Humanitarian diplomacy definitions and approaches

Luke Kelly
University of Manchester
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What are the main definitions of humanitarian diplomacy? What are the main findings on the effectiveness of different approaches?

Contents

1. Summary

This rapid evidence review finds that there is a growing literature on humanitarian diplomacy. Systematic evidence and definitive findings are limited by the fragmented nature of the evidence based on varied case studies, and inherent difficulties in assessing success across different contexts and according to different conceptions of humanitarian action.

The review has found that there are several definitions of humanitarian diplomacy, related to different humanitarian aims, actors and methods. Humanitarian diplomacy may describe the daily activities of humanitarian workers in the field, formal agreements with states, and international advocacy for humanitarian law and policy. The approaches to humanitarian diplomacy vary according to the mandates of actors and the contexts in which they are working, the work they are doing, and strategic and contingent decisions.

This evidence review first looks at different definitions of humanitarian diplomacy, noting the points of difference or similarity. A broad range of humanitarian diplomacy approaches are considered, from everyday negotiations in the field, to formal state diplomacy and the dissemination of humanitarian ideals. It then looks at the evidence base and summarises literature that has assessed humanitarian diplomacy. It does not offer a comprehensive analysis, but rather a summary of the main themes identified in the literature. Evidence is taken from around the globe, with the literature focusing on a variety of conflicts and natural disasters where humanitarian actors have had to employ diplomacy. Much of the evidence is written from the perspective of prominent international non-governmental organisations (NGOs) such as Médecins sans frontières (MSF) or the International Committee of the Red Cross (ICRC), with relatively less on the work undertaken by local actors or state actors. The confidentiality of much diplomacy also limits the available evidence.

Key findings include:

- Humanitarian diplomacy is widely practised, although the term has only recently come into usage. The ICRC has certain immunities and privileges in international law, but they and other humanitarian actors use a range of methods (Haroff-Tavel, 2006; Slim, 2019; Magone et al., 2012; James, 2022). There are increasing efforts to systematise knowledge on humanitarian diplomacy (e.g. the practice of negotiation) (De Lauri, 2018; Grace, 2020)

- Humanitarian actors are often acting from a position of relative weakness compared to states in particular. This may constrain their ability to influence humanitarian outcomes (e.g. Egeland, 2012; Whittall, 2009). Humanitarian actors may benefit by being linked to state actors and political processes on some occasions, and from independence on others (Weissman, 2012). States and international organisations may induce other states to allow humanitarian access (or other humanitarian goals) through threats or inducements, but such efforts can be counterproductive if executed poorly (Belanger & Horsey, 2008).

- Humanitarian actors can draw on guidance and case studies on working with non-state armed groups (NSAGs), who present particular difficulties such as a lack of international recognition, sometimes rejecting humanitarian ideals, and varied

command structures (McHugh & Bessler, 2006; Minear & Smith, 2007; Clements, 2020; Carter & Haver, 2016).

- Humanitarian actors sometimes use discretion and compromise, and sometimes use publicity and confrontation, when dealing with interlocutors unwilling to support humanitarian ends (e.g. conflict parties). There is no clear evidence on which approach is best and the evidence suggests it is contingent on context (e.g. Slim, 2019; Magone et al., 2012; Donini, 2007).

- Humanitarian diplomats have had some success in promoting humanitarian norms and laws internationally, through strategies such as framing, agenda setting and evidence gathering (e.g. Hutchinson, 1989; Regnier, 2011; Rutherford, 2000; Weir, 2017).

- Humanitarian coordination mechanisms can help in sharing information and creating joint positions to improve the negotiating power of humanitarian actors (Minear, 2007; Avis, 2018; Kelly, 2019). However, suspicion, preferences for bilateral negotiations, and different mandates of humanitarian actors can make such mechanisms ineffective (Avis, 2018; Carter & Haver, 2016).

- Humanitarian actors often invoke humanitarian principles of humanity, impartiality, neutrality and independence.[1] Invoking such principles can be an effective diplomatic tool (Terry, 2011). However, research shows that the effectiveness of humanitarian diplomats is often shaped by their positioning in society (James, 2022).

The evidence is a mix of academic and grey literature. There is a large body of potential case studies on humanitarian diplomacy, although as the term is much newer than humanitarian action, not all are labelled as such. There is also a growing literature seeking to theorise humanitarian diplomacy or negotiation as a practice, and to generalise insights between cases. The evidence is gender- and disability-blind.

