



## INTERNATIONAL HUMANITARIAN ACTION: A REVIEW OF POLICY TRENDS

*This Briefing Paper reviews global trends in international humanitarian policy. It focuses in particular on the period since 1998, when the last ODI Briefing Paper on this issue was published. It argues that humanitarian action has been associated with a controversial agenda of military and political intervention, led largely by the West. The struggle to define more effective international responses to conflict-related emergencies has resulted in a proliferation of new actors working alongside their humanitarian counterparts. This is raising new questions about the objectives of international humanitarian action, and the principles according to which it works. Donor governments are increasingly assertive in seeking to guide operational agencies in this area of policy. New forms of contractual and management relationships, and a trend towards increased earmarking of contributions, are raising further questions about the independence of humanitarian action.*

The bulk of international humanitarian assistance is spent responding to conflict-related crises. In 2001, the international community pledged \$1.85 billion to conflict-related emergencies in 21 countries; in the same year, only \$311 million was pledged to natural disasters in 49 countries. The number of conflicts around the world has remained relatively static over the past decade. However, conflict continues to present a disproportionate threat to the poorest countries, and to claim directly a large number of lives. Nations of low human development accounted for 76% of conflict-related deaths in 2001. An estimated one in five Africans lives in a conflict-affected country.

Statistics from the OECD suggest that the 1990s saw a significant increase in total humanitarian aid, both in absolute terms and as a proportion of total official development assistance (oda). At the start of the decade, humanitarian assistance accounted for 3.5% (\$2.1bn) of oda. In 2000, this was 10.2% (\$5.8bn). The apparent upsurge in generosity is tempered by the fact that, in 1992, the OECD changed reporting requirements to allow members to include in their emergency

aid contributions the costs of supporting refugees in their own countries for a year. Not all donors do this; the UK, for instance, does not. Nonetheless, the sums involved are very large, close to \$1.5bn a year, and are consuming a significant proportion of aid: over 20% in 2000. Figure 1 shows total humanitarian assistance in 1990–2000, including the spend on refugees in donor countries.

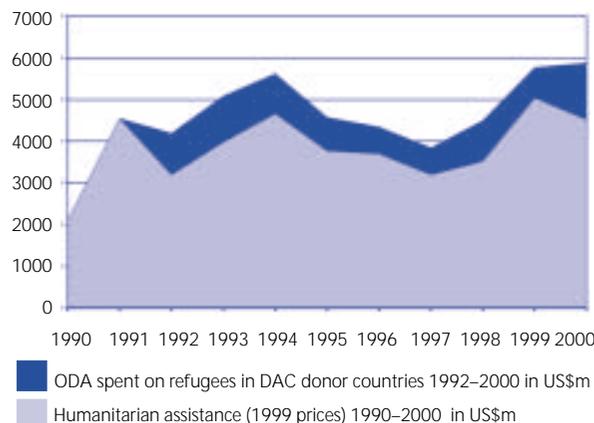
### Humanitarianism as an organising principle Human security: a new framework for international policy

Conflict within countries has risen up the international agenda since the end of the Cold War. In 1992, a report by the UN Secretary-General to the Security Council, entitled *An Agenda for Peace*, laid out a vision of human security that identified the root causes of such conflict as much in the economic, environmental and social spheres as in diplomatic and military domains. Foreign policy began to address a new set of issues: terrorism, large-scale population movements, the spread of disease and the unregulated trade in licit and illicit goods.

In redefining the agenda of international relations, a moral element was also introduced, or at least reaffirmed. Ensuring respect for democracy and human rights came to be seen as the means whereby grievances could be addressed and effective systems for regulating violent war economies could legitimately be introduced. Thus, the distinction disappeared between a 'morality-based' and an 'interest-based' foreign policy.

By the mid-1990s, the aid community had been accorded a role in enhancing human security. Asserting their credentials in addressing the root causes of conflict, aid actors also began to intervene in new areas of recipient countries' public policy, including conflict management (see Box 1).

