sources and part three on the challenges. The aim is to clarify the confusion that today discussions surround Humanitarian Principles and to make participants understand the link between a given problem surrounding the topic and its humanitarian response (in both legal and practical terms).

Structure: the PPT presentation helps the speaker and participants to focus on the main points during the explanation.

Speaker notes: These contain the essential information related to the slide. Their purpose is to guide the speaker in the understanding of the arguments presented in the slides. Speakers are encouraged to conduct their own research and to adapt the content of the presentation to their academic needs.

Visual material: Pictures help participants to visualize information and to memorize the ideas linked to the pictures.

While the presentation aims to provide an overview of the topic, which is as exhaustive as possible, teachers/trainers are expected to adapt it to the time at disposal. In that regard, certain slides can be discarded or presented in a shorter way, as long as the main messages are faithful to the original presentation.

IV. Questions and discussion concerning the presentation

Before moving on to the case studies, participants will get the opportunity to clarify their doubts, ask questions and explore issues that have not been touched upon during the presentation.

V. Case studies

The main objective of the third part of the workshop is to allow participants to apply theory to practice. Through the analysis of practical case studies, participants will tackle controversial legal and practical issues related to humanitarian assistance and the Fundamental principles. Based on the IHL reference publication *How does law protect in war?*, the purpose of this exercise is to allow participants to identify which rules of IHL could or should be applied and what practical humanitarian solutions can be found. Questions attached to the proposed case studies deal with the same issues that have been raised during the simulation exercise and during the power point presentation: the purpose of this is to tackle similar issues from different angles and consolidate the understanding of those issues by participants accordingly.

A. Introduction to the cases and questions

To make sure that all the participants are familiar with the case studies and understand the facts correctly, the speaker/trainer should briefly review the cases with the participants. It is advisable to make this an interactive session and to ask for volunteers to share their understanding of the cases.

B. Group discussion (pair groups)

The class is then divided into pair groups or groups of three maximum; each group works on a specific question. Such small-group discussions allow participants to focus on fewer questions and to have a more efficient discussion. It is easier for them to speak up and to take part in the wider discussion if they first have the opportunity to share their views with a few other participants.

C. Group report and discussion

The results of these group discussions are then shared with the whole group so that the other participants/participants have a chance to participate in the debate and share their points of view. Each group summarizes its conclusions in two minutes and invites other participants to rebut them or bring new issues to the table. This plenary session allows all participants to become familiar with the main legal issues surrounding the other cases that they did not address in their small groups. Moreover, the speaker/teacher and the participants have the opportunity to address other issues that were not covered in the group session.