



Local humanitarian actors and the principle of impartiality

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To provide more effective help, local and international organisations must work together to implement the humanitarian principles. The projected funding increases for local actors as part of the Grand Bargain might be an opportunity: Those in greatest need may finally receive the help they urgently require. But who are ‘local actors’? And do these actors face greater challenges than their international counterparts when it comes to providing impartial assistance? And if so, what can be done in response?

Asked if the May 2016 Istanbul World Humanitarian Summit (WHS) has produced any tangible outcomes, many in the humanitarian community would refer to the step of recognising the indispensable role local actors play in humanitarian response. They would point to the target that 25% of global humanitarian funding

be allocated to local actors by 2020. This target was agreed by a range of UN agencies, NGOs and major donors as part of an agreement called the ‘Grand Bargain’. It implies a significant growth in financial resources that should reach local humanitarian actors “as directly as possible” in the next few years.¹

Why local actors are becoming more important

For a range of international NGOs, working through – or with – local organisations has been standard practice for many years. Many are church-affiliated NGOs which have natural counterparts in local dioceses or parishes. Working with and through these local structures is the way these organisations operate. NGOs such as Christian Aid or Catholic Agency for Overseas Development (CAFOD), the British Caritas affiliate, have been among the loudest voices pushing the localisation agenda.

These organisations advocate for changes in how the international humanitarian system operates and have encouraged many organisations to sign the Charter for Change which calls for more locally-driven humanitarianism.² The International Red Cross and Red Crescent Movement is, of course, another major stakeholder in the localisation debate, as their network of national societies helps them combine global and local action.

One reason for the increased importance of local actors is found in the changes in the humanitarian landscape. Either because of assertive host governments, or due to high levels of insecurity, or both, international organisations find it increasingly difficult to enter crisis-affected areas, now often labelled as ‘hard to reach’ or ‘high-risk environments’. Rather than being an exception, remotely managed operations have become the standard for many organisations. In these instances, local organisations and individuals have been contracted to deliver much-needed assistance, including in cross-border operations.

Another reason why there is more attention on local humanitarian actors is because several have become more organised and are more vocal on a global level. The Network for Empowered Aid Response (NEAR), for example, brings together a range of NGOs from the developing world and its creation coincided with the WHS.

Who should be defined as a ‘local actor’?

The likely increase in financial resources at the disposal of local humanitarian actors as part of the Grand Bargain leads us to ask who would qualify for the money. ‘Local actors’ is a broad term. Some, like the NEAR network, have equated the term ‘local actors’ with local NGOs. These are only one sub-set of local actors. While other formal documents in the sector refer to ‘local capacities’, the Grand Bargain refers to ‘local responders’.³ This term could comprise a wide range of very different institutions and individuals,

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As welcome as it may be, public recognition of the indispensable role of local actors in humanitarian response has led to several debates. This essay sets out to discuss two questions involved in these debates:

- What is a local humanitarian actor?
- And do local humanitarian actors have more challenges than their international colleagues in applying humanitarian principles, in particular the principle of impartiality?

groups and communities, from government authorities at various levels to private businesses, and national NGOs to community-based networks.

In an effort to provide clarity, a working group that is part of the Inter-Agency Standing Committee, the main international body for humanitarian coordination among operational organisations, has been working on a so-called localisation marker. This working group has come up with a number of categories, including:

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- National NGOs/civil society organisations (CSOs)
 - Local NGOs/CSOs
 - Red Cross/Red Crescent National Societies
 - National governments
 - Local governments
 - Local and national private sector entities

These broad categories create a convenient space for a large variety of stakeholders to interpret the commitment to localise humanitarian aid according to their own interests and agendas. All of this is to say that the global debate on defining who is local and who is not has arrived at a dead-end. It would be much more relevant to define locally (for example, at a national level) which local actors deserve further financial support.

A debate has emerged at the international level since the Grand Bargain agreement, focusing on identifying what

characterises actors as local or international. Only those which fall within the definition of local actors would be eligible to receive a share of the committed increase in financial resources.

What looks international from the outside may be very localised in reality, with the reverse also being true. The Haitian branch of CARE, for example, has been in the country for more than five decades and is registered as a local NGO. In Iraq during recent research, UN and international NGOs referred this author to two organisations that they described as ‘local’, which were actually either run by expatriates or by people (born and/or raised in Western Europe. At the same time, an Islamic NGO registered in the UK, and therefore referred to as an international NGO, was run entirely by Iraqis and has been in the country since 1991.⁴

Debate, therefore, should focus much more on the reality on the ground. At the moment, it is largely conceptual in nature and is producing unproductive north-south tensions. The 25% target set by the Grand Bargain may do more harm than good.