**Figure 1 Official humanitarian aid (inc. spending on refugee aid in-country) 1990–2000**



Source: OECD/DAC data

### Box 1 Conflict as an aid policy issue

By the late 1980s, development policy-makers were analysing the impact of conflict on the development process. This analysis was followed by a revival of the idea that investment in development could prevent conflict by addressing its root causes, particularly poverty and inequality. Conventional objectives of development, poverty reduction, environmental protection and good governance were therefore presented not only as ends in themselves, but also as contributing to conflict reduction. In May 1995, the Development Assistance Committee (DAC) of the OECD launched a process to explore the links between conflict and development. This established a Task Force, which has drafted guidelines for members in this area. The following year, the British government officially incorporated conflict reduction into its development objectives. Since the mid-1990s, there has been a significant expansion in the volume and professionalism of this work, and in the variety of partners with whom official donors are working.

Source: OECD 2001; Macrae 2001

## Humanitarian assistance and the new security agenda

The convergence between the new security agenda and aid is most obvious in countries affected by conflict.

During the 1990s, a series of international military interventions took place in conflicts that constituted massive threats to human rights and to the redefined international interest, from the Kurdish crisis in 1991 to the former Yugoslavia and Afghanistan. Conversely, the *failure* to intervene in the genocide in Rwanda led in the US to the Clinton Doctrine, which called for the US to intervene to prevent egregious violations of human rights.

Three types of violation of International Humanitarian Law (IHL) were used as grounds to justify the use of military force: harm to civilians; problems in the delivery of humanitarian aid; and violence against humanitarian workers. Chapter VII of the UN Charter, which provides for the use of international force without the consent of the concerned government, was used to secure humanitarian access in Somalia, Bosnia, Rwanda, Haiti, Albania and Kosovo.

Events in Kosovo in 1999 marked the high-point of this trend. Labelled by NATO as the world's first 'humanitarian war', NATO's military campaign was launched without the sanction of the UN Security Council. NATO confronted the Yugoslav government in order to protect both the citizens of that country, and the supplies needed to mitigate distress.

Military intervention in internal wars remains controversial. At issue is the question of whether international responsibility to protect civilians from violence should outweigh respect for national sovereignty. Many G-77 states note that international intervention has been inconsistent, tackling some serious violations of human rights, such as in Kosovo, but ignoring others, for example in Chechnya and the Middle East. This selectivity has been used as a basis to question the purity of the humanitarian motivation behind intervention. The lack of criteria specifying when it is legitimate to violate sovereignty, and the procedures that should be used to determine when these criteria are met, is argued by some to be inherently destabilising.

The use of the humanitarian label in relation to military interventions has associated aid workers with the controversy. The 'war on terrorism' illustrates the problem well. US-led military action in Afghanistan has been driven by security concerns that relegate humanitarian issues to the sidelines. Yet the intervention has been legitimised in part by an appeal to the humanitarian gains associated with the ousting of the *Taliban*.

## The 'new security' and humanitarian principles

The association of humanitarian action with a new security agenda has had significant ethical and practical implications. Humanitarian action is based on respect for humanity, that is respect for the person irrespective of his or her origins, political affiliation, religion or other criteria. It is thus universal. The practical expression of this is the principle of impartiality, whereby assistance and protection are provided proportionate to need alone. Humanitarian action is also neutral with respect to the causes of conflict or disaster. It does not seek to confer military or political advantage on any group. Adherence to these principles is expedient, as well as ethical. If opposing forces believe that humanitarian actors are benefiting their opponents disproportionately, humanitarian access to civilians will be blocked, and humanitarian personnel seen as legitimate military targets.

## From 'Do No Harm' to conditionality and selectivity of assistance

During the 1990s, evidence emerged from a number of countries that humanitarian assistance was being incorporated into war economies, effectively subsidising violence. This analysis was used to advocate for a more politically informed and principled management of humanitarian resources. It also led some to argue that assistance might also, used strategically, contribute to a process of conflict reduction.

