

# Humanitarian Action : Protection and Assistance<sup>1</sup>

by Jean-Pierre Hocké

At a time when so many tragic events are taking place in so many parts of the world, I do not think that your Commission would be satisfied with a technical account on the nature and conditions of humanitarian assistance. It would seem pointless because it would be outside the context of tragic reality. Let us think of what is happening in Lebanon, the large-scale fighting that could start up again at any time on the Planalto in Angola, the fate of the Afghan and Khmer people — to cite only those few examples.

The problem is not to know what has to be done, but how indeed to reach the victims so as to *assist* them, feed them, give them medical attention and *protect* them efficaciously.

While the humanitarian organizations, in particular the ICRC, are unwavering in their determination to reach persons in need wherever they are, the permission they have to obtain from those who control access to those human beings is far from being automatically granted. More and more, despite the various conventions in force and the commitment to respect fundamental humanitarian principles, the authorities, whether legal or not, often make such access to the helpless contingent upon some legal prerequisite and subject to such conditions that they actually delay or even block humanitarian operations.

Based on the experience of the past fifteen years, I observe unfortunately that there have been more and more of those requirements to be met. Two examples tend to confirm that dangerous development in the past ten years.

In the civil war in Nigeria where, as early as August 1968, it became clear that, regardless of the support governments wanted to give either

---

<sup>1</sup> Speech to the Independent Commission on International Humanitarian Issues, New York, 12 November 1983.

to the legitimate authorities of Nigeria or to the secessionist in Biafra, the international community would not allow the conflict between the belligerents to cause the death from starvation of hundreds of thousands of innocent people, particularly children. The result was a humanitarian airlift, which was generously agreed to by Lagos.

In the conflict in Kampuchea where, in the spring of 1981, the ICRC was subjected to incredible pressure from various official or private quarters to induce it to privilege aid dispatched across the Khmer-Thai border to victims inside Kampuchea. There was nothing to justify sending through larger tonnages of food and seeds than those needed by the civilians who could be reached via that channel. The ICRC, in keeping with its principles of impartiality and neutrality, held its ground despite threats and slander.

I should like to stress that the Committee was acting in conformity with one of the golden rules of humanitarian organizations, namely that a very clear distinction should be made between the humanitarian and the political. In that respect, I feel more and more that governments should also observe that rule. Too often, the fate of the victims, even of whole populations, is automatically linked with the political stakes and thus they become a bargaining pawn.

In the first place, the lumping together of the humanitarian and the political is contrary to the commitment to respect him, who, soldier or civilian, can no longer do harm and to see to it that he be protected and assisted. Secondly, that practice prevents humanitarian activity from reducing the high tension resulting from hostilities. Lastly, with the humanitarian effort curtailed in that way and in danger of being paralyzed, political leaders can no longer shorten the time required to create conditions for resuming dialogue between the belligerents, in an effort to settle the conflict. In other words, the attempts made to deflect humanitarian action from its sole purpose, namely, *to protect and assist the victims*, are bound to exacerbate any conflict situation. If such practice were to persist, the ICRC and other humanitarian organizations would become mere purveyors of relief and medical care, which would be used as the immediate interest of the governments and of parties to a conflict fluctuate.

For its part, the ICRC is firmly resolved to oppose such tendencies: its mission to protect victims in situations of international or internal conflicts, internal disturbances or tensions is at stake.

Finally, the events leading up to those crises, the vital needs of the victims—indeed, their very survival—imply, as I have tried to show, *that in those crises, protection cannot be dissociated from assistance.*

However, the ICRC does not want to be and cannot be the only one both to oppose the linkage of the humanitarian with the political and to guarantee that indissoluble link between protection and assistance.

In recent years, many organizations have been increasingly active in the theatres of operations of man-made disasters. They can be classified in three main groups:

- the ICRC, supported by the Red Cross movement as a whole;
- the humanitarian assistance or co-ordination agencies of the United Nations system;
- non-governmental voluntary organizations.

