

Presentation CSPM-  
Humanitarian  
Aid approach to Human  
rights and Conflict

03.11.2021

# Presentation's structure

- Human Rights and International Humanitarian law are the **legal framework** for conflict / violence situation;
- The major theme for HH is **Protection**; what does it mean for SDC? How do we do it ?
- **Nexus** between Humanitarian Aid and Development; **context analysis**, stakeholders, needs assessments;
- Humanitarian aid's **main principles** (which might not always be compatible with dev / peace); needs based approach; neutrality, humanity, impartiality, etc.
- Q&A

# International legal frameworks – Humanitarian aid

## International Human Rights Law (IHRL) (peace, nat. disaster, armed conflict)

- Right to life, freedom and safety
- Protected from gender-based violence
- Protected against torture, cruel and degrading treatment
- Right to access to justice

## International Humanitarian Law (IHL or GCs) (armed conflict)

- Regulate the conduct of hostilities
- Protect victims of armed conflicts, i.e all persons who do not (or not anymore) take part in the hostilities (civilians, prisoners of war, wounded soldiers, etc.)

## International Refugee Law (1951, International Protection)

- Right to seek and get protection (asylum) from another country than one's country of origin

# Protection definition (IASC)

- «**All activities** aimed at obtaining **full respect** for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law (International Human Rights Law (IHRL), International Humanitarian Law, (IHL) and International Refugee Law (IRL)).»
  - **Centrality** of protection;
  - The protection of all persons affected and at risk **informs humanitarian decision-making and response**, including engagement with States and non State parties to the conflict.
  - Response driven by the **needs**;

# Strategic logics

Foreign Strategy  
20-23

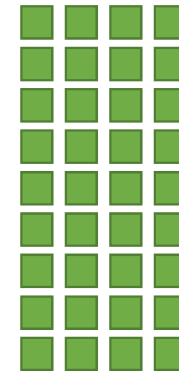
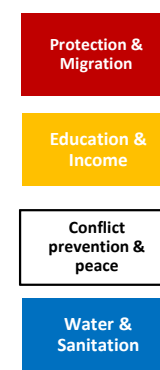
IC strategy 21-24

FDFA Regional  
Guidelines

Swiss Country  
Cooperation Programmes

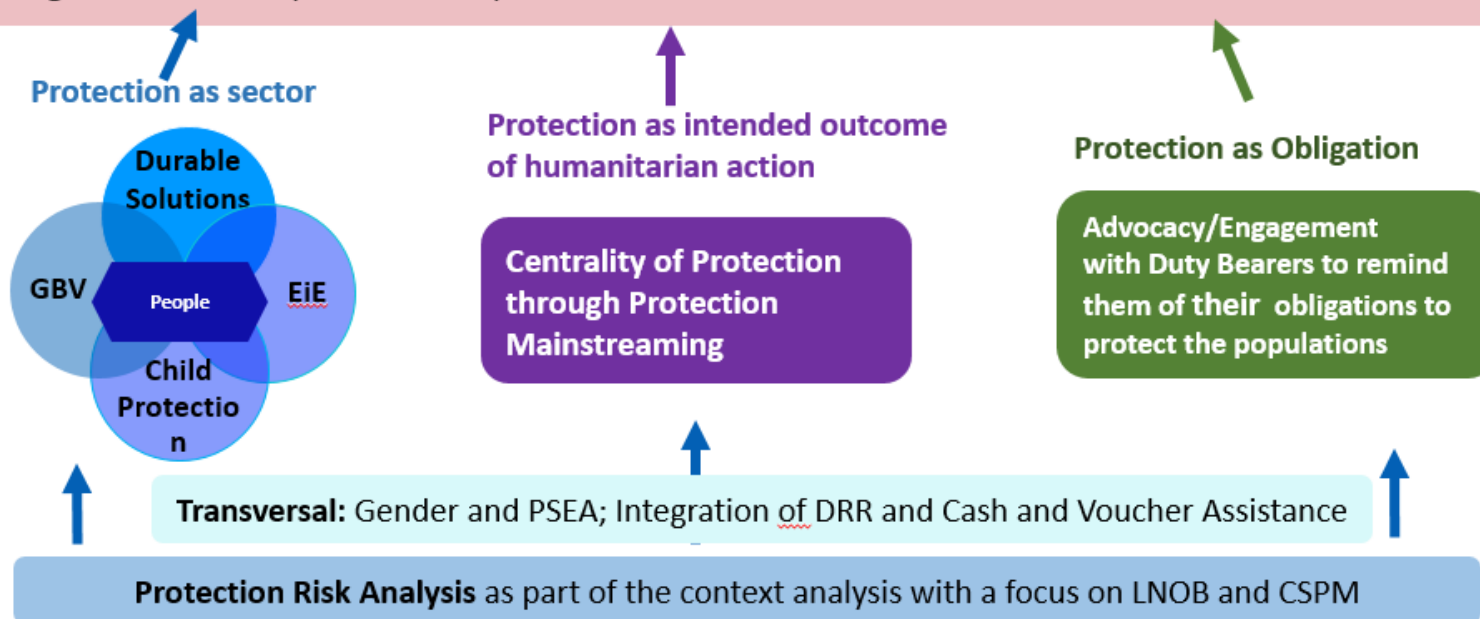
Domains of  
intervention

Projects



# Protection+ 2021-24: Priorities

**Our objective:** Contribute to prevent, mitigate and respond to the risks and consequences of violence, coercion, deliberate deprivation and abuse of women, men, girls and boys, and to strengthen their self-protective capacities and resilience.



# Nexus - where do we meet ?

- Understand and seek to prevent, mitigate or end actual and potential **risks, producing the harm** that affected persons experience during a conflict.
- Requires **continuous analysis of risks** people face, of **threats, vulnerabilities and capacities** of affected persons, and of the commitment and capacities of duty bearers to address risk factors.
- Requires the identification of **measures to reduce those risks**, avoid exacerbating risk, including to stop and prevent violations, avoid reinforcing existing patterns of violence, abuse, coercion or deprivation and restoring safety and dignity to people's lives.
- This analysis provides the **evidence-base for programming, advocacy and dialogue** for the purpose of influencing and changing behaviours and policies in support of a more favourable protection environment.

# Humanitarian Principles

- **Humanity**

**Human suffering must be addressed wherever it is found.** The purpose of humanitarian action is to protect life and health and ensure respect for human beings.

- **Impartiality**

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.

- **Neutrality**

Humanitarian actors must **not take sides** in hostilities or engage in controversies of a political, racial, religious or ideological nature.

- **Independence**

Humanitarian action must be **autonomous** from the political, economic, military or other objectives that any actor may hold with regard to areas where humanitarian action is being implemented.



## **Possible tension lines in the nexus approach**

- **Humanitarian principled approach (humanity, impartiality, neutrality, independence)**
- **Humanitarian space + engage with all conflict parties & stakeholders**

# Nexus definition

- *At the centre of strengthening the coherence between humanitarian, development and peace efforts, is the aim of **effectively reducing people's needs, risks and vulnerabilities**, supporting prevention efforts and thus, shifting from delivering humanitarian assistance to ending need.*
- *This will be critical in **reducing** the humanitarian caseload, and ensuring that we meet our collective pledge of “**leaving no-one behind**”.*
- *This requires the engagement of a **diverse range of actors**, based on their respective **comparative advantage**, a **shared understanding of risk and vulnerability** and an approach that prioritises ‘prevention always, development wherever possible, humanitarian action when necessary’.*
- *This approach should also be supported by the right kind of financing, drawing from diverse funding sources to ensure that the right resources are in the right place at the right time.” (OECD DAC)*