This argument led to a series of experiments to apply a form of conditionality to humanitarian assistance. In Afghanistan, Serbia, Sierra Leone and Sudan, some European and US donors sought to use assistance to exert leverage over conflict by withholding funding for assistance (as in Sierra Leone in 1997 and Afghanistan in 1998–2001); by arguing for selective provision of assistance to opposition-held areas (Serbia in 1999); and by providing assistance to rebel groups (Sudan, 1998). Most governments denied conflict-management objectives, basing their actions instead on the argument that the conditions did not exist for the effective delivery of aid. Despite this reassurance, these experiments proved controversial within donor administrations, parliaments and the humanitarian community more broadly.

By the end of the decade, there seemed to have been a move away from attempting to use humanitarian assistance to exert leverage over conflict. In the US, for example, the independence of humanitarian assistance from direct foreign policy influence has been affirmed, at least in the State Department and USAID. In Europe, the evolution of the Common Foreign and Security Policy (CFSP) has led the European Commission's Humanitarian Office (ECHO) to downplay its role in conflict management and to assert its political independence from the EU.

This apparent reaffirmation of the principles of impartial and neutral humanitarian action is not, however, as definitive as it may first appear, and must be understood as part of a more complex, even confused, policy landscape. Three issues stand out:

- the evolving relationship between humanitarian and politico-military responses to conflict;
- the changing role of donors as humanitarian actors; and
- a trend towards the concentration of assistance on strategically significant countries.

## The relationship between aid and politics

In August 2000, the *Report of the Panel on United Nations Peace Operations*, chaired by Lakhdar Brahimi, was published. Although primarily concerned with the management of peacekeeping operations, the report also made recommendations regarding the relationship between humanitarian and political responses to conflict. Specifically, it sought to place UN humanitarian operations under political leadership, such as by the Special Representative of the Secretary General (SRSG) in crisis countries. The report sought to bring together political, military and assistance assets under a unified leadership, which could deploy these resources to build peace.

Brahimi's proposals have been energetically debated. At issue is the extent to which decisions regarding the allocation of assistance should be controlled by political actors. In the UN, the debate has been played out in terms of which agency should be in charge. For many, the SRSG was the key point at which coherent strategies should converge, requiring that he or she be formally responsible for all UN action – political, military and humanitarian – in a given country. Others felt the humanitarian role should belong to the UN Coordinator,

independently of the essentially political mandate of the SRSG. Agreement was reached that, where peacekeeping operations were present, the SRSG would be *the* UN representative on the ground. In practice, different coordination arrangements have emerged, reflecting a broader ambivalence within the UN about the appropriate relationship between aid and the organisation's political mandate. While UN Secretary-General Kofi Annan rejects the idea of placing conditionality on humanitarian assistance in the service of national self-interest, the position seems less clear when such assistance is seen to be part of a UN-led political process of peacebuilding.

More generally, humanitarian actors are increasingly finding themselves working alongside other developmental, military and political agencies. In the EU, the evolution of the CFSP is resulting in new military and quasi-military actors, able to draw on the same assistance budgets as humanitarian agencies. In the US, the Office of Transition Initiatives provides for more politically-driven peacebuilding objectives than could be accommodated by conventional assistance budgets. In Afghanistan, the international security force is able to access aid funds (often 'humanitarian funds') from some governments. The question is whether and how potential conflicts between the mandates and principles of these actors are resolved. It will also be important to monitor belligerents' perceptions of the integration of political and humanitarian responses, and whether a diminution of neutrality compromises secure humanitarian access.

### 'Bilateralisation' and the changing role of donors

Particularly since events in Kosovo in 1999, where there was heavy donor involvement in the delivery of humanitarian assistance, there has been concern within the humanitarian community regarding the so-called 'bilateralisation' of response. Bilateralisation is perhaps most clearly understood in relation to its opposite, namely multilateralism. Multilateral assistance is *unearmarked* assistance channelled through an international organisation; in other words, that organisation determines where and how those funds are spent. All other forms of aid are bilateral. These include contributions to governments and NGOs, and *earmarked* contributions to multilateral organisations.

