

defined a Code of Conduct.<sup>1</sup> Driven by the then increasing number and variety of actors in humanitarian aid, they elaborated 10 key principles, which should guide every actor in humanitarian aid. The principles provide an essential framework to help them in negotiating access to all victims of natural and man-made disasters.

Independence is set out in the Code through the principle that "humanitarian agencies shall endeavour not to act as instruments of government foreign policy." In doing so, a clear distinction is made between humanitarian agencies and the military, as the latter is inherently a political instrument.

The point that different actors may have a different understanding of certain principles is underlined by the UN report on the reform of peacekeeping, known as the Brahimi report.<sup>2</sup> For example, this report introduces a concept of impartiality, which differs greatly from that used by the humanitarian community:

Impartiality for United Nations operations must therefore mean adherence to the principles of the Charter: where one party to a peace agreement clearly and incontrovertibly is violating its terms, continued equal treatment of all parties by the United Nations can in the best case result in ineffectiveness and in the worst may amount to complicity with evil.

Impartiality as it is understood by humanitarian organisations, according to the Red Cross and NGO Code of Conduct, is something different and is based on a stated obligation to deliver aid on the basis of need, "regardless of race, creed or nationality of the recipients and without adverse distinction of any kind." The Code goes further, to say that human suffering must be alleviated whenever it is found and priorities for that alleviation should be calculated on the basis of need.

Whereas the UN may be required to oppose a party that is seen to be in breach of the Charter by the Security Council, this is not the case for the humanitarian agencies. The confusion around the term impartiality may have concrete effects on the security of humanitarian workers as they may be seen as enemies by parties to the conflict.<sup>3</sup>

### **Different Views on the Role of the Military in Humanitarian Action**

There is no general consensus in the humanitarian NGO community as to the role of the military in humanitarian aid. Broadly speaking, the views range from those organisations, that take a principled or restrictive point of view when it comes to military involvement, to those that are more pragmatic and accept support from the military. The first group generally consists of a number of larger humanitarian organisations, which have less of a capacity problem in big emergencies, compared to the second group of smaller NGOs, which view the military capacity as welcome since it helps them to start up and sustain their operations.

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<sup>1</sup> Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations (NGOs) in Disaster Relief, 1994. The full text can be found at <[www.ifrc.org/publicat/conduct](http://www.ifrc.org/publicat/conduct)>

<sup>2</sup> Report of the Panel on United Nations Peace Operations (A/55/305-S/2000/809), 21 August 2001.

<sup>3</sup> Steering Committee for Humanitarian Response, Some NGO Views on the Humanitarian Implications of Implementing the Brahimi Report, paper submitted to the Inter-Agency Standing Committee, 4 December 2000.