

The Governance of Humanitarian Action in World Politics

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1 Introduction

In May 2016, the World Humanitarian Summit took place in Istanbul. It was the first global consultation process on the international humanitarian system launched by the United Nations Secretariat. As a result, researchers, practitioners and policy makers have unanimously reaffirmed the necessity to foster cooperation, coordination and quality assurance in humanitarian affairs.

Within the wider framework of world politics, the humanitarian ecosystem¹ is a weakly institutionalised system with an increasing number of diverse actors, which partly cooperate but also compete because of different perspectives and interests and for scarce resources.² Grasping the interaction of these actors in the context of the complex international political and economic system is a prerequisite for understanding why humanitarian action succeeds or fails and how to improve it.

This chapter introduces a multilevel governance approach to adequately depict the humanitarian system and its actors. This angle of analysis is the most suitable way to understand how the current international humanitarian system operates in the context of international politics. After a brief introduction to humanitarian governance and its principles and actors, the chapter explores the international political environment in which humanitarian action takes place. It goes on to discuss the humanitarian architecture, with its different types of actors, based on the conditions that motivate, enable and limit their actions against the aforementioned parameters.

¹Dallaire Ferland, <http://blogs.icrc.org/law-and-policy/2016/05/26/istanbul-dispatch/>.

²Dijkzeul and Lieser (2013).

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2 Humanitarian Governance: Principles and Actors

The debate on global (or regional) governance tries to outline how governance can be achieved without a government.³ Global governance, or *collective problem-solving arrangements*,⁴ becomes visible in the increase and prominence of non-State organisations and institutions, as well as through the growing influence of global norms and international legal arrangements. The term ‘global governance’ thus encompasses an analytical perspective to understand world politics and the transformation of the international system. Moreover, it also refers to a global policy that addresses world problems, such as global health, migration and refugees, climate change and terrorism. Barnett defines humanitarian governance as ‘the increasingly organized and internationalized attempt to save lives, enhance the welfare, and reduce the suffering of the world’s most vulnerable populations’.⁵

Three central observations are made regarding the international political environment of humanitarian action (see Fig. 1).

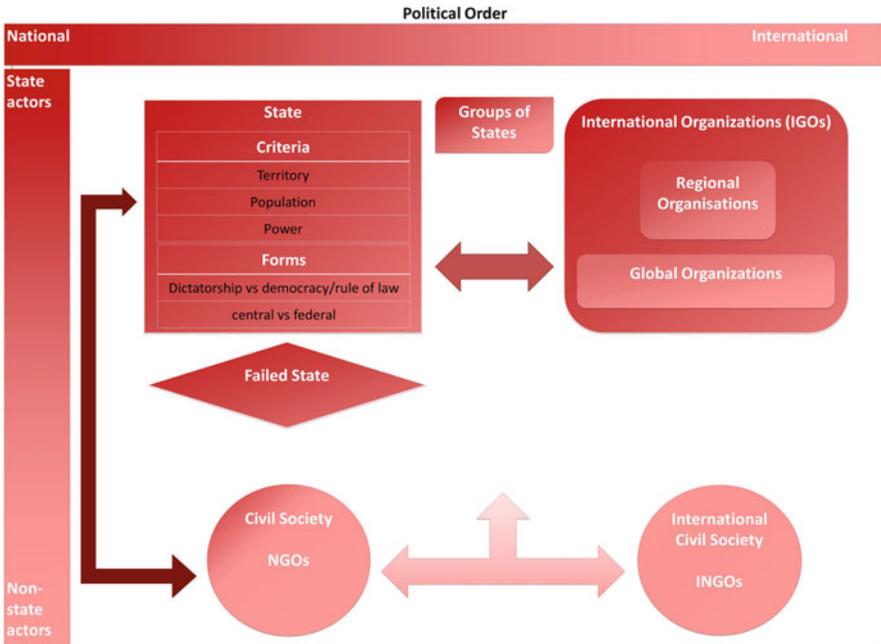


Fig. 1 Political order. Developed by the authors, Katharina Behmer and Uwe Andersen

³Rosenau and Czempiel (1992).

⁴Thakur and Weiss (2009), p. 25.

⁵Barnett (2013), p. 379.

First, sovereignty and traditional authority of nation States are increasingly limited. In accordance with most global governance approaches, we assume that actors beyond the traditional nation State increasingly influence international politics. This is because of two core problems that weaken State sovereignty. On the national stage, depending on the form of the State, civil society increasingly demands transparency, accountability and participation in decision- and policy-making processes, which effect society as a whole. At the same time, on the international stage, States are forced to cooperate on issues exceeding individual State capacities.

Second, the variety of actors parallels an increase of norms and policies, mostly of a self-binding nature, to coordinate action and facilitate cooperation.⁶ However, norm interpretation and compliance differ immensely, and norms are frequently contested.

Third, we recognise two conflictive tendencies: on the one hand, civil society actors and international norms exert a growing influence on governance, which can be interpreted as a pluralisation or even a *democratisation*⁷ of international politics with the inclination to find common problem-solving and decision-making mechanisms. On the other hand, a reinforcement of traditional power politics is visibly backed by the reappearance of nationalism and ideology. In other words, many powerful actors pursue their interests by all means, drawing heavily on traditional sources of power such as military as well as economic capabilities.

These principal parameters determine the framework in which humanitarian action operates and are at least partly responsible for the major challenges in the humanitarian system, namely the politics, paternalism and insufficiency of humanitarian action, which will be shortly addressed in the final section of the text.

The humanitarian principles, humanity, impartiality, neutrality and independence,⁸ are the glue of the humanitarian system, despite the fact that not all actors involved in the humanitarian (eco-)system uphold these principles at all times. The principles aim to provide for a non-political so-called *humanitarian space*. However, they are subject to controversial discussion by scholars of humanitarian studies. The assumption underlying these principles is that (safe) access to suffering populations for relief operations requires the consent of all parties to the conflict and can only be guaranteed when the aid provided is neutral, impartial and independent. The norms shaping the international humanitarian system are mainly rooted in international law, particularly in international humanitarian law. Increasingly, humanitarian action is also influenced by international human rights law,

⁶The increase of norms in international politics is often discussed within the debate on ‘*Verrechtlichung*’ or judicialisation (cf. Zürn and Zangl 2004).