2. Definitions of humanitarian diplomacy

The study of humanitarian diplomacy is an emerging field. There are several definitions and forms of humanitarian diplomacy. Some of the key points and divergences are summarised below.

Aims: broader or narrower

All definitions centre on humanitarian aims. How widely this is conceived often depends on the mandate of the organisation. The aims of humanitarian diplomacy range from facilitating provision of emergency relief to the promotion of humanitarian norms and laws, or the resolution of particular crises. It may be focused on situations of conflict, or natural disasters.

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[1]

https://www.unocha.org/sites/unocha/files/dms/Documents/v.2.%20website%20overview%20tab%20link%202%20Humanitarian%20Principles.pdf

Some humanitarian organisations emphasise the need for neutrality, whereas others relate humanitarian diplomacy to broader goals. The International Committee of the Red Cross (ICRC), for instance, does not aim for the promotion of peace as it seeks to remain neutral (Haroff-Tavel, 2006). Other definitions may be based on a broader understanding of humanitarian goals, including peace, development and human rights outcomes (Regnier, 2011, p. 1233). Jan Egeland, for example, situates his conception of humanitarian diplomacy in the context of the political failures leading to conflict and disaster – aid can be mobilised for emergencies, but states are less willing to work towards long-term solutions to the crises (Egeland, 2013).

Humanitarian aims range from the immediate issues of access, operational issues, and respect for IHL, influencing laws and policy related to humanitarian action, as well as health policy, or 'negotiating donor contracts and dealing with human resource issues' (Grace, 2020, p. 21).

Key aims include:

- access and the facilitation of humanitarian work
- humanitarian corridors and ceasefires
- the impartial provision of aid
- adherence to IHL
- protection of civilians
- the promotion of humanitarian norms
- co-ordination between stakeholders
- negotiation on health policies, the development of IHL or other state/international policy related to humanitarian issues.

Humanitarian diplomacy can also be used to promote disaster risk reduction, climate change adaptation, disaster law, disease prevention, public health, food security, migration and human trafficking issues, and humanitarian sector reforms (Regnier, 2011, p, 1219).

Actors

A variety of actors practise humanitarian diplomacy. These include humanitarian non-governmental organisations (NGOs), UN agencies, the ICRC, as well as national governments, intergovernmental organisations, and economic and religious stakeholders.

Few humanitarian staff are specifically trained as 'humanitarian diplomats', but most act as such in their everyday work (Regnier, 2011; Grace, 2020; James, 2022; Minear & Smith, 2007). The ICRC has recognition under IHL and privileges and immunities, which most humanitarian actors do not have (Haroff-Tavel, 2006).[2] While much of the humanitarian

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[2] e.g. inviolability of premises, exemption from having to provide evidence in legal proceedings, confidentiality of reports, etc. These stem from the ICRC's status as an international organisation, partly because of its role in convening the Geneva Conventions.

diplomacy literature is centred on international NGOs, the role of 'local' actors is highly significant (Svoboda et al., 2018; James, 2022).

States may practise humanitarian diplomacy as foreign aid providers. They may also influence foreign aid provision indirectly. Several have humanitarian diplomacy policies (Turunen, 2020; de Lauri, 2018). Egeland (2013) argues that the relation of humanitarian action to political action can be as 'an alibi' for the inaction of states or international organisations who will not address the 'root causes' of a given crisis. While focused on humanitarian issues, and politically neutral, humanitarians may nevertheless have to confront the actions of state actors, such as human rights and IHL abuses (Whittall, 2009). States may also facilitate aid delivery, or support the dissemination of humanitarian norms.

Humanitarian diplomats negotiate with a range of interlocutors. For instance, the ICRC develops 'a network of close bilateral or multilateral, official or informal relations with the protagonists of armed conflicts and disturbances, and with any other State, non-State actor or influential agent, in order to foster heightened awareness of the plight of victims of armed conflicts, support for the ICRC's humanitarian action and respect for humanitarian law' (Haroff-Tavel, 2006, p. 5).