Focusing on who is humanitarian

Further debate could be “Who is humanitarian and who is not?”. The defining characteristics are found in the four core principles of humanitarian action. Without considering these principles of humanity, impartiality, neutrality, and independence, it would be difficult to understand how certain activities could be qualified as humanitarian.

Humanity and impartiality in particular are principles that give humanitarian assistance meaning and purpose. Neutrality and independence are derived principles, instrumental in realising the first two. These latter two principles should therefore perhaps be seen in a different light for local actors compared to their international colleagues. Most local actors

are active in other social areas as well as humanitarian aid. Inherently, neutrality, in terms of not engaging with root causes of a conflict, looks unnatural for them. Likewise, their independence has to be understood in the context of the space their respective states allow for civil society to operate in. In a growing number of countries, this space is under significant pressure.⁵

Within the humanitarian community, it is not common practice to point to NGOs and other humanitarian organisations when they do not follow the principles. If humanitarian identity is to be strengthened, more dialogue, scrutiny and reporting is needed, both among humanitarian agencies and within them. Much has been published on the humanitarian principles, but it is only in the last few years that the body of research on their practical application has increased.

There is a stark difference between calling for principled humanitarian action and implementing it. An MSF report on localisation notes that scepticism in the humanitarian community about the application of the principles does not only concern local actors.⁶ Other recent reports point to a number of issues when it comes to delivering principled humanitarian action.⁷ They paint a rather bleak picture of the application of the principles. Several challenges in applying the principles are obstacles such as the non-observance of the rules of war by parties to the conflict or the conditions by donor governments that stipulate with whom humanitarian organisations can interact on the ground. Other problems appear to be more of an internal nature, for which the organisations themselves are responsible. They include, for example, a lack of attention to the principles in decision-making, or unfamiliarity with the principles among operational staff.⁸


Impartiality is key in defining who is humanitarian

The obvious question for local humanitarian actors in relation to humanitarian principles is whether or not they are expected to apply the same principles as their international colleagues. And if so, do they face similar challenges in applying these principles?

For all humanitarians, the principle of impartiality could be seen as the pivotal criterion. Together with the principle of humanity, it sets out the goal of humanitarian action, i.e. the preservation of every human life.⁹ The principle of humanity is

beyond question, and, as stated above, neutrality and independence are derived principles. They are instrumental in realising humanity and impartiality. The principle of impartiality can guide us when prioritising humanitarian action in extreme situations.¹⁰ While the principles

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are not irrelevant in natural disaster contexts, their relevance is obvious in situations of armed conflict where

humanitarian aid is commonly manipulated and instrumentalised for political purposes.

What impartiality looks like on the ground

Considering the definition of impartiality,¹¹ there are two interrelated components: Aid must be allocated in proportion to need and without discrimination.¹² To start with the latter, a recent study on the principles in Iraq found that many staff of humanitarian organisations spontaneously noted the obligation not to make any distinction between beneficiaries on the grounds of ethnic or sectarian origins.¹³ In Iraq, like other war-torn countries, this is no small thing as sectarian divisions among Kurds, Shi'ites and Sunnis have been among the causes of war. Many international NGOs have expressed concerns that they could not take their Kurdish staff to Sunni-dominated areas in Iraq. If this is a challenge for international NGOs, it is likely to be an even bigger issue for local organisations.

As a recent study describes, “local organisations are rooted in their historical, cultural, and religious constituencies and they have to report back to them in formal or informal ways”.¹⁴ Put differently, family members, relatives, friends, and others from the same area or district, will have expectations in terms of who should receive assistance and who should not. This is a particular challenge in armed conflict situations, where ethnic or religious divisions are prevalent. Local groups may be in a better position to enter areas that are off limits to international staff

and organisations because of their local knowledge and networks. But this comparative advantage may be offset by their vulnerability to exploitation, manipulation, or intimidation.¹⁵

Applying the other component of the principle of impartiality, in proportion to need, is equally if not more challenging. It is a misunderstanding that a humanitarian organisation needs to deliver services on all sides of a conflict. The determining aspect of this idea of impartiality is ‘most in need’. The term can imply a single presence in an area controlled by one of the parties involved in a conflict. But in such instances other parties are likely to challenge an organisation’s neutrality. The organisation’s staff must then use their negotiation skills to illustrate how they are adhering to the principle of impartiality.

In Iraq, as in some other countries, a number of areas have been labelled as ‘hard to reach.’ This is a disturbing trend as it is precisely in these areas where humanitarian capacity should be prioritised. The needs of people are likely to be the highest and most urgent in such areas with high levels of violence and insecurity. By its design, humanitarian action is expected to be undertaken in such circumstances, not as act of bravery or heroism, but as the outcome of negotiations with the

warring parties. The ‘hard to reach’ label has become a self-fulfilling prophecy. Many humanitarian organisations find it too risky to visit these areas to deliver assistance, and have instead prioritised other less volatile areas for which funding is also relatively easy to obtain. As a result, ‘most in need’ is one aspect of impartiality that has been neglected.