Bilateral assistance is growing much faster than multilateral assistance. In 1996–99, the total amount of multilateral humanitarian assistance increased by 32% compared with 1988–90. In the same period, bilaterally-managed expenditure increased by over 150%, and by 475% through the European Commission. A number of important changes in resource mobilisation and reporting requirements are behind this apparent bilateralisation of humanitarian assistance.

The first is that multilateral organisations do not qualify for those 'humanitarian' resources that donor countries spend on supporting refugees on their own soil. Between 1992 and 2000, \$8.5bn of official humanitarian assistance was spent in this way. Once this element is removed from overall humanitarian aid budgets, the UN's share is shown to have remained constant at around 45%.

A second important aspect involves donor funding of NGOs. Some donors have increased their support for NGOs considerably. In 2000, European NGOs received \$326m of humanitarian assistance from ECHO – 64% of the total, up from around 40% in the mid-1990s. This amount exceeds the bilateral aid for humanitarian assistance of all but three donors in 2000.

Third, there has been a significant increase in the earmarking of contributions to multilateral organisations. In 1998, 26% of UNHCR's funding was unearmarked, compared with 18% in

### Box 2 The major sources of official aid

The sources of official humanitarian funds are heavily concentrated. In most years, the US is the largest donor by a factor of three or four. Its share of total humanitarian assistance is increasing. In 1997, the US accounted for 7% of total official humanitarian assistance. In 1999 and 2000, this rose to 35%. The other consistently large donors are Canada, Denmark, the Netherlands, Norway, Sweden, Switzerland and the UK. ECHO, which is officially a multilateral organisation, is also a major donor. In 1992–97, ECHO accounted for 20% of total humanitarian aid. In 1998 and 1999, this fell to around 12% of the total.

2000. Earmarking enables donors to use funds to influence policy, and increases the visibility of their contributions. There are also, however, negative effects: difficulty in maintaining equitable allocation of resources; reduced operational flexibility; increased administrative costs; gaps in funding core costs; and a risk of inequitable allocation of resources.

The fourth factor is to do with the increased pressure to ensure accountability in the way official funds are used. Thus, both the EC and the US have increased their capacity to deploy their own staff to assess emergency needs and to monitor the work of their implementing partners.

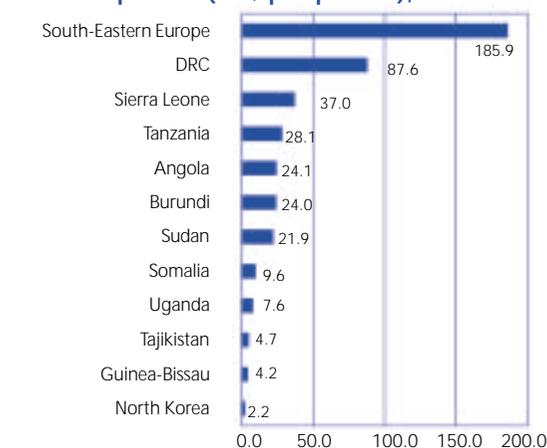
Finally, while the majority of donors appear to be pulling back from claiming a major role in direct service provision through their own assistance agencies, there appears to be a greater willingness to sub-contract such work to 'non-traditional' providers, such as non-assistance government departments, including military and paramilitary actors like civil defence organisations. In some contexts, there is increased reliance on commercial providers to support logistics and security activities.

These developments all indicate a new professionalism among donor bodies with regard to humanitarian policy. However, it is unclear whether donors have been sufficiently coherent and consistent in their efforts to enhance the quality of humanitarian action, and what, if any, have been the consequences for the actual or perceived politicisation of response.