⁷This term is heavily employed in the political debate although its use is problematic with reference to States (instead of individual citizens).

⁸Humanity—alleviate human suffering wherever it may be found; Impartiality—deliver assistance on the basis of need, with no discrimination on the basis of race, religion, class, gender or other; Neutrality—not taking sides on political grounds of a conflict; Independence—capacity of holding and publicly expressing views that are different from that of the donor, host State or conflict party.

international disaster response law and international criminal law. While only a few legal norms are binding on the actors involved, many different groups of actors have started to create joint rules and regulations based on the evolving international legal framework.⁹

Apart from expressing rules, the humanitarian principles define humanitarian action by explaining how it ought to function, especially in contrast to other forms of international interventions, such as military interventions and development, peace- and State-building approaches. For example, the predominantly short-term-oriented neutral humanitarian action is often differentiated from long-term-oriented development approaches that follow specific political agendas. However, in the practice of humanitarian crises, the lines between short-term humanitarian assistance and long-term development cooperation are blurred and require coordinated and complementary approaches. At the same time, the political context of humanitarian crises often leads to an unsolved dilemma.¹⁰ *Humanitarian Action per se does not challenge the status quo, nor should it, many of its proponents would argue.*¹¹ However, if the suffering of entire populations is demonstrably induced by ruthless power politics, moral and ethical imperatives may at times impede a neutral position, as well as aid, which unintentionally reinforces such unjust systems and may even provide for a valuable resource in war economies.

The multiple actors in the humanitarian system are described by Pfanner as

actors with different objectives, principles and *modi operandi*, [which] intervene in situations of armed conflict and internal violence in order to alleviate the plight of the victims of those situations: governmental and nongovernmental organizations (NGOS), international organizations, national Red Cross and Red Crescent societies, private companies and even the armed forces.¹²

Every humanitarian crisis, that is to say, every operational context, has distinctive characteristics and is shaped by political, socio-economic, religious and cultural factors. Hence, no humanitarian actor can meet all needs in emergency situations—diversity is therefore an asset and a liability, as well as a challenge for the humanitarian community.

The governments of affected States still retain the primary responsibility for the well-being of their citizens. States as donors or providers of technical assistance provide the majority of humanitarian financing. States' armed forces may also form part of humanitarian responses, partly under the flag of the United Nations (UN), for example, in peace enforcement, peacekeeping or peacebuilding missions. Military

⁹See for instance the 'The Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief' or the Spehre Project on the 'Humanitarian Charter and Minimum Standards in Humanitarian Response' as the most prominent ones. Many more exist regarding specific issue areas such as for instance gender in humanitarian action.

¹⁰Slim (1997), pp. 244–257.

¹¹Donini (2010), <http://villierspark.org.uk/wp-content/uploads/2014/09/0061-Donini-2010-Meta-level-humanitarianism.pdf>.

¹²Pfanner (2007), <http://www.icrc.org/eng/resources/documents/article/review/review-865-p5.htm>.

and civil actors often share the operational space notwithstanding the fact that their mission and motives differ.

Non-State armed forces, such as rebels, militias or criminal organisations, which operate in or control certain areas in which humanitarian emergencies occur, often increase the complexity of humanitarian crises, limiting access to victims and threatening the humanitarian space. Both citizens of affected areas and the general public increasingly hold governments and the international community accountable. In addition, the authority and sovereignty of States, particularly failing or failed States, is also limited through international organisations, taking over traditional State functions in humanitarian emergencies. Moreover, international organisations are increasingly gaining influence in international humanitarian affairs as coordinators and providers of multilateral international relief operations. Finally, the humanitarian world is predominantly shaped and operated by a multitude of different local, national and international non-governmental organisations (NGOs), which often act as transnational agents implementing humanitarian assistance at the local level, as well as advocating for the victims of armed conflict and disaster in the national or global sphere. In this context, the Red Cross and Red Crescent Movement enjoy a special role, with a distinctive mandate and the most advanced humanitarian network.

In addition, new actors such as multinational companies, foundations, as well as faith-based and migrant organisations increasingly engage in humanitarian activities. However, ultimately, immediate first aid, protection and support are mostly given by those closest to the centre of the emergency, such as the affected persons themselves, neighbours and local communities. To strengthen the capacities, the empowerment and the representation of these local actors and engagement in meaningful partnerships with them have been a key claim of the above-mentioned World Humanitarian Summit 2016.

3 Setting the Stage

3.1 The Role of the State

At least since the peace of Westphalia in 1648, States have been accepted as the dominant actors in the international system. They are traditionally defined by three elements: territory, population and power. Today, these elements have become increasingly unclear: territorial borders are perforated by cross-border migration of people and almost unlimited economic exchange. The conceptualisation of a defined population as a homogenous unity has always been debatable due to socio-economic stratification, cultural and religious differences, ethnic minorities, migrants and refugees. However, today, in an increasingly globalised world, the mobility of persons has reached new dimensions. Finally, civil society actors have

challenged the power and authority of the State by claiming greater participation in decision- and policy-making processes.

The central idea of power with a focus on legitimate use of force is emphasised by political scientist Max Weber, who defines a State as ‘[...] the form of human community that (successfully) lays claim to the monopoly of legitimate physical violence within a particular territory [...]’.¹³ Likewise, power is the prerequisite for the fulfilment of key functions of the State: providing physical security and a minimum of material well-being for its citizens (as well as for people under its authority).

This, however, depends on the form of government of States, which are located between two parameters: democracies with a pluralistic setting, division of power and the rule of law on the one hand and dictatorships on the other hand. While institutionalised participation is a key element of democracy, participation in dictatorships, where it occurs at all, is generally limited and strictly controlled. However, in between highly participatory democracies and strict dictatorships we find very different forms of more or less authoritarian governments allowing for varying degrees of participation. Another distinction needs to be made between centralised States and federal States, the latter characterised by a vertical division of power.