Interlocutors include governments, 'community leaders' or other influential local actors, other humanitarian organisations or international organisations such as peacekeepers and aid recipients (Grace, 2020, pp. 22-23). There is a literature on methods and experiences of negotiating with non-state armed groups.[3] Multi-lateral forums involving states and other actors, such as the World Humanitarian Summit, are important sites for advancing humanitarian concerns (Harof-Tavel, 2006; Turunen, 2020).

Humanitarians may therefore find themselves practising diplomacy at a number of 'levels' and in a number of formal and informal settings, from informal negotiations in 'the field', to formal negotiations with conflict parties, to discussion at international forums.

Methods

Humanitarian diplomacy is often contrasted with 'traditional' state diplomacy (Regnier, 2011; Haroff-Tavel, 2006). Whereas state diplomacy is often pragmatic and seeking to compromise, humanitarians are focused on humanitarian principles which they are reluctant to compromise (Di Lauri, 2018). State diplomats are often backed by political, economic and military power, while humanitarian actors (when not states) are more usually reliant on IHL, the humanitarian imperative,[4] persuasion, and a generally smaller, 'softer', range of tools (Haroff-Tavel, 2006; Egeland, 2013; Minear, 2006).

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[3] e.g. https://odi.org/en/about/our-work/humanitarian-negotiations-with-armed-non-state-actors/

[4] formulated in the SPHERE standards as ' that action should be taken to prevent or alleviate human suffering arising out of disaster or conflict, and that nothing should over-ride this principle'. https://spherestandards.org/wp-content/uploads/2018/07/the-humanitarian-charter.pdf

Humanitarian diplomacy occurs at multiple levels: from sub-national and local action in the field, to diplomacy with states and international organisations (Regnier, 2011, p. 1219).

Methods of humanitarian diplomacy are wide-ranging. They include:

- Confidential discussions with states (Slim, 2019)
- Public advocacy, such as the use of mass media to highlight abuses and to generate support for humanitarian aid (Weissman, 2012)
- Information gathering (Regnier, 2011; Turunen, 2020)
- Negotiation with a range of interlocutors (Grace, 2020)
- Informal negotiations in the field, such as brokerage and 'fixing' (e.g. to pass checkpoints, arrange passage etc.) (James, 2022)
- 'Deconfliction', liaison to remove obstacles to humanitarian action through means such as ceasefires or pauses, is also a method of humanitarian diplomacy (Egeland, 2013)
- Track two diplomacy – unofficial diplomacy, often led by NGOs – to advance humanitarian principles and knowledge among states and other actors (Regnier, 2011)
- Collaboration among humanitarian organisations to share information and create negotiating positions (Avis, 2018).

Humanitarian actors conceive of humanitarian diplomacy according to their distinct mandates and capabilities. For example, the ICRC has particular legal immunities and agreements with national governments (Slim, 2018; Haroff-Tavel, 2006). They may use the terminology – of diplomacy, negotiation, advocacy – differently (Slim, 2019). Many organisations use a range of approaches. For example, the ICRC's repertoire includes behind-the-scenes discussion, as well as 'multilateral diplomacy, networking and the use of virtual means of communication', including denunciation when needed (Haroff-Tavel, 2006, p. 7; Slim, 2019).

One of the main differences in approach is centred on the degree to which humanitarian actors confront, or compromise with, states or other powerful actors (Weissman, 2012; Slim, 2019). This divergence is related to conceptions of neutrality and humanitarian space – some take neutrality to be the avoidance of statements, whereas for others it includes assertion of the rights of humanitarian access and conflict parties' duties of restraint under international humanitarian law (IHL). Humanitarian diplomats may work in a discrete and confidential manner, or may use mass media to try to publicly shame or persuade (Weissman, 2012).

Some approaches may be more suitable for some contexts than others. While humanitarians do not take political positions, they may have to engage with political actors who have a role in causing humanitarian problems to effectively fulfil their mandate. Whittall (2009) reports a situation where, because of severe political constraints, humanitarian actors focused on meeting humanitarian needs, but avoided invoking international humanitarian law (IHL) to highlight abuses against Palestinians. They thereby failed to protect civilians and use

humanitarian diplomacy in an effective way (Whittall, 2009). While humanitarian agencies were able to provide aid to some populations in need, they were not able to provide aid impartially or induce respect for IHL. While this may or may not have been a strategic failure by the humanitarian agencies in question, it highlights the relatively weak position of humanitarian diplomats.

3. Findings on the effectiveness of HD

Evidence base

Humanitarian diplomacy has