

THE PRINCIPLES OF INTERNATIONAL HUMANITARIAN AID - DIVERSITY AND INNOVATION

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Abstract

Humanitarian assistance is currently a topic frequently addressed at the European level, in the context of the conflict in Ukraine, although the European Union is the main donor at the international level. The emergence of open conflict on the European continent, considered to be the largest military deployment since the Second World War, brought on the public agenda of European countries the provision of humanitarian assistance for the population that left Ukraine on February 24, 2022, located especially at the level of European countries. The involvement of citizens in humanitarian activities represented the defining emblem of European solidarity and a unanimous orientation towards supporting the Ukrainian population was highlighted. In this context, already having the specific frameworks for the provision of humanitarian aid by governments, international institutions, and non-governmental organizations, a vibrant network of humanity has manifested itself at the level of citizens. In this context, having the integrative dimensions of humanitarian aid applied synergistically to international institutions - governments -

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citizens, this article highlights the principles of humanitarian aid as highlighted at the level of the main operational levels active in the field.

Introduction

In the last decades, the volume of humanitarian assistance has increased significantly at the global level, and a series of instruments have been created at the level of international organizations, government institutions, and civil society structures. The perspective of applying similar work frameworks seems to be difficult to create considering first of all the diversity of challenges at the international level. Secondly, for each level of specific humanitarian aid intervention, different structures are placed that apply different work standards. Thirdly, at the level of the epicenter of humanitarian assistance interventions, different levels of expertise and applications are identified, adjusted according to the local context, the competencies of the active people, and the resources available to be used. Incidentally, the number of disaster events reported per year has increased significantly in the last two decades. Although there were relatively more disaster peak years in the decade 2000–2009 compared to 2010–2019, the overall frequency remains at a record high. Also, between 1970 and 2000, reports of medium- and large-scale disasters averaged about 90–100 per year, but between 2001 and 2020, the reported number of such events increased to 350–500 per year. These included geophysical disasters such as earthquakes, tsunamis, and volcanic eruptions, climate and weather-related disasters, and outbreaks of biological hazards, including crop pests and epidemics (EM-DAT).¹

¹ Emergency Events Database (EM-DAT) was launched in 1988 by the Centre for Research on the Epidemiology of Disasters (CRED), <https://www.emdat.be/>

In demographic terms, according to the data presented in the Global Humanitarian Overview 2022, in December 2021, it is highlighted that 274 million people are in need of humanitarian assistance and protection, which indicates that 1 in 29 people worldwide are in need of humanitarian assistance – a significant increase from 1 in 33 in 2020 and 1 in 45 in 2019.² However, despite the fact that humanitarian need has grown rapidly over the past two years, overall growth in international humanitarian assistance has stagnated, as governments face increasingly difficult budget choices in view of exacerbated challenges in 2022 of the conflict in Ukraine, there are clear risks for development and humanitarian assistance.³

Historical and Legal Perspectives on Humanitarian Assistance

In the current framework, marked by unpredictability, the principles of humanitarian assistance are being discussed more and more, which, on a general level, are considered to be rooted in international humanitarian law. Also, the analyzes are approached in a narrower sense by which it is considered that the principles are designed to guide the activity of humanitarian actors (Mackintosh, 2000).⁴

At the level of historical evolution, it is considered that modern humanitarianism is appreciated as reactionary, it has evolved and adapted to

² *** OCHA, *Global Humanitarian Overview 2022*, in <https://hum-insight.info/>

³ Urquhart, Angus (2022), *Global humanitarian assistance report 2022*, Development Initiatives, Bristol, UK

⁴ Mackintosh K. (2000). *The principles of humanitarian action in international humanitarian law*, HPG Report 5. Published March 2000

new forms of suffering that people have known. Thus, Barnett (2011)⁵ identifies three eras of humanitarianism: imperial humanitarianism (1800–1945), neo-humanitarianism (1945–1989) and liberal humanitarianism (1989 to the present, seen as marked by globalization and international responses to various forms of crisis and disasters. With regard to the approach to aid for signs in distress, the approach of Stoddard (2003)⁶ can be distinguished, who appreciates that humanitarianism as a vocation has its roots in three traditions: religious, Wilsonian, and Dunantist. In the first category, religious humanitarianism is highlighted as the older form of humanitarianism, evolving from overseas missionary work. The second category includes Wilsonian humanitarianism inspired by the action of US President Woodrow Wilson, who believed that American NGOs could best help the world by providing both humanitarian aid and promoting American aspirations and values ("America's manifest destiny"), especially during the Plan Marshall after World War II. Within the third category, Dunantist humanitarianism stands out, named after the founder of the Red Cross, Henri Dunant, who adopted the fundamental humanitarian principles from which other principled frameworks, more or less close to the Dunantist model, branched out.