These different forms of government are a key factor shaping the political space and structure of NGOs. For example, federal States often encourage the establishment of NGOs with federal structures. In reality, the majority of international humanitarian action is delivered to failing or failed States, which usually are not able or only partly able to carry out basic State tasks, namely ensuring the physical security and material well-being of its citizens. For instance, according to the Global Humanitarian Assistance Report 2015, 93% of people in need of assistance live in politically fragile and/or environmentally vulnerable countries.¹⁴ In the context of civil wars, the affected governments are often party to the conflict, opposed by armed groups struggling for control over resources and territory. In this context, the access for humanitarian action is much more complex and as mentioned before subject to permission from all parties controlling certain conflict areas.

3.2 The State vs. Civil Society: From Government to Governance

The State as a special part of society is responsible for security, material well-being and participatory rule within its borders.

However, society also acts beyond the State level. NGOs play a crucial role in modern civil society. The term NGO stresses the self-prescribed function of many

¹³Owen and Strong (2004), p. 33.

¹⁴Swithern et al. (2015), Global Humanitarian Assistance—A Development Initiative, 2015, www.globalhumanitarianassistance.org/reports/.

NGOs as a counterpart towards the State, which they see as part of their identity. However, civil society organisations or civic organisations would be a more adequate term. Their independence or rather degree of independence from governmental control is reflected by their financing, personnel and field of activities.

The political space for organised civil society varies depending on the type of government and political culture of the State it is embedded in. For instance, Americans are traditionally very sceptical towards State actions and interventions in all aspects of social life. Social problems are expected to be solved by society itself, for example, by NGOs. In contrast, Germans generally see social welfare to be the duty of the State. More generally, NGOs have gained in importance in diverse political and social spaces.

The political power of the State based on hierarchical authority is weakened by the influence of alternative actors. This development is often termed ‘governance’ in contrast to ‘government’. The term government in this regard refers to an actor that is able to set rules and ideally has the means to enforce rule compliance. Conversely, *governance* is defined by the more pluralistic, conflictive process of norm negotiation and norm enforcement, instead of enforcement through formal authority or institutionalised hierarchy as displayed in the modern nation State.

The relationship between State and non-State actors, such as NGOs, is highly ambivalent as the State can determine and control the framework of action for non-State actors. At the same time, especially in the context of fragile states, NGOs may also partly take over State functions or hold governments accountable. While the majority of NGOs reject influence and control by the State, a dysfunctional development can be observed in ‘Quasi-Non-Governmental-Organisations’ (QUANGOs) or ‘Government-Organised Non-Governmental Organisations’ (GONGOs), where the State exercises full control. Whereas NGOs are usually not-for-profit organisations, business-oriented NGOs, which aim to increase profit mainly for the benefit of a small number of leaders, have also sprung up. As mentioned above, the key channels for influencing the decisions within NGOs are finance and personnel recruitment. Furthermore, the sources of NGO funding are mainly membership fees, donations and State subsidies. Where State subsidies provide for the largest share of the financial income of an NGO, independence is questionable. This is of utmost importance in the humanitarian context, in which dependence on State funding often means having to work in close accordance with foreign policies of donor States, which compromises the ideal of independent humanitarian action.

As in other fields of action, the NGO landscape in the humanitarian context is very diverse but can be categorised according to certain indicators. Political scientists normally classify NGOs according to their size, level of activity (local, regional or national), mandate (single vs. multi-mandated), as well as religious or secular mission. Given that organisations specialising in international humanitarian assistance from the Global North mostly develop projects abroad, the boundaries between national and international humanitarian organisations are blurred. Further specific features applying to the humanitarian context will be discussed in the following section on international organisations and the humanitarian architecture.

3.3 *International Organisations*

States enjoy equal sovereignty within the international community of States. Together with the principle of non-intervention,¹⁵ this bedrock principle of the international order is enshrined in the UN Charter, which aims to protect the world from conflict and ensure peace, cooperation and prosperity. Globalisation, coupled with an increase in problems that exceed national capacities, has made cooperation between States necessary and thus also resulted in States losing aspects of their formal sovereignty.

In the absence of a global government, new forms of global governance have become necessary and visible. For instance, international governmental organisations (IGOs)¹⁶ have emerged as bridges between sovereign States and the necessity of solving international problems. They are recognised as subjects of international law. IGOs, under most definitions, consist of at least three States with their members held together by formal intergovernmental agreements and organisational structures. Some IGOs are established with one specific mandate (for example, specific organisations within the UN, such as the World Food Programme); others perform a broad range of tasks (for example, the UN).¹⁷

Among IGOs, the UN enjoys a special role as it is the largest and the only all-encompassing international organisation. It is also the most complex, comprised of sometimes competing organisations, reflecting the different interests of and power struggles between various member groups. This makes the coordinating body, the Economic and Social Council (ECOSOC), particularly important. However, ECOSOC has so far failed to fulfil its task effectively, which has provoked calls for urgent reform of the UN system over the last few decades, including of its five main organs¹⁸: the General Assembly, the Security Council, the Secretariat headed by the Secretary General, the Economic and Social Council and the International Court of Justice.

From an international relations perspective, the assumptions about the role and power of international organisations in world politics are shaped by the underlying theoretical approach.¹⁹ (Neo-)realists would assume that States create international organisations to enhance their legitimacy and image of good statehood. States are

¹⁵Exceptions to this rule can only be made in the case of self-defense or if the UN Security Council defines a situation as a threat to international peace and mandates an international response.

¹⁶One must distinguish international organisations from international institutions, which can be defined as ‘*the collective forms or basic structures of social organization as established by law or by human tradition*’ such as for example human rights.

¹⁷Karns and Mingst (2004), p. 7.

¹⁸The Trusteeship Council, as the sixth principal UN organ, which was concerned with colonial territories, became defunct following successful de-colonisation.