Their presence in the field simultaneously is a matter of concern both:

- for the host governments, which are faced with the problems of their role and the freedom of action and movement they should enjoy, in situations which are explosive in terms of the complex political and security factors which brought them about, and
- for the donor overnments, which are genuinely and keenly concerned about an efficient and efficacious division of labour among the humanitarian organizations, as well as the co-ordinated utilization of the resources they place at their disposal.

Let me tell you frankly that, in my experience, here again the problem is much more political than technical. Actually—and so much the better—several of the organizations in the three groups I identified possess comparable medical, logistic and relief mobilization skills. What differentiates them, sometimes very basically, are the principles or the rules by which they are motivated or guided.

On the basis of those criteria, those organizations can be classified in a different way:

- those established by conventions or declarations accepted by the community of nations: for the ICRC, the 1949 Geneva Conventions; for the High Commissioner for Refugees, the 1951 Convention on Refugees; for UNICEF, the Declaration of the Rights of the Child;
- those that owe their existence to specific United Nations resolutions, such as WFP<sup>1</sup> or UNDRO<sup>2</sup>, whose task is essentially assistance or co-ordination; and

---

<sup>1</sup> World Food Programme.

<sup>2</sup> Office of the United Nations Disaster Relief Co-ordinator.

— the large number of voluntary agencies all over the world that are masters of their own decisions and can initiate and conduct their activities as they like because they are not bound either by a convention or any mandator.

Far be it from me to make the slightest value judgement which might imply that some are better than others in that respect. Rather, I would like to follow the thread which links and interlocks protection and assistance. You will not find it surprising then that the ICRC believes that those organizations which the international community has entrusted with the dual responsibility for protection and assistance have to assume that responsibility fully. Even more, it believes that the authorities concerned, the community of States and the international or private agencies involved in assistance, have to facilitate and support the protection afforded by these agencies to victims of man-made disasters. For that is the heart of the problem: all too often in the past ten years, a landslide of relief goods was poured out to certain countries without the precise conditions for their use having been agreed upon with the competent authorities.

It must be conceded that emotion, a certain competitive spirit and hasty action enabled political leaders to accept assistance while refusing protection. Of course the first thing is for a victim to survive; therefore he has to eat and receive medical attention. However, in the long term the victim must also retain his dignity, enjoy the freedoms to which every human being is entitled, conserve a future, sustain hope.

In that connection, what hope is there still for the millions of refugees all over the world confined to camps; for the quarter of a million civilians trapped for the last four years on the border between Thailand and Kampuchea, right in the middle of the battlefield; for the more than three million Afghans in Pakistan and, finally, for the Palestinians in the Arab world and the Israeli-occupied territories?

If we are to talk about co-ordination, it is first to ensure primarily that men and women and their children, beyond the arbitrary of violence which strikes them so often unfairly, will have a future.

\* \* \*

Those who have worked in these situations know full well that there is no recipe or scheme which like a miracle will produce an easy answer to the problems encountered. Every crisis is so different from any other as to confront us with what amounts to a new situation each time. That is why it is indispensable for those involved in humanitarian activities to create a climate of dialogue and confidence, for it is the only way we

can be sure, when the time comes, of selecting the co-ordinator, the lead agency, which by its vocation, mandates and specific characteristics is best suited to direct the operation in a given situation.

If the ICRC, in armed conflicts, and the HCR, in the case of refugee flows, are more often than others responsible under the mandates for protection conferred upon them, for co-ordinating international action, they should do it in such a way as to avoid giving the impression that they are either defending a monopoly or trying to overshadow the efforts of everybody else involved: National Red Cross and Red Crescent Societies, their federation, the League, the Agencies of the United Nations system, the non-governmental organizations—without which it is hard to imagine that any humanitarian operation can be entirely successful.