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Prioritising those most in need

This view is one that resonates with research on international humanitarian standards frameworks, in particular the 2014 Core Humanitarian Standard (CHS). The research found that while the humanitarian system supports inquiry into non-discrimination, there are gaps in the CHS in terms of verifying whether organisations target those most in need.¹⁶

‘Most in need’ also came up in a peer review initiative of the Steering Committee for Humanitarian Response (SCHR) in 2013. In Colombia, this international NGO network examined the application of the principle of impartiality by its members. It found that members applied the principle of impartiality to different degrees. Some had applied it at a national level, but most had applied it at a departmental or district level.¹⁷ In other words, for some organisations, ‘most in need’ is the prime motivation in defining priority interventions and areas in a country. But most other organisations do this after they have identified the area where they should be active.

The earlier decision to identify a certain area may be done on other grounds. For example, the presence of local organisations, previous experience in the country, or good relations with the authorities. Ironically, if an international organisation has chosen an area because of the presence of a local partner, but where needs are not the most urgent, localisation could be seen to contradict the principle of impartiality.

These findings point to the issues of scale and level. It seems appropriate to urge international organisations to use a global¹⁸ and a national level to define ‘most in need’. The ‘global level’ in relation to which countries they should work in and the ‘national level’ to determine which areas should be prioritised. For local organisations, it would seem a logical consequence to define ‘most in need’ in the region where they are based. Because of their local knowledge and links, working in another district or province may be comparable to an international NGO entering a new country.



Impartiality in partnerships

If abiding by impartiality is at least equally challenging for local organisations as for their international colleagues, another question is whether and how their joint partnerships address this challenge. A recurring issue in the context of local humanitarian actors is the strengthening of capacities. Debate usually centres on covering institutional costs as local actors often become de facto sub-contractors for an international organisation.

New investment in local capacity-strengthening should not only focus on reinforcing operational capacity, for example through technical skills training

– they should also focus on the institutional capacity of local actors, including their understanding of humanitarian principles and standards. For international organisations which have pursued partnership approaches as their standard way of operating, such as the International Red Cross and Red Crescent Movement, this is not a novelty. For many others, it may be. If the long-term vision for local partners is to become stronger and more competent humanitarian actors, training and mutual learning initiatives on humanitarian principles are not an option, but a necessity.

Conditions for establishing partnerships

It is particularly relevant that training on humanitarian principles forms an integral part of capacity-strengthening efforts when organisations work in armed conflict areas. A recent report on localisation says that “certain international actors work with local actors who, taken individually, are not neutral or impartial”.¹⁹ For the international actor that recruits such local groups, it is best to recruit as many as possible on different sides of the conflict in order for humanitarian aid to be, and to appear to be, impartial and neutral.

It could be argued that two conditions should be taken into consideration by an international organisation when they work with a local actor to pass the test of

‘principledness’. The international organisation should:

- be transparent about their approach and explain why it recruited a local actor. For example, did it have no choice but to work with this organisation?
- discuss humanitarian principles with local partners and offer training on the principles, to support them in becoming more credible humanitarian actors in the long-term.

Mutual learning is the way forward

Challenges of applying the principle of impartiality are seen for both local and international organisations. It is time to move beyond this distinction to think in terms of the complementarity of humanitarian actors based on their comparative advantages. They should share their experiences and lessons in conforming to and working with all the humanitarian principles. There is room for improvement in the context of partnerships and capacity-strengthening. Mutual learning, especially at a field level, is the way forward.

There is work to be done on a conceptual level too. The most authoritative source on humanitarian principles for NGOs, the 1994 Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organisations in Disaster Relief, is written entirely from an international perspective. Indeed, it was an international NGO network, the SCHR, which led its drafting.

The international language of the code is reflected in principles two and four. Principle two, which covers impartiality, says that “wherever possible, we will base the provision of relief aid upon a thorough assessment of the needs of the disaster

victims and the local capacities already in place to meet those needs”. For local actors, this would imply a self-assessment.


It is a misunderstanding that a humanitarian organisation needs to deliver services on all sides of a conflict.

Principle four, covering independence, notes that the signatories “shall endeavour not to act as instruments of government foreign policy”. This refers to accepting donor funds in which NGOs could become part of the political objectives of the donor government. Now that some donors might be able to provide direct funding to local NGOs, this could become a reality. For a national NGO, however, it might be more relevant to make sure that it maintains autonomy towards national authorities. If local humanitarian NGOs are expected to subscribe to the 1994 code, its language needs to be updated. The current text is not suitable for them.