### The concentration of assistance

The current system of allocating multilateral and bilateral humanitarian resources does not correlate closely with need. In other words, it is not impartial. Between 1996 and 1999, the top five recipient countries or areas were: Bosnia; Serbia and Montenegro; the former Yugoslavia (unspecified); Israel;

Figure 2 Bilateral humanitarian assistance per affected person (US\$ per person), 2000



Source: OCHA data

### Box 3: The Consolidated Appeals Process

The UN's Consolidated Appeals Process (CAP) is perhaps the nearest thing to a global assessment of need, but it uses different assessment methodologies between countries, and does not report on need where agencies have been unable to secure access. Furthermore, the figures presented in appeals often reflect an estimate of what agencies think the 'market' can bear, rather than an objective indication of need. For example, between 1995 and 1997 agency requests for funds for the former Yugoslavia ranged between \$150 and \$300 per head, compared with the regional average of \$120 a head. In the same period, the average request for funding in Africa was \$50–90 per affected person; for the Great Lakes, it was never lower than \$150. Figures from the CAP for 2000 show great variation in appeals per capita, which range from less than \$10 per head in countries such as Uganda, Tajikistan, Guinea-Bissau and North Korea to over \$185 for South-Eastern Europe (see Figure 2). These differences cannot be accounted for solely in terms of different costs, or proven need.

and Iraq. The next five were Rwanda, Sudan, Afghanistan, Angola and Indonesia. The total volume for these five was \$1,388m, *half* the total for the top five (\$2,725m). There is also considerable variation in the proportion of funding the UN manages to secure against particular appeals. In 2000, for example, only 22% of the CAP for Somalia was funded, compared with 89% for the Northern Caucasus. The impact of the under-resourcing of 'forgotten emergencies' is not documented systematically. However, there is evidence from around the world that this under-financing is inevitably cutting peoples' access to basic commodities, such as food and medicine.

### Conclusion

The relationship between humanitarian assistance and political action has always been complex. Providing aid in the midst of war relies upon engaging with political actors, and can have an impact on the course of conflict. International responses to crises have always varied according to visibility and strategic significance. However, over the past five years, humanitarian assistance has become politicised in a different way.

Historically, humanitarian action aimed not to resolve conflict, but to provide a palliative for people affected by it. Humanitarian principles evolved to facilitate this limited but important function. Western governments are now applying the humanitarian label to legitimise military intervention, and in doing so are associating humanitarian action with a wider political agenda. This necessarily diminishes claims about the neutrality and impartiality of humanitarian action. There is no robust evidence about the impact on secure humanitarian access, but many observers believe that it is likely to be significant, and negative. There is a clear need for the ethical use of force to protect civilians from massive abuses of human rights, but this must be distinct from humanitarian action.

The ability of humanitarian actors to differentiate themselves from the security agenda is further complicated by the increasing diversity of actors working in conflict-related crises. A new generation of military, paramilitary and developmental actors has emerged, with different mandates and operating principles from conventional humanitarian agencies. The proximity of donor governments, some of whom are also belligerents in conflicts such as in Afghanistan, is seen to further compromise claims of neutrality.

There is increasing differentiation of response *between* countries. This is reflected in the uneven distribution of

humanitarian aid resources, as well as different arrangements for the coordination and execution of humanitarian action. While the UN looks set to remain the core of humanitarian coordination in most emergencies, in the more strategically significant crises a more bilateralised response is likely to pertain. This has implications for the impartiality of the humanitarian system as a whole, and for the UN's ability to maintain a global role. This differentiation of response is also evident in the uneven distribution of humanitarian assistance. These differences remain hard to quantify precisely because of weak data regarding levels of need and resource flows. Investment is necessary in improving the measurement of these basic indicators, and to build consensus on the definition of what constitutes humanitarian assistance, and even more profoundly on what constitutes humanitarian need.

Thus, the struggle looks set to continue to define consistently the *purpose* of humanitarian action, the principles according to which it operates, and the way in which it relates to other military, political and aid responses to conflict-induced crises.

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