

NEUTRALITY IN THE HUMANITARIAN RESPONSE IN UKRAINE

THE ISSUE

LOCALISATION: EXPLORING A MULTIFACETED AGENDA



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Although at the very beginning of the war's escalation, there was an anticipation that neutrality would be downplayed in the humanitarian response in Ukraine, this concept is still relevant, but there are nuances to its realisation.

The humanitarian crisis caused by Russia's full-scale invasion of Ukraine demonstrated the insufficient ability of the existing funding system to cope with the needs of the affected population¹. Although the local actors – volunteers, community initiatives and civil society organisations (CSOs) – are the driving force behind this response, they face obstacles in accessing money accumulated globally for the humanitarian crisis in Ukraine. In this context, the word *localisation* started dominating humanitarian debates in Ukraine, and solutions were sought to make humanitarian funds more easily accessible to local actors. This included the simplification of due diligence for partner organisations, harmonisation of assessments, greater involvement of local actors in programme design, etc. Principled humanitarian aid and, in particular, adherence to the principle of neutrality, came under the spotlight as a concept that, in the opinion of some local responders, needs to be adapted to the Ukrainian context.

Neutrality means that providers of humanitarian assistance do not support parties to the conflict. In Ukraine, the level of public support for the army is high because nobody else can physically protect Ukrainians. When it comes to military needs, the army is supported by Ukraine's partners (military equipment and training), but also by Ukrainian foundations and volunteers. Such fundraisers openly state the goal of their campaigns and do not usually apply for international humanitarian funds. During the first months of the war's escalation, some of them sent to INGOs requests for diverse forms of military's support, but stopped doing so after humanitarian agencies clarified their position on neutrality.

The humanitarian needs of the soldiers are normally covered by the state as well as by Ukrainian foundations that purchase, among other things, goods that can be used for both civilian and military purposes. In some cases, Ukrainian CSOs may provide humanitarian assistance to the army as well as to civilians, but use different budget lines for these activities and distinguish between the two funding streams in their operations. In Ukrainian legislation, humanitarian assistance is a broad concept that includes goods for both civilians and the military².

1. [Enabling the local response: Emerging humanitarian priorities in Ukraine March–May 2022](#). The Humanitarian Outcomes, June 2022.
2. [The Law of Ukraine on humanitarian assistance](#). The Verkhovna Rada of Ukraine.

“In response to awareness raising efforts undertaken by international humanitarian agencies that were pointing out to this practice as violating humanitarian principles and advocating for bringing Ukrainian legislation in line with the International Humanitarian Law, Ukrainian authorities have been demonstrating their openness to shifting their approach to neutrality.”

In particular, it resulted into the situation that during the first months after the start of the full-scale invasion, Ukrainian authorities sometimes used the same warehouses for aid storage for both groups³. In response to awareness raising efforts undertaken by international humanitarian agencies that were pointing out to this practice as violating humanitarian principles and advocating for bringing Ukrainian legislation in line with the International Humanitarian Law, Ukrainian authorities have been demonstrating their openness to shifting their approach to neutrality. The work on the draft of the new law on humanitarian assistance is still ongoing although there has been no final decision yet if it will include aid to the military.

Meanwhile, a vast category of CSOs in Ukraine focuses purely on providing assistance to the civilian population. On the side of Ukraine’s civil society, there is normally a will to get acquainted with humanitarian standards since this knowledge helps to guarantee a higher quality of response and sustainability of INGOs’ support. Those local organisations that follow the neutrality principle do not usually try to access humanitarian funds to cover the needs of the military. There is also a pool of Ukrainian CSOs that, due to INGOs’ position on neutrality, choose not to cooperate with international humanitarian agencies and to seek alternative sources of funding. Although there are just a few, their voices advocating for a different interpretation of neutrality in the Ukrainian context are strong and reflected within the international community. Although PIN does not partner with organisations from this pool, it keeps track of their statements and shapes its localisation policy with due consideration of the complexity and sensitivity of the perception of the principle of neutrality in the country.