In the humanitarian assistance approach, it is important to integrate international law serves as a basis for humanitarian action,⁷ considering the legal

⁵ Barnett, M. (2011). *Empire of humanity: A history of humanitarianism*. Ithaca: Cornell University Press.

⁶ Stoddard, A. (2003). *Humanitarian NGOs: Challenges and trends*. In J. Macrae & A. Harmer (Eds.), *Humanitarian action and the 'global war on terror': A review of trends and issues* (HPG report 14). London: ODI.

⁷ *Introduction to humanitarian action a brief guide for resident coordinators*, 2015, OCHA's Humanitarian Leadership Strengthening Unit,

obligations of states in their behavior with each other and their treatment of individuals, including fundamental legal standards for the protection of persons and the type of assistance that can be provided. Regarding international law, two fundamental distinctions applicable to humanitarian action stand out, which are presented below.

First of all, by recognizing that human rights are fundamental for every human being and apply at all times, the perspective of international law also aligns. Thus, it is appreciated that international human rights law identifies a limited set of rights that can be publicly restricted or suspended by a state during a serious public emergency (referred to as a "derogation"), but certain human rights, such as be the prohibition of torture, they cannot be derogated from, which means they cannot be limited or limited, suspended in any way, at any time, for any reason, even during armed conflict. The three fundamental elements are placed in this category of international law: the Universal Declaration of Human Rights; The International Covenant on Civil and Political Rights with its two Optional Protocols and the International Covenant on Economic, Social, and Cultural Rights with its Optional Protocol.

Second, international humanitarian law applies to situations of armed conflict with the aim of limiting the effects of hostilities on both persons and objects and protecting certain particularly vulnerable groups of people. A wide range of treaties fall under this category, the key instruments being the Hague Convention and its Regulations (1907) and the four Geneva Conventions (1949), and Additional Protocols I and II (1977), which provide protection to specific

categories of persons, establish further limitations on the means and methods of warfare and regulate the provision of humanitarian assistance to persons in need. Complementarily, other essential international instruments regarding humanitarian law are highlighted, such as the Convention on the Status of Refugees (1951); Conventions on the Status of Stateless Persons (1954) and on the Reduction of Statelessness (1961); and Guiding Principles on Internal Displacement (1998) outline the identification, protection, and assistance of refugees, stateless persons and internally displaced persons respectively.

Humanitarian principles, developed by the International Red Cross and Red Crescent Movement

Swiss activist Henry Dunant, marked by the bloody battle of Solferino (June 24, 1859) and inadequate treatment of wounded soldiers, published *A Memory of Solferino* (1862) and campaigned to create the Red Cross in 1863,⁸ one of the first true international aid organizations. The Red Cross received an official mandate at the first Geneva Convention in 1864 to provide neutral and impartial assistance to civilian and military victims of conflicts under the organization of national Red Cross committees (Romania ratified the Geneva Convention in 1874 and on July 4, 1876, the Romanian Red Cross Society came into existence.)⁹

The International Red Cross and Red Crescent Movement codified in 1965 seven Fundamental Principles which serve as the basis for its organization and actions. They are the principles of humanity, impartiality, neutrality, independence, voluntary service, unity, and universality.

⁸ *** ORIGINEA SI ISTORIA MISCARII DE CRUCE ROSIE SI SEMILUNA ROSIE, in <https://crucearosie.ro/cine-suntem/originea-si-istoria-miscarii-de-cruce-rosie-si-semiluna-rosie/>

⁹ *Ibidem*.