¹⁹For a short overview of relevant international relations theories see, for instance, Slaughter 2011; for more details on each approach, see Baylis and Smith (2006); for an overview on how the different international relations perspectives play out regarding international organisations, see, for instance, Oestreich (2011).

still perceived as the main decision-makers within international organisations. (Neo-)liberals would assert that IGOs exist to facilitate coordination and joint action, which creates benefits for the member States. IGOs are conceptualised as independent actors. Constructivists would argue that IGOs influence world politics as they advocate for norms and principles and thus shape the perspective and behaviour of the decision- and policy-making individuals in governments. According to Marxists, choosing Wallerstein's world system theory as an example, the emergence of IGOs is a response to increasing interdependence between States. However, this interdependence, as well as the structure and role of IGOs, is still dominated by economic power stratification and class conflict.

In addition, the degree to which IGOs enjoy independence from the national interests of their member States, associated with the debate on the 'principle-agent-problem', also differs according to the respective schools of thought. While realists would perceive independent action as a problem, liberals would consider limited independence as an advantage for enhancing cooperation. Constructivists would assume that independent international organisations can act as drivers of international political change to the benefit of international peace and security. Lastly, Marxists would state that IGOs reflect the economic imbalance in the international system, according to the interests of different classes.

International organisations have always been established in response to international challenges, particularly crises and catastrophes. For example, in the direct aftermath of World War I, the international community made its first attempt to create an IGO, the League of Nations, in the most sensitive realm of security. However, the League of Nations failed to secure peace, partly because influential States, such as the US, did not join. After World War II, the second attempt resulted in the successful establishment of the United Nations in 1945.²⁰

How to cope with the differing size and power of member States is a problem affecting the role and the decision-making of IGOs such as the UN. While all states are formally sovereign and equal, major differences in power between smaller States, such as Luxembourg or Barbados, and bigger States, such as China or the US, persist. Still, in most IGOs, the formal principle 'one State = one vote' prevails. While developing States dominate many IGOs in terms of their number, a real power asymmetry nevertheless remains in current world politics, with a limited number of powerful (mostly industrialised, western) States usually making major decisions. For example, developing States hold the majority of votes in the UN General Assembly (UNGA), but this organ's formal decisions are not binding on UN member States. Consider UNGA Resolution 46/182 (1991) on Humanitarian Assistance, which we will discuss in the following paragraph on access to the victims of humanitarian crises.

²⁰As a reflection of the political reality at the time of its foundation, the UN first excluded the Axis powers Germany, Japan and Italy.

In order for IGOs to be influential actors as opposed to paper tigers, they must reflect the basic distribution of power among their member States in their specific field of action. Currently, two possible solutions exist.

One way is weighted voting, as practised by the World Bank, the International Monetary Fund and the European Union. However, it is difficult to reach a common agreement on criteria to weigh the importance of different member States in various fields and the voting power that should accrue as a result of such criteria.

A second way is the formation of powerful groups or clubs with limited membership. The most prominent examples of a formally privileged group within an IGO are the five permanent members wielding veto power within the UN Security Council (UNSC),²¹ which in contrast to the UNGA can take binding decisions. A more recent phenomenon that is now frequently encountered in international politics is the formation of clubs comprising specific groups of States. Important examples are the G7/8,²² G20²³ or BRICS.²⁴ The G7/8 and G20 were the first fora where heads of States directly engaged in, for the most part, annual meetings to solve common problems. The creation of these fora was prompted, once again, by crisis, this time the so-called petrol crisis in the 1970s, which led to the creation of the G7 in 1975. To combat the global economic crisis of 2008–2010, the G7 responded to the shift in economic power by calling for more participation of *emerging markets*, eventually creating the G20 as a new forum. Critics, especially from smaller States, argue that notwithstanding the fact that the G20 is much more representative of the world in terms of population, economic weight and regional balance than the G7, informal decisions in this restricted G20 club forecast the formal decisions later taken by IGOs, bypassing the latter's general fora for all member States. The same issue arises in the case of major international decisions on humanitarian assistance.

Apart from the formal decision-making process in international organisations expressed through voting, power is also exercised via finances and human resources. This is reflected by the recruitment process for influential positions, which is directly related to the financial contribution of member States. Hence, although international bureaucrats should act on behalf of their organisations, a certain degree of national loyalty often reinforces the given distribution of power within IGOs.

International conferences are a further temporary setting for political summits or, increasingly, consultation processes in view of precipitating changes in

²¹China, Russia, France, United Kingdom, United States.

²²Canada, France, Germany, Italy, Japan, the United Kingdom, and the United States; Russia was invited to the head of State meetings of the G7. The enlarged group was then referred to as G8, but Russia was suspended in 2014 with the outbreak of the conflict in Ukraine and the Russian annexation of Crimea.

²³Argentina, Australia, Brazil, Canada, China, France, Germany, India, Indonesia, Italy, Japan, South Korea, Mexico, Russia, Saudi Arabia, South Africa, Turkey, the United Kingdom, the United States and the European Union.

²⁴Brazil, Russia, India, China, South Africa.

governance. This holds especially true for reform processes, or the launch and promotion of new topics on the international agenda. The 1992 UN Conference on Environment and Development (UNCED), also known as the Rio de Janeiro Earth Summit, and the 2015 follow-up conference in Paris are today considered milestones in the development of a global policy on climate change. Moreover, two special sessions of the UNGA were seminal in advancing the Agenda of International Development Policy: in 2000, the Millennium Development Goals (MDGs) were adopted, followed in 2015 by their successors, the Sustainable Development Goals. Similarly, the Fourth UN World Conference on Women of 1995 in Beijing triggered major developments in the area of gender mainstreaming, among others. These UN-led global events have also been increasingly characterised by the participation of diverse actors, such as international and local NGOs, research institutes, as well as private actors and enterprises. While the outcome of the World Humanitarian Summit 2016 is thus far perceived to be rather disillusioning, only the future will show if it may nevertheless have initiated a meaningful and sustainable reform process in international humanitarian affairs.

