

Introduction to Humanitarian Assistance I: Humanitarian Principles, International Humanitarian Law, international policies

Facilitator: Gertude Désirée Etobe, UNHCR Morocco

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Context

Humanitarian Assistance aims to prevent and alleviate human suffering wherever it occurs.

Humanitarian Assistance seeks to

- Relieve suffering
- Save lives
- Reduce vulnerability

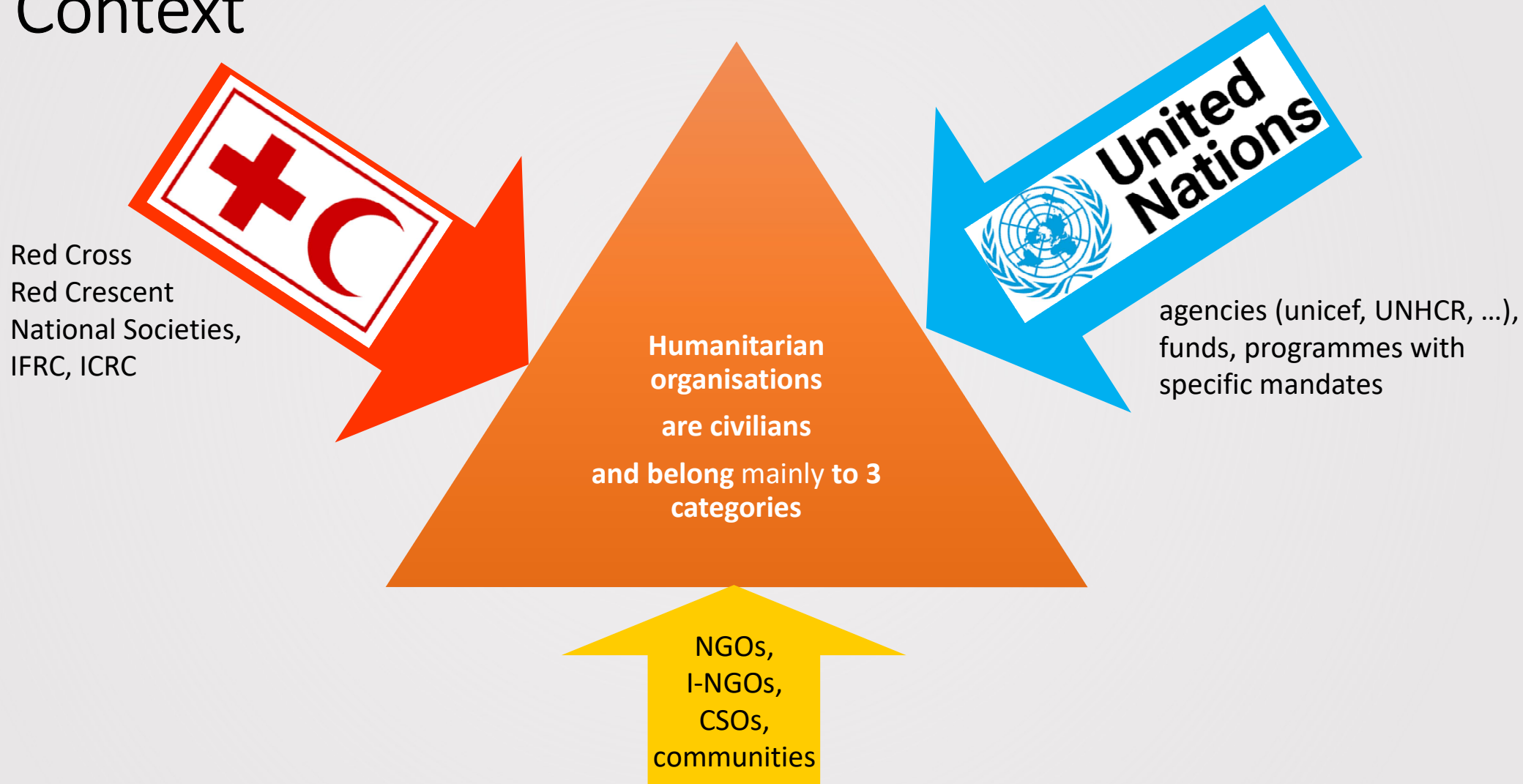
Humanitarian Assistance is provided

- at the request of the country
- in support of/complementary to state action
- as a replacement in case of state failure