It is with that concern and that experience in mind that the ICRC has taken the initiative in the last fifteen years, whenever it undertook a major operation, of setting up a consultation mechanism with its various partners. The Committee now intends to hold such consultations more frequently and to establish a system of regular consultation.

\* \* \*

Given an increasingly politicized world where incompatible ideologies and dogma out of control clash, the ICRC has to conduct with authorities negotiations the outcome of which will influence the fate of prisoners in their power and of populations under their control, but these negotiations cannot take place outside the humanitarian field. This applies as well to the other humanitarian institutions.

Therefore, it seems to me that whenever it is necessary, we should be able to count on the political support of the international community to complement our efforts.

That support can take several forms. What Sir Robert Jackson<sup>1</sup> accomplished in South East Asia in that respect is remarkable. Some of the proposals made by Prince Sadrudin Aga Khan in his report to the General Assembly should certainly be taken into account. From time to time, government-to-government initiatives could alternate with multilateral action. In a word, what the humanitarians need is a political lightning-conductor which would shield them as much as possible from political controversy or propaganda exercises which restrict their action and even temporarily nullify it.

\* \* \*

---

<sup>1</sup> Special Representative of the UN Secretary General for Humanitarian Operations in Kampuchea. (Ed.)

Time has come to summarize:

— Assistance cannot be dissociated from protection, the moment our aim is to come to the aid of the victims of international or internal conflicts, internal disturbances or tensions;

— The same standard must be applied to all vulnerable groups, particularly refugees, even when there are no open hostilities going on;

— The dual mandate of protection and assistance was conferred on ICRC and HCR by conventions, even though each of those institutions operates in different situations;

— It is indispensable for the other international or voluntary organizations, which are not bound by that dual responsibility, to help the ICRC and the HCR to succeed *in actual deeds* in guaranteeing the protection to which victims are entitled. That does not imply that their only option is to place themselves under the banner of either of the two institutions just mentioned. What it does mean is that those organizations assume full responsibilities from that very moment when, consciously or uncsciously, they allow authorities to accept assistance but reject protection;

— The concerted consultation to be established among the humanitarian organizations is founded on the vital necessity to have an operational co-ordination which would ensure the indissolubility of the binominal protection/assistance;

— This goal can only be achieved and then preserved if humanitarian organizations, whether or not they are founded on international law, enjoy the firm political support of the authorities which benefit from their action and from the donor governments which supply them with the means for action;

— That support has crumbled in recent crises. It must be restored totally and rapidly: the survival of millions of human beings is at stake. Moreover, the international community will rediscover that humanitarian action can help to resolve crises;

— The moment those notions are borne in mind and commitments are honoured, the material co-ordination of assistance operations will follow almost naturally. It will be the best conceivable guarantee to be given to the donors of the rational utilization of the resources they make available to the humanitarians;

— The special characteristics of every new emergency make it impossible to devise any rigid patterns or models which would be applicable in all cases where humanitarian organizations intervene. More attention should be given to those differences. On the other hand, they do not prevent the systematization of techniques of action and methods of work. A solid regional representation and a balanced expertise would considerably expedite the practical responses which must be found to the challenge of each new wave of victims.

\* \* \*

There are, to be sure, a number of other points that I should talk about and elaborate, but I feel it is important to respect the tight schedule of your Committee and I wanted to stick to the essentials.

I should not like to conclude this statement, Mr. Chairman, without thanking you very sincerely as well as each of the members of the Committee for the opportunity you afforded me to bring to your attention the difficulties, doubts, and—why not mention it—the anguish which, day after day, are part of the hard work of the ICRC delegates and their colleagues and friends from the other humanitarian institutions.

I am grateful to you for the fruitful dialogue you made possible between us. Like ourselves, you are perfectly well aware of the profound distress of tens of millions of men, women and children all over the world and just as aware of their indomitable hope.

**Jean-Pierre Hocké**

*Member of the Directorate of the ICRC  
Director for Operational Activities*

---