While some of the current international challenges, such as natural disasters, the impact of climate change, migration or terrorism, require truly global solutions, others concern specific regions of the world or groups of States, for example, questions of water governance or regional migration.

We must thus differentiate between global and regional governance approaches. Both have advantages and disadvantages: while cultural similarities may ease cooperation within regional arrangements, such relations are often also marked by complex historical conflicts and competition. Regional organisations may be rooted in common economic or security-related interests or in solidarity between countries sharing the same history, culture, religion or the same allies and enemies (for example, European Union, Organization of Islamic States, ASEAN, OAS, Arab League or African Union, etc.).²⁵

One key issue in this regard is the degree to which States are willing to defer parts of their sovereignty to regional supranational bodies in the name of integration. Moreover, the relationship between regional and global organisations is determined by the two concepts of *subsidiarity* and *supremacy*. Subsidiarity is rooted in the assumption that States are more committed to regional arrangements and that responses to regional problems by regional arrangements are culturally more appropriate, more informed and thus more effective. Based on the principle of supremacy, higher-level organisations may in theory step in when regional organisations lack the will or capacity to adequately respond to problems. Ideally, global and regional governance systems complement each other in a way similar to a federal system. However, there is also a danger of conflictive competition between regional and global or different regional organisations.

²⁵Zyck (2013).

3.4 *International Non-governmental Organisations*

A large number of NGOs have an international dimension that manifests itself either in their membership or their activities. This is particularly the case for humanitarian organisations, which often operate in emergencies occurring outside their home States.

Many large international NGOs are described as ‘transnational federations’ with formal long-term links to national groups or subsidiaries, for example the International Federation of the Red Cross and Red Crescent Societies, Oxfam, CARE, Médecins Sans Frontières (MSF), Save the Children and many more. We differentiate regional organisations, transnational organisations²⁶ and international organisations with federal structures.²⁷

While some NGOs engage in advocacy work, including through cooperation with IGOs, other NGOs concentrate on the implementation of practical projects. International NGOs and transnational networks are playing an ever-increasing role in global political affairs and thus influence global policies.²⁸

4 Humanitarian Architecture

4.1 *Victims, Beneficiaries and Stakeholders*

In times of armed conflict or disaster, the first people to come to the rescue of victims are usually neighbours, family, friends, local organisations, networks or communities and local and/or regional State institutions. However, the lack of international media coverage of this dimension of humanitarianism has often led to the perception of local populations and communities as passive victims and beneficiaries of aid.

This is partly because the international public is eager to see *their* organisation helping the victims of disasters and armed conflict and further because organisations use media coverage to generate donations or because governments wish to show their citizens the results of taxpayer money spent on international aid.²⁹ Despite these tendencies, beneficiaries of aid must be perceived as stakeholders by the humanitarian actors implementing humanitarian action projects.

In this regard, it is important that the public hold their governments accountable for foreign policies in general and humanitarian donor policies in particular.

²⁶According to Pries, the transnationalisation dynamic stands for ‘*different forms re-arrangements geographical-social spaces beyond, alongside and above the formerly dominant national society paradigm*’ (Pries 2008).

²⁷Karns and Mingst (2004), p. 12.

²⁸For an overview see, for instance DeMars and Dijkzeul; Keck and Sikkink (1998).

²⁹For further discussion see, for instance Robinson (2015), pp. 254–266.

Moreover, as Valerie Amos, former head of the UN Humanitarian Affairs Department, said, people tend to believe that disasters are great equalisers, that in time of emergencies society suffers as a whole. The opposite is true. How we are affected by conflict and disaster, as well as the capabilities and recourses we have to recover, depends on who we are and how the group we are identified with is valued and represented in society. Indicators such as gender and age, as well as socio-economic status and ethnic background, can tell a lot about who is affected by humanitarian crises and in what way. Humanitarian responses that take this (local) knowledge into account are better suited to meet the needs of the people they aim to serve.

4.2 Access, Safety and Security

States differ significantly in the way they prepare for, and respond to, emergencies. So-called *disaster preparedness* depends on States' respective systems of governance and their previous experience in handling natural disasters. State sovereignty implies that the State holds the primary responsibility for the well-being of its citizens. The UNGA re-emphasised in Resolution 46/182 that

[e]ach State has the responsibility first and foremost to take care of the victims of natural disasters and other emergencies occurring on its territory. Hence, the affected State has the primary role in the initiation, organization, coordination, and implementation of humanitarian assistance within its territory.³⁰

Ideally, a State will only ever briefly be unable to alleviate the suffering of its population due to a humanitarian crisis. In such a situation, it would issue a call for international humanitarian action, coordinated through international organisations, such as the UN and implemented by its sub-organisations and/or international NGOs. The State itself would then engage in coordinating the funnelling of international humanitarian action to the right channels, facilitate aid workers' movements, support and protect them.

Humanitarian action implemented on the territory of a State requires that State's consent. While the international community has not yet agreed to recognise a right to access to a State for third actors in humanitarian crises, it is commonly understood that a State's arbitrary rejection of humanitarian action is unacceptable.³¹ Moreover, non-State armed groups, such as rebels and warlords, which control certain conflict areas, might also restrict access to populations in need. Experience shows that, in this context, aid is often used as a weapon, causing a dilemma for humanitarian organisations and heightening concerns for the security of their personnel.

The ICRC with its specific mandate in international law enjoys a unique position in the negotiation of access to crisis regions. The ICRC's policy on neutrality has

³⁰UNGAA/RES/46/182: 1991.

³¹For further discussion, see for instance Heintze (2015), pp. 149–167.

been shaped by a long history and was subject to controversial discussions, such as the organisation's position during World War II in Germany. Unlike States, non-State actors are only bound by international law in particular contexts (see the chapter on IHL). Hence, the ICRC and other international organisations, such as the UN Office for the Coordination of Humanitarian Affairs (OCHA) or initiatives such as the organisation Geneva Call,³² are developing new tools and techniques to convince all parties to a conflict to adhere to certain rules protecting civilians and enabling humanitarian assistance.