Humanitarian principles at the level of UN institutions

The United Nations, through its institutions, since its establishment in 1945, has focused its efforts on achieving international cooperation in solving international problems of an economic, social, cultural, or humanitarian nature. In this sense, participation in the efforts to rebuild the devastated European continent after the Second World War was the first issue addressed by the UN at the level of humanitarian aid. Thus, through the post-war experience, the international community recognized the role of the UN to coordinate humanitarian aid for areas affected by emergencies, both natural and man-made disasters.¹⁰ Currently, when disasters occur and their effects cannot be managed only by the governments of the affected countries, the UN coordinates humanitarian aid to provide quick and effective help to those in need. Humanitarian actions are coordinated by the Office for the Coordination of Humanitarian Affairs (OCHA) of the UN Secretariat. From a normative perspective, UN General Assembly Resolution 46/182 (1991) reaffirms the primary responsibility of the state to provide assistance and protection and also establishes the framework for the coordination and delivery of UN-led international humanitarian action. Humanitarian actions financed or undertaken by UN institutions are aligned with the four basic principles of humanitarian assistance: humanity, neutrality, impartiality, and independence.

¹⁰ ***UNICEF USA, *Global example of humanitarian aid from the UN* in <https://www.unicefusa.org/stories/global-examples-humanitarian-aid-un/38249>

The UN and partner organizations aim to assist 183 million people most in need in 30 countries and 7 regions and require a total of \$41 billion.¹¹

Humanitarian principles applied at the level of the European Union

At the EU level, humanitarian principles are enshrined in the European Consensus on Humanitarian Aid, signed in December 2007 by the EU Council, the European Parliament, and the European Commission. The Consensus is the basic framework guiding EU humanitarian aid policy, providing a common vision and principles as well as a practical approach. It ensures that actions carried out by the European Commission's Civil Protection and Humanitarian Aid Operations (ECHO) department comply with humanitarian principles and provide humanitarian assistance to those who need it most. From the perspective of the European Consensus,¹² humanitarian aid represents a fundamental expression of the universal value of solidarity between peoples and a moral imperative. EU humanitarian aid also aims to provide an urgent, needs-based response aimed at protecting life, preventing and alleviating human suffering and maintaining human dignity wherever needed, when governments and local actors are overwhelmed, unable to act, or unwilling to act.

The fundamental humanitarian principles on which the humanitarian aid offered by the EU is based are the 4 principles promoted and respected by the UN institutions - humanity, neutrality, impartiality, and independence.

¹¹ *** OCHA, *Global Humanitarian Overview 2022*, in <https://hum-insight.info/>

¹² Consensusul European privind Ajutorul Umanitar, *Declarație comună a Consiliului și reprezentanților guvernelor statelor membre reuniți în cadrul Consiliului, a Parlamentului European și a Comisiei Europene*, (2008/C 25/01), [https://eur-lex.europa.eu/legal-content/RO/TXT/PDF/?uri=CELEX:42008X0130\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/RO/TXT/PDF/?uri=CELEX:42008X0130(01)&from=EN)

Moreover, considering the fact that the EU is the first contributor in terms of humanitarian assistance at the international level, the principled approach is considered essential for the acceptance of the EU as a partner and for the ability of the Union and humanitarian actors, in general, to act on the ground in political contexts and security often complex.

Standards applied in humanitarian assistance

Increasingly, the public and donors are looking for assurances that the resources they provide are used in the best possible way, both in terms of allocations for interventions made and programs developed with and for affected people. For this purpose, a series of clearly defined, rigorously, and innovative applied standards have been elaborated and developed that can provide these assurances and support quality and responsible humanitarian action. A variety of standards and accountability measures have been launched over the years, the most relevant being the Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief, the Sphere Manual, and the Standard basic humanitarian on quality and accountability.

The Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief (1994)¹³ is a voluntary code with ten principles to protect high standards of behavior in humanitarian response.