All actors need to engage with the humanitarian principles

Finally, humanitarian principles, especially impartiality, are relevant in addressing difficult operational questions collectively. These questions are rarely unique to a single organisation. In fact, very often

they are common challenges. This is why the principles should also drive the work of the humanitarian clusters and other coordination mechanisms. With the future increase in financial resources for



local actors, it is likely that a number of donor governments will use country-specific pooled funds (which local NGOs can access directly – the so-called country-based pooled funds) to realise this commitment.

Therefore, these funding mechanisms have a particular responsibility when it comes to promoting humanitarian

principles. One prerequisite is to build connections with local actors, especially NGOs. Efforts should be made to introduce local actors to the international humanitarian system. The quality and effectiveness of humanitarian action will only improve if all humanitarian actors consistently engage with the four core principles.

Endnotes

- 1 The Grand Bargain. (2016). Work Stream 2: More Support and Funding Tools for Local and National Responders, Commitment (4). Available at: https://reliefweb.int/sites/reliefweb.int/files/resources/Grand_Bargain_final_22_May_FINAL-2.pdf [06.03.2018].
- 2 See, for example, the Charter for Change – Localisation of Humanitarian Aid. <https://charter4change.org/> [06.03.2018].
- 3 See, for example, World Humanitarian Summit. (2016). Agenda for Humanity, Annex to the Report of the Secretary-General, Commitment (5).
- 4 See <https://www.alnap.org/help-library/principled-humanitarian-assistance-of-echo-partners-in-iraq> [06.03.2018].
- 5 The Council of Europe, for example, estimates that since 2012 more than 60 countries have either passed or drafted laws restricting the activities of civil society organisations. See: <http://www.coe.int/en/web/commissioner/-/the-shrinking-space-for-human-rights-organisations>. [06.03.2018].
- 6 See Schenkenberg, Ed. (2016). The Challenges of Localised Aid in Armed Conflict. MSF Emergency Gap Series 03.
- 7 See, for example, the Secure Access in Volatile Environments (SAVE) project which published a number of reports on presence and coverage; access and quality; and accountability and learning. Available at: <http://www.saveresearch.net/> [06.03.2018]. Or Jackson, Ashley and Zyck, Steven S. (2017). Presence and Proximity. OCHA. Available at: www.unocha.org/sites/unocha/files/Presence%20and%20Proximity.pdf [06.03.2018].
- 8 See, for example, Norwegian Refugee Council. (2015). Engage to Stay and Deliver, Humanitarian Access in the Central African Republic, p. 12. Available at: <https://www.nrc.no/globalassets/pdf/reports/engage-to-stay-and-deliver---english.pdf> [06.03.2018].

- 9 Slim, Hugo. (2015). *Humanitarian Ethics. A Guide to the Morality of Aid in War and Disaster*. London: Hurst & Co., pp. 39-64.
- 10 *Ibid.*, p. 56.
- 11 "Humanitarian action must be carried out on the basis of need alone, giving priority to the most urgent cases of distress and making no distinctions on the basis of nationality, race, gender, religious belief, class or political opinions." See the United Nations Office for the Coordination of Humanitarian Affairs (OCHA). OCHA on Message (June 2012). Available at: https://docs.unocha.org/sites/dms/Documents/OOM_HumPrinciple_English.pdf [06.03.2018].
- 12 For an interesting case study on how faith-based local groups apply the principle of impartiality, see Kraft, K. (2016). Faith and Impartiality in Humanitarian Response: Lessons from Lebanese Evangelical Churches Providing Food Aid. *International Review of the Red Cross*, 97(897/898), pp. 395-421.
- 13 See, Humanitarian Exchange and Research Centre/Norwegian Refugee Council. (2017). Principled Humanitarian Assistance of ECHO Partners in Iraq. Available at: http://here-geneva.org/wp-content/uploads/2016/10/hereiaq_final6.pdf [06.03.2018].
- 14 See Trócaire/Groupe Urgence Réhabilitation Développement. (June 2017). *More than the Money, Localisation in Practice*.
- 15 It should be noted that the latter may equally apply to international NGOs which are entirely led and managed by national/local staff.
- 16 Humanitarian Quality Assurance Initiative (HQAI) Learning Event. (13 June 2017). (Draft) Summary Report, *Are We Measuring the Right Thing*.
- 17 See Steering Committee for Humanitarian Response Impartiality Review: Report of Findings. (January 2014). Available at: <https://static1.squarespace.com/static/57ffc65ed482e9b6838607bc/t/58764c49ff7c505839a2db54/1484147787634/SCHR+Impartiality+Review+findings+Jan+14+ENG.pdf> [06.03.2018].
- 18 See the articles on forgotten crises on pages 40-47 (Martin Quack) and 48-55 (Sabrina Khan) of this volume.
- 19 See Trócaire/Groupe Urgence Réhabilitation Développement Ic.