In a situation in which the humanitarian response is overwhelmingly implemented by local organisations, and considering the high solidarity of Ukrainians with the Armed Forces, the international community faces a difficult task in terms of neutrality. On the one hand, no one has cancelled humanitarian principles, and INGOs need to make sure that the humanitarian money they were trusted with by their citizens and governments is spent only on civilians. To ensure that Ukrainian volunteers and CSOs stick to neutrality, international agencies encourage their partners to complete learning modules on the ethics of humanitarian work and to promote compliance with neutrality⁴. During the implementation of humanitarian programmes by local actors, apart from normal monitoring, INGOs additionally scrutinise the distribution of dual-use items to ensure that it is civilians who are making use of them. Neutrality is also the way to secure humanitarian access to non-government-controlled areas (NGCA). Noteworthy, however, in the Ukrainian context, only a few INGOs, acting usually through local actors, can currently operate in territories controlled by Russia.

On the other hand, INGOs recognise the dilemma of pushing Ukrainian civil society – politicised, but also traumatised, with their relatives, friends and compatriots being killed, injured, and raped because of the war - to stay neutral in their humanitarian activities. As mentioned in an open letter signed by Ukrainian CSOs, “We do not want to remain “neutral”. The value of human life must come first, and supporting the needs of those on the front line can significantly reduce the amount of civilian aid needed and the number of casualties”⁵. Volunteers also say that Ukrainian soldiers are often the first ones to enter liberated locations, sharing their medicines, food, and water with the local civilians long before humanitarians start their operations there⁶.

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3. [Humanitarian headquarters of Ternopil continue to provide volunteer assistance to internally displaced persons and military servicemen](#). Ternopil city council, 2022.

4. SDC Fair partnership principles. Swiss Agency for Development and Cooperation SDC, 2022.

5. [If not now, when?](#) National Network of Local Philanthropy Development, August 2022.

6. National workshop on Localizing humanitarian aid in Ukraine; Kyiv, 17.02.2023



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Meanwhile, Ukrainian CSOs are often sceptical about the merits of trying to get humanitarian access to areas occupied by Russia: “Neutrality made sense to me in 2015 because it helped my organisation to assist the civilians in NGCA in Donetsk. Back then, de facto authorities could tolerate some Ukrainian and international NGOs working on this territory; now, when the war became full-scale and Russia acts openly, access to locations controlled by Russia is not realistic⁷”. One more argument questioning the advantages of neutrality is that Russia seems to perceive any Western support to Ukraine – be it military or civilian, direct or through local actors – as non-neutral. Russian missiles regularly hit humanitarian warehouses in Ukraine and people standing in line for humanitarian aid. That is why for local responders, there is a lack of evidence on how their adherence to neutrality can increase their chances to access the areas occupied by Russia.

Despite some discussions within the humanitarian community that INGOs might abandon the principle of neutrality for the sake of demonstrating solidarity with Ukraine⁸, this has not happened. As often, the principle of neutrality might be challenged in conflict settings by those directly affected. For many INGOs in Ukraine, partnering with local organisations that provide support to both civilian and military populations is still an absolute no-go and they prefer to focus only on those working solely with the civilians. At the same time, usually when

it is related to the distributions to hard-to-reach areas, some - rather small and middle-size - INGOs in Ukraine have considered partnerships not only with humanitarian organisations working with civilian population, but also with the organisations assisting both the civilians and the military. The condition is always that these responders do not support the military with humanitarian money and can convincingly prove this.

It is not to say that such organisations send humanitarian assistance to the military; it means that in some exceptional cases, some INGOs can tolerate the fact that their partners support not only civilians, but also the military. As Petr Drbohlav, PIN Regional Director for Eastern Partnership and Balkans puts it: “Humanitarian principles are at the core of our response but they might be mutually exclusive. If you demand that your national partners strictly demonstrate their neutrality, you might at the same time undermine the principle of humanity and their right to protection. Thus, working with organisations supporting both the civilians and military might be the only way to fulfil the humanity principle, under the condition that aid is not diverted to the military. In any case, partnerships with such organisations should not be the normal practice, but rather the last resort⁹”.

This approach could be considered in the localisation policy of INGOs who could adapt their policies to the local environment, taking into account the specific context of localisation in Ukraine. To demonstrate accountability to their governments and citizens, INGOs partnering with organisations supporting both civilians and military could invest more in due diligence, identifying risks and monitoring the implementation of the programmes to make sure that humanitarian funds are ultimately channelled for civilian population only.

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7. National workshop on Localizing humanitarian aid in Ukraine; Kyiv, 17.02.2023

8. Slim, H. [Solidarity, not neutrality, will characterize Western aid to Ukraine](#). Ethics and International Affairs. 10.03.2022

9. Petr Drbohlav, People in Need, Regional Director – Eastern Partnership and Balkans