

Humanitarian Principles beyond 2013: Ireland's role in safeguarding the EU Consensus on Humanitarian Aid

Issues arising during Trócaire's Roundtable Discussion, 19th April 2012, EU House, Dublin

Chair : Ms Caoimhe de Barra (Trócaire)

Panel Speakers: Mr David Bruck (Irish Aid); Mr Dug Cubie (UCC); Dr Wolf-Dieter Eberwein (VOICE); Ms Rosemary Heenan (Trócaire); Ms Leonor Nieto (ECHO).

Contributions by the five panelists were followed by an open discussion with guests from the European Commission, Oireachtas, Department of Foreign Affairs, Department of Defence, Irish Armed Forces, a number of Embassies and representatives from civil society including, Dóchas, Red Cross, and other international development agencies. Panelist contributions highlighted:

- Developments in a post-Lisbon Europe and implications for the international humanitarian community, Dr Eberwein
- The practical importance of humanitarian principles in complex settings such as Somalia, Ms Heenan
- The future of the EU Consensus on Humanitarian Aid and accompanying Action Plan, Ms Nieto
- Legal frameworks and policy coherence between the EU and UN, Mr Cubie
- Challenges in meeting foreign policy and humanitarian objectives, opportunities for Ireland's EU Presidency, Mr Bruck

Some key issues arising from the rich and varied discussion included (but are not limited to):

1. Complex crises and their solutions are inherently political. However, States must not conflate aid assistance with other foreign policy, security or military objectives. To this end, some participants emphasised that ECHO should be kept independent of the EEAS, to avoid being used as a "crisis management tool", and that the Humanitarian Regulation should neither be opened nor reviewed at this time.
2. An increasing range of actors are becoming involved in humanitarian crises, who are resource rich but not bound by a code of ethics. Would international laws on humanitarian assistance or other legally binding body help to engage with these actors and address associated challenges? It is important to engage all stakeholders and actors involved in responding to crises.
3. Even if the EU Consensus on Humanitarian Aid were to become a legally binding framework, this would not necessarily guarantee compliance. Legal frameworks can act to strengthen advocacy efforts and drive policy.
4. In some scenarios, humanitarian crises have the potential to be averted by investing in addressing underlying causes through governance and human rights work, especially in the case of conflict related crises.
5. Participants agreed that relations between the international humanitarian community and military actors need to be strengthened to generate mutual understanding of each other's role and mandate. This includes the need to bridge the cultural divide, including investing in joint initiatives such as the Viking training. Under what circumstances and conditions should the military be used as "a last resort", and when not? Feasibly there are situations and countries where military involvement poses no risk, but others where military involvement can add to the risk. Common ground on this issue needs to be sought between these actors.
6. No body or group has a monopoly on the use of the word "humanitarian", but it's being used by some actors to mean something very different to what is defined within the EU Consensus on Humanitarian Aid. For instance, in the discussion some participants emphasized the

inherently political nature of military action compared to the indiscriminate and neutral nature of humanitarian assistance, and pointed to this endangering humanitarian assistance and workers.

7. There are some cases whereby military action has been able to secure the space and enable humanitarian response to take place e.g. Chad, but there are also cases whereby military action has acted to make the situation more volatile and difficult for humanitarian actors to operate e.g. Somalia.
8. Strict adherence to the humanitarian principles of independence, neutrality and impartiality, as well as strong local knowledge, good community relationships and local ownership of interventions have enabled Trócaire to implement programmes in volatile parts of South West Somalia for the past 20 years.
9. In complex chronic crises, such as Somalia, demonstrating adherence to humanitarian principles can provide pragmatic and operational means to secure and maintain humanitarian access. Central to this is investing in relationship-building with communities over the long-term, based on honesty, trust, consistency and transparency, and keeping a distance from other actors with whom association could be perceived as contrary to the principle of neutrality. However, this is not guaranteed.
10. In some humanitarian responses, such as in Somalia, the response to the “War on Terror” has made negotiating for access to crisis affected populations a criminal act, and humanitarian organisations are coming under increased political pressure by some donors (by only funding assistance in TFG controlled areas in Somalia). It is important to reflect upon the human cost of this, and whether these actions undermine humanitarian principles.
11. There is drive towards ‘whole-of-government’ approaches to crises. This requires a greater emphasis on building knowledge and understanding of humanitarian principles in general, and commitments made by Member States within the EU Consensus on Humanitarian Aid specifically (particularly Article 22), among all governmental departments and the defence forces.
12. It is necessary to advocate for humanitarian principles, with both traditional and non-traditional humanitarian actors, as well as other relevant stakeholders.
13. It is necessary for EU Member States to act collaboratively and with one voice in support of agreements made within the Humanitarian Consensus, and for Ireland to take the lead on facilitating this during the Irish Presidency of the EU in 2013.
14. All relevant actors must work together in a coherent manner, being fully cognizant of the importance and nuances of delivering assistance according to humanitarian principles and international law, and the importance of supporting Member States to be compliant with the EU Consensus on Humanitarian Aid. An enabling environment, as posited in the Humanitarian Consensus, must be created for aid organisations (local, national, and international), including flexible and sustained funding for protracted/chronic crises.

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