1. The humanitarian imperative comes first (1994)

¹³ The Code of Conduct Principles of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Response Programmes, <https://www.ifrc.org/sites/default/files/2021-07/code-of-conduct-movement-ngos-english.pdf>

2. The aid is granted regardless of the race, creed, or nationality of the beneficiaries and without unfavorable distinction of any kind. Aid priorities are calculated based on need only
3. The aid will not be used to promote a particular political or religious point of view
4. We will endeavor not to act as instruments of government foreign policy
5. We will respect culture and customs
6. We will try to build disaster response on local capacities
7. Ways will be found to involve the beneficiaries of the program in aid management
8. Aid should strive to reduce future vulnerabilities to disasters as well as meet basic needs
9. We hold ourselves accountable both to those we seek to help and to those from whom we accept resources
10. In our outreach, publicity, and advertising activities, we will recognize disaster victims as dignified people, not hopeless objects

These principles are accompanied by three sets of recommendations, organized at the level of annexes, on guiding principles that describe the desirable working environment to be created by donor governments, host governments, and intergovernmental organizations – mainly United Nations agencies – to facilitate the effective participation of organizations providing humanitarian aid in disaster response.

The Sphere Manual (2011)¹⁴ and accompanying standards are important technical resources for every humanitarian worker, being provided by a group created in 1997 which is made up of various non-governmental organizations and the Red Cross and Red Crescent Movement. The Sphere Manual¹⁵ establishes common principles and internationally recognized universal minimum standards for humanitarian action, focusing on two central approaches: people affected by disaster or conflict have the right to a dignified life and therefore the right to assistance; and all possible measures should be taken to alleviate human suffering resulting from disasters or conflicts. Three distinct categories are addressed within the work; I. the protection principles that represent a practical translation of the principles and legal rights outlined in the Humanitarian Charter into the four principles that inform all humanitarian responses; II. the core humanitarian standards which refer to nine commitments that describe the essential processes and organizational responsibilities to enable quality and accountability in achieving the Minimum Standards; III. four technical chapters that include minimum standards in key response sectors: water supply, sanitation, and hygiene promotion (WASH), food security and nutrition, shelter and settlement, and health.

¹⁴ Sphere Association. *The Sphere Handbook: Humanitarian Charter and Minimum Standards in Humanitarian Response*, fourth edition, Geneva, Switzerland, 2018. www.spherestandards.org/handbook

¹⁵ The Sphere Handbook was written to develop a set of "minimum standards" for international aid to be adopted by NGOs, government and donor agencies. It was first published as a draft in 1998 and since then it had gone through several iterations with a group of international agencies and impartial observers.

3. The Humanitarian Core Standard on Quality and Accountability (2014)¹⁶ sets out nine verifiable commitments that organizations can use to improve the quality and accountability of their actions, referring to communities and people affected by crisis as related to specific action coordinates.¹⁷

Actions in the field of humanitarian assistance are closely connected to the global approach described by the 17 Sustainable Development Goals (SDGs) adopted in September by the 2030 Agenda for Sustainable Development at the UN Development Summit. National Red Cross and Red Crescent Societies around the world - including EU Red Cross Societies - actively contribute to sustainable development efforts through a range of services and programs aimed at building resilience and addressing the underlying causes of vulnerability of communities affected by various disasters.

Conclusions

The principles regarding humanitarian assistance are closely connected to international humanitarian law, and the central body of humanitarian aid principles is identified at the level of the main international actors. An important

¹⁶ ***CHS Alliance, Group URD and the Sphere Project (2014). Core Humanitarian Standard on Quality and Accountability, <https://corehumanitarianstandard.org/files/files/Core%20Humanitarian%20Standard%20-%20English.pdf>

¹⁷ 1. receive assistance appropriate and relevant to their needs; 2. have access to the humanitarian assistance they need at the right time; 3. are not negatively affected and are more prepared, resilient and less at-risk as a result of humanitarian action; 4. have access to information and participate in decisions that affect them; 5. have access to safe and responsive mechanisms to handle complaints; receive coordinated, complementary assistance; can expect delivery of improved assistance as organisations learn from experience and reflection; 8. receive the assistance they require from competent and well-managed staff and volunteers; 9. can expect that the organisations assisting them are managing resources effectively, efficiently and ethically.

mention deserves to be expressed regarding the historical relevance of the Red Cross and Red Crescent Movement in promoting and respecting humanitarian principles. Currently, considering the activities carried out at the level of the different actors of humanitarian aid, it is considered that Dunantist liberal humanitarianism is the dominant form within the international humanitarian enterprise and represents the central point of humanitarian actions.¹⁸

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¹⁸ Pringle, John, Hunt, Matthew (2015). *Humanitarian Action*, *Encyclopedia of Global Bioethics*, Springer Science+Business Media Dordrecht

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Web Resources

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