Main concerns in humanitarian crisis situations can be

- population movements, IDPs, returnees/repatriates, refugees
- loss of livelihoods
- destruction of homes
- limited or no access to basic social services
- problems of social cohesion and protection
- resilience/early recovery

Context





Context

The **HUMANITARIAN PRINCIPLES** - humanity, neutrality, independence, impartiality - are central to establishing and maintaining access to affected populations, whether in the context of a natural disaster, armed conflict or a complex emergency.

Promoting respect for humanitarian principles during the response is an essential element of effective humanitarian coordination



Humanitarian Principles

Humanity

Human suffering must be alleviated wherever it occurs. The aim of humanitarian action is to protect life and health, but also to ensure respect for human beings with attention to the most vulnerable

Impartiality

Humanitarian action shall be carried out solely on the basis of need, giving priority to the most urgent situations of distress without distinction as to nationality, race, religion, gender, creed and class or political opinion.

Independence

Humanitarian action must be independent of any political, economic, military or other agenda in the areas where it is implemented

Neutrality

Humanitarian actors should not take sides during hostilities or engage in polemics of a political, racial, religious or ideological nature.



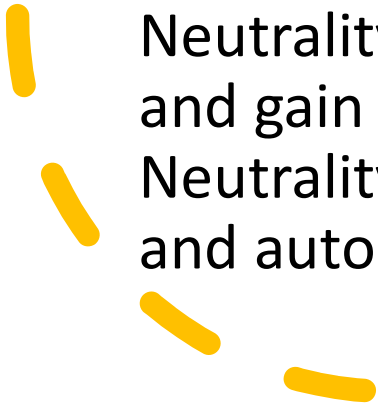
Humanitarian Principles in practice

The principles of humanity and impartiality are substantial principles that serve as a moral compass.

Humanitarian action in its objective strives to prevent and alleviate suffering, to assist individuals (humanity), without distinction of nationality, race, religion, social condition and political affiliation (impartiality).

Neutrality and independence help to create the “humanitarian space” and gain access to the people most in need.

Neutrality means not taking sides, impartiality refers to independent and autonomous decision taking of humanitarian actors.



Humanitarian Principles in practice

HUMANITY

- preserve the life of the people and respect for the person;
- alleviate human suffering wherever it may be.
- guarantee respect for human beings with attention to the most vulnerable.

NEUTRALITY

Do not take sides in a conflict and do not provide aid to one side over another.

IMPARTIALITY

- provide relief without discrimination other than that of the urgency of the need.
- prioritise those most in need, regardless of their background.
- no discrimination between nationalities, races, religions, genders, classes or political opinions.

INDEPENDENCE

Act free from political, economic, religious, military or other influences in conducting needs assessments and providing assistance.

Overall guiding Principle: **Do No Harm!**

INTERNATIONAL HUMANITARIAN LAW IHL

-also called the "law of war" or the "law of armed conflict"

International Humanitarian Law (IHL)

International humanitarian law (IHL) is a set of rules which, for humanitarian reasons, seeks to limit the effects of armed conflict. It protects people who are not, or are no longer, participating in combat and restricts the means and methods of warfare. A well-known examples of such a rule is the prohibition on attacking doctors or ambulances displaying a red cross.

IHL is part of the international law that governs relations between states.

IHL applies in situations of armed conflict. It does not determine whether or not a State has the right to use force. This issue is governed by an important but separate part of international law, contained in the UN Charter which allows the use of force only for legitimate self-defence, or on the basis of a Security Council Resolution.

IHL does not stipulate whether the start of an armed conflict was legitimate or not, but rather seeks to regulate the behaviour of the parties once it has begun.

The four Geneva Conventions of 1949 are the cornerstone of IHL, supported by the 1977 Additional Protocols I and II (AP I and AP II) relating to the protection of victims of international and non-international armed conflicts and by the Additional Protocol III of 2005.

International Humanitarian Law (IHL)



→ The purpose of IHL is to protect the victims of armed conflict and to define rules governing hostilities, based on a balance between military necessity and the principle of humanity.

→ IHL should not be confused with legal frameworks that may apply in parallel but have different objects and purposes, such as the UN Charter, the law of neutrality, human rights law and international criminal law.

→ Belligerents must respect their humanitarian obligations in all circumstances, regardless of the conduct of the enemy and the nature or origin of the conflict.

→ Although IHL is now one of the most codified branches of international law and its instruments are among the most ratified, its rules may also be deduced from custom and general principles of law.

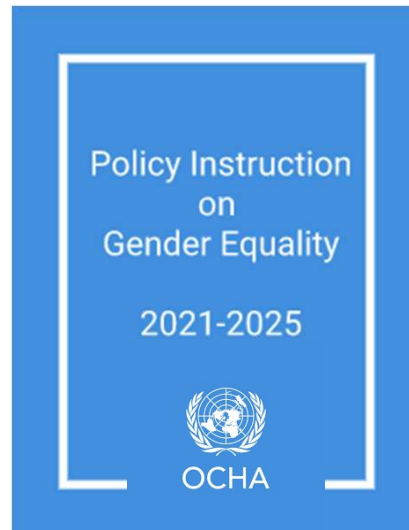
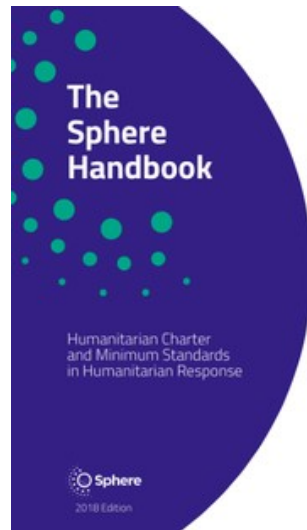
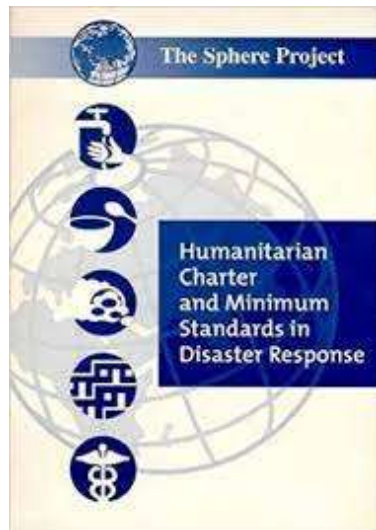
→ Recent political, social, economic and technical upheavals pose unprecedented challenges to the fundamental achievements and faithful implementation of IHL.



Basic rules of IHL

- Persons who are 'hors de combat' (outside of combat), and those who are not taking part in hostilities in a situation of armed conflict, shall be protected in all circumstances.
- The wounded and the sick shall be cared for and protected by the party to the conflict which has them in its power. The emblem of the "Red Cross", or of the "Red Crescent," shall be required to be respected as the sign of protection.
- Captured persons must be protected against acts of violence and reprisals. They shall have the right to correspond with their families and to receive relief.
- No one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment.
- Parties to a conflict do not have an unlimited choice of methods and means of warfare.
- Parties to a conflict shall at all times distinguish between combatants and non-combatants. Attacks shall be directed solely against legitimate military targets.

Important International Policies (selection)



Code of conduct

6. We shall attempt to build disaster response on local capacities

- We will strengthen the capacities by employing local staff, purchasing local material and trading with local companies;
- We will work through local NGOs as partners in planning and implementation, and the proper co-operate with local government structures where appropriate;
- Place a high priority on the proper co-ordination.

7. Ways shall be found to involve programme beneficiaries in the management of relief aid;

- We will Strive to achieve full community participation in our relief and rehabilitation programmes.



Convention on the Rights of Persons with Disabilities



QUESTIONS?

Thank you!