Debates in the context of access to populations suffering from massive human rights violations are often associated with the responsibility to protect. The question is to what extent the responsibility for the protection of a population falls to the international community if a State is unwilling or unable to protect its citizens. Under the key term 'humanitarian intervention', a significant amount of scholarly work has focused on whether, in exceptional cases, it may be morally appropriate and legally justifiable that a coalition of States use military force to intervene for humanitarian purposes.

International military forces have always been involved in humanitarian action, although civil/military relations have been and remain tense, because the military always operates on a clear mandate in the interest of its commanding State or the international mission it is affiliated with. As such, military forces are never neutral. In the context of occupation, the occupying power has clear humanitarian duties. However, external military forces are today more often employed as part of foreign policy missions to assist other States in crisis with the provision of logistical support, such as during humanitarian operations. Moreover, international military forces often are providers of security for the local population and/or humanitarian operations as part of peacekeeping, peace enforcement missions or military escorts. In fact, civilian humanitarian action workers often share one operational space with armed forces.

The role of foreign military forces is often the subject of international negotiations and can be perceived ambivalently by the local population. The degree to which humanitarian organisations cooperate with military forces differs according to the organisations' own principles (see following section) and the context. In general, cooperation is easier in the context of natural disasters than in the context of armed conflict, in which host as well as third States might engage in hostilities. The host State plays an important role in the security and protection of humanitarian personnel.³³

³²Geneva Call is an NGO that engages armed non-State actors towards respect of international humanitarian norms, in particular those related to the protection of civilians in armed conflict (see: <http://www.genevacall.org/>).

³³According to the Aid Worker Security Report 2012, attacks on aid workers are most prevalent in fragile and unstable States as well as in armed conflicts (cf. Stoddard et al. 2012).

4.3 *Finances: Receivers and Donors of Humanitarian Action*

States in crisis receiving international aid have generally been under-researched in humanitarian studies.³⁴ Harvey criticises the assumption of humanitarian organisations, that State structures are generally overwhelmed in times of conflict or disasters and that external assistance is therefore necessary and justified. He recalls that, in the 1970s and 1980s, donor States often provided direct bilateral support to governments. Due to the increased importance of civil society actors in the 1990s (and an increase in international military interventions), States affected by humanitarian crisis were mostly left out of the international coordination of humanitarian action. However, he notices a backshift to a more state-centric delivery of humanitarian action recently.

The majority of aid currently goes to a small number of countries with ongoing complex humanitarian crises. In 2013, Syria and neighbouring Lebanon and Jordan, affected by the Syrian refugee crisis, received 43% of international humanitarian assistance.³⁵ In 2014, acute emergencies in the Central African Republic, South Sudan, Iraq and States affected by the Ebola outbreak in West Africa accounted for 57% of humanitarian funding. Moreover, a number of countries experiencing protracted crises have received large amounts of assistance, such as the Occupied Palestinian Territories, Sudan, Ethiopia and Afghanistan. In contrast, a number of countries experiencing forgotten crises, such as Algeria/Western Sahara, Colombia and Myanmar, received less funding.³⁶

The Development Assistance Committee (DAC) as one of the most important sub-structures of the Organization of Economic Cooperation and Development (OECD), has become the main platform for discussion and negotiation on donor strategies in the western hemisphere. DAC donors provide the majority of governments' international humanitarian assistance (over 90% since 2007).³⁷ However, the balance of humanitarian State-based financial structures is slowly shifting: while non-DAC donor contributions still fluctuate over time, they are generally on the rise and have cushioned the overall reduction in humanitarian financing from governments, for example, in 2012. Turkey, in particular, contributed US\$1.6 billion in 2014, elevating it to the rank of fourth largest government donor that year after the United States (US\$6 billion), the European Union (US\$2.3 billion) and the United Kingdom (US\$2.3 billion).³⁸

³⁴Harvey.

³⁵Swithern et al. (2015), in: GHA 2015, p. 49, www.globalhumanitarianassistance.org/reports/.

³⁶All numbers taken from the Global Humanitarian Assistance Report 2015, pages 49ff. When the most acute phase of emergencies is over, development funding may step in to provide for long-term support in reconstruction and rebuilding of society. For an overview on funding determinants, see for instance: Fink and Redaelli (2011); Fink and Redaelli (2011), pp. 741–757.

³⁷'94% of reported international humanitarian assistance from governments over the last decade and 90% (US\$16.8 billion) in 2014' (GHA-Report, 2015, p. 30).

³⁸GHA 2015, pp. 2, 30, www.globalhumanitarianassistance.org/reports/.

International humanitarian institutions have placed much hope on new donors, such as the gulf countries and the BRICS since the early 2000, as they provided large amounts of funding to alleviate particular humanitarian crises (for example, in Haiti and Pakistan). However, the authoritarian character of certain regimes, and non-transparent decision-making in the distribution of donor funds, has also led to scepticism towards such donors on the part of traditional actors. Developing States and emerging powers increasingly engage in humanitarian action to gain international recognition or to wield soft power. However, their aims and principles in providing humanitarian action may differ from those of traditional donors. The latter tend to prefer channelling funds through multilateral organisations, whereas newly emerging donors are in favour of handing out bilateral support.³⁹

Apart from government funding, an important percentage of international humanitarian action funds is provided by private donors, such as philanthropists, religious organisations, multinational companies or diaspora communities (for example, 24% in 2014).⁴⁰ The majority of aid in 2013 has been channelled through multilateral organisations (63%), NGOs (19%) and the Red Cross and Red Crescent Movement (8%).⁴¹

4.4 Coordination of Humanitarian Action

The UN takes the lead in the international coordination of humanitarian action, which is navigated through a complex system. A number of UN sub-organisations carry out different functions in the humanitarian system. They include the Emergency Relief Coordinator (ERC) at the Undersecretary level, the Office for the Coordination of Humanitarian Affairs (OCHA), United Nations High Commissioner for Refugees (UNHCR), United Nations (International) Children's Emergency Fund (UNICEF), World Food Programme (WFP), Food and Agricultural Organization (FAO), United Nations Development Programme (UNDP) and World Health Organization (WHO).⁴³

In 2005, a major reform of humanitarian coordination, known as the Humanitarian Reform Agenda, introduced a number of new elements to enhance predictability, accountability and partnerships.⁴⁴ The cluster approach was one of these new elements. Clusters are groups of humanitarian organisations, both UN and

³⁹Binder and Meier (2011).

⁴⁰GHA 2015, p. 42, www.globalhumanitarianassistance.org/reports/.

⁴¹*Id.*, p. 3.

⁴²The name was shortened in 1953 but the acronym was retained.

⁴³When dealing with humanitarian affairs, UN organisations also cooperate with the International Organization for Migration.

⁴⁴For an overview on the development of international humanitarian coordination, see for instance Aderhold (2015), pp. 207–219.

non-UN affiliated, in each of the main sectors of humanitarian action, for example, water, health and logistics. They are designated by the Inter-Agency Standing Committee (IASC), chaired by the head of OCHA in its capacity as Emergency Relief Coordinator (ERC) and have clear responsibilities for coordination. Moreover, the IASC is a unique inter-agency forum involving key UN and non-UN humanitarian partners responsible for coordination and policy development, including in the development of the aforementioned self-binding rules and norms in humanitarian responses.

OCHA plays a key role in coordinating the various operational components of the humanitarian system. It works closely with global cluster lead agencies, the International Organization for Migration (IOM) and NGOs to develop policies, coordinate inter-cluster issues, disseminate operational guidance and organise field support. At the field level, OCHA helps ensure that the humanitarian system functions efficiently and in support of the Humanitarian Coordinator (HC). It provides guidance and support to the HC and Humanitarian Country Team and facilitates inter-cluster coordination. OCHA also helps to ensure coordination between clusters at all phases of the response efforts, including [needs assessments](#), joint planning, [monitoring and evaluation](#).

Since the early 1990s, regional organisations have also established humanitarian response units. For instance, the European Union Commission's Humanitarian Aid and Civil Protection Department (ECHO) is responsible for humanitarian action based on the 2007 European Consensus for Humanitarian Action. In a similar approach, many regional organisations have founded bodies designed to take rapid action when disaster strikes.⁴⁵ In some situations, regional organisations may be better suited to provide aid, for example where governments restrict access of humanitarian actors based on political constraints.⁴⁶

At the same time, States have created bodies and mechanisms to respond to national disasters, as well as to coordinate national relief operations abroad. The way aid is coordinated at national levels depends predominantly on the respective State's political history and culture, its developmental level, as well as the degree to which States are either affected by humanitarian crises or act as donors of humanitarian action. States that have been heavily affected by natural disasters have sometimes learned from past experiences and thus developed very sophisticated national disaster response mechanisms (for example, Bangladesh). In a similar vein, cooperation between State and non-State humanitarian actors depends on the historical development of the political and administrative culture. For instance, in Germany, where civil society has become a strong political actor, coordination of humanitarian action, a responsibility of the Foreign Affairs Department, is performed in close cooperation with the major humanitarian NGOs based in the country.

⁴⁵Zyck and Krebs (2013).

⁴⁶For instance, in the case of Myanmar in 2008, international humanitarian interventions were partly rejected by the government, while regional offers of assistance were mostly accepted.

4.5 *Humanitarian Non-governmental Organisations*

The term ‘transnational governance’ reflects the fact that a growing number of non-State actors, such as NGOs, expert networks and multinational companies take part in international political affairs. This is especially true for post-conflict settings, where traditional State actors often lack the power and resources to assure humanitarian assistance, peace governance and post-conflict reconstruction. Consequently, humanitarian action is often coordinated by international (humanitarian) organisations.⁴⁷

According to Labbé,⁴⁸ the majority of NGOs emerged in the twentieth century as a result of the experience of providing aid in times of war, for example, Save the Children (World War I), Oxfam & CARE (World War II), MSF (Biafra/Nigeria), Action Against Hunger (Cold War). In the 1980s, the evolution and development of NGOs increased rapidly. Different players have different concepts of the core humanitarian principles.⁴⁹ Hence, we can categorise organisations according to whether and how they adhere to the humanitarian principles.⁵⁰ Some of the oldest humanitarian organisations have religious roots, such as Caritas, Diakonie and Islamic relief. Larger religious organisations have professionalised rapidly and increasingly uphold the humanitarian principles.

Apart from religiously motivated NGOs, we differentiate *Dunantist* and *Wilsonian* actors in the humanitarian system.⁵¹ While *Dunantists* strictly adhere to the humanitarian principles, *Wilsonians* work more in accordance with the foreign policies of their home States. Characteristically, *Dunantists* receive the majority of their funding from private sources (for example, MSF) to ensure independence from State policies. In contrast, some US-based *Wilsonian* organisations are mostly funded by the State. Despite the fact that the ICRC may also receive State funding, it is still considered the traditional custodian of international humanitarian law and strictly adheres to the humanitarian principles.

⁴⁷Moran (2010).

⁴⁸There are many approaches to categorising humanitarian actors, for instance according to the type of actor, differentiating between traditional and non-traditional actors according to Labbé (2012), http://www.google.de/url?sa=t&rct=j&q=&esrc=s&source=web&cd=9&ved=0CEwQFjAI&url=http%3A%2F%2Fwww.operationspaix.net%2FDATA%2FDOCUMENT%2F7549~v~Rethinking_Humanitarianism_Adapting_to_21st_Century_Challenges.pdf&ei=Qj9mVKG3IcSsPa3pgMgP&usq=AFQjCNGggkqEYW_giQ2UiR9K1MssqjSfuA&bvm=bv.79142246,d.ZWU.

⁴⁹Slim (1997).

⁵⁰Dijkzeul and Reinhardt (2013), pp. 77–105.

⁵¹The term ‘*Dunantist*’ relates to Henry Dunant, the Swiss noble man, who gave birth to the idea of modern humanitarianism with his eye-opening account of the suffering of soldiers in the battle of Solferino in 1859 (Henry Dunant, ‘A Memory of Solferino’). The term ‘*Wilsonian*’ refers to the foreign aid policy of President Woodrow Wilsons.

A similar difference is reflected in multi-mandated versus strictly humanitarian NGOs, for example, Oxfam in contrast to MSF.⁵² Multi-mandated NGOs carry out more development, conflict mitigation and human rights work in addition to their humanitarian operations. UN sub-organisations, as well as organisations cooperating closely with the UN, are bound by decisions of the UN Security Council and thus have difficulties in adhering to the humanitarian principles. The food organisations have to deal with the fact that food is a bulk good that needs to be paid for, and provided by, donor governments. They are therefore more government dependent than highly specialised medical organisations.

Moreover, an obvious divide can be observed between NGOs based in the global north, which receive the greatest share of humanitarian funding by their host States and the population of their home countries as opposed to local organisations based in the global south, which often depend on cooperation with international organisations or international NGOs to generate funds. At the same time, international partners need the knowledge of local partner organisations to implement their projects. The field of humanitarian NGOs has expanded rapidly since the 1990s in terms of numbers in NGOs and diversity. The increasing demand, the changing international political environment and a number of hurtful experiences in which humanitarian action got caught up have driven the sector to increasingly question its effectiveness and legitimacy.⁵³ Humanitarian organisations have thus begun to ‘[. . .] rationalise, bureaucratise, and professionalise’.⁵⁴

5 Conclusion

As has been shown, global governance and humanitarian governance share certain features.⁵⁵

First, norms and institutions are created to ease cooperation and coordination in humanitarian affairs to work towards the common goal of helping suffering populations. Moreover, loaded with the imperative to help, this is a highly normative and morally necessary and justified project as it is perceived as ultimately serving the greater good.

Second, as in other areas of international politics, we observe an increase in numbers and relevance of non-State actors, as well as governance processes shaped by a multitude of actors with at least partly competing interests.⁵⁶

⁵²Walker and Maxwell (2009).

⁵³Harrell-Bond (1986).

⁵⁴Barnett (2005) (723–740), p. 22.

⁵⁵*Id.*, pp. 380ff. While underlining the similarities of global governance and humanitarian governance, Barnett advocates for widening the scope of research on humanitarian affairs to further understand how humanitarianism works.

⁵⁶*Ibid.*

Third, international relations theories, as well as studying the development of organisations and institutions in the international system, can help to understand what motivates States to cooperate and how multilateral governance solutions in the shape of international organisations may work in humanitarian affairs. At the same time, many challenges, problems prevail, such as paternalism, politicisation and securitisation.

With the so-called *new wars*,⁵⁷ the context in which humanitarian action is taking place is changing. In contrast to interstate conflicts, nowadays, internal conflicts with various State and non-State parties are the dominant setting in armed conflicts. This leads to various complications and dilemmas.

First, aid organisations may, over time, replace State functions—which are not their aim. Although many evaluations and empirical studies highlight the importance of local knowledge (about social structures and hierarchies, discrimination, vulnerabilities, cultural norms and practices), humanitarians still do not use them to a sufficient extent. In theory, key words like ‘capacity building’, ‘strengthening of local coping mechanisms’ and ‘resilience’ are reproduced in countless policy documents, but the lack of cooperation and collaboration with local partners and representatives of the beneficiaries persists. Nevertheless, international NGOs usually depend on local partners for the implementation of projects. Humanitarian action should be delivered based on the principle of subsidiarity, that is, only after local resources and coping mechanisms have been exhausted. Instead, international humanitarian action frequently creates dependence on external interventions.⁵⁸ In some cases, the dependence on international humanitarian action and the powerful position of aid workers may lead to abuse of authority, increasing the vulnerability of victims. In reality, the degree of cooperation with local partners differs between organisations—today, many of them increasingly employ local personnel, reducing international personnel to a minimum. However, that does not fully solve the problem as local NGOs are dominated by—and personnel for international NGOs is frequently recruited from—the dominant educated elite, which may not always be familiar with local circumstances in crisis contexts. Moreover, corrupt elites and other parties to the conflict may also exploit aid. In sum, these conditions point to the consistently existing north versus south power asymmetry in combination with prolonged dependencies of suffering populations in humanitarian action, which creates and reinforces paternalistic structures, or as Barnett puts it: ‘Humanitarian governance operates with an emancipatory ethic that can justify and even legitimate acts of domination’.⁵⁹

Second, humanitarian organisations have always been, and are increasingly perceived to be, political actors taking sides in conflicts, which threatens the principle of neutrality.⁶⁰ The perception of western international organisations by the local population differs: sometimes, western organisations are accorded an exaggerated degree of trust—whereas in other cases, their presence may increase

⁵⁷Kaldor (2006).

⁵⁸Müller (2013), pp. 147–157.

⁵⁹Barnett (2012), p. 487.

⁶⁰Cf. Weiss (1999).

tension and mistrust concerning western engagement. Moreover, humanitarian organisations are frequently viewed with scepticism, especially since the events surrounding 9/11. As a result of the global war on terror, national foreign policies have reinforced the claim to put national security interests first, by all means. This has thus led to a re-politicisation of humanitarian affairs.⁶¹ The blurring of lines between civil and military actors, as well as multi-mandated organisations, which do not strictly adhere to the humanitarian principles and foreign policies making use of humanitarian action to pursue their national interests, threatens access to vulnerable populations and further increases the risk of politicising aid.⁶²

At the same time, the international political discourse is increasingly dominated by security concerns. The increase in international military interventions poses a constant challenge for humanitarian civilian interventions with high risks for the security of humanitarian personnel. To further understand the politics of humanitarian action in world politics, we need to widen the scope of research both by breaking down disciplinary bound thinking and including more academics from the global south, where most humanitarian crises occur.

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⁶¹Cf. Audet, pp. 141–52 (147).

⁶²Donini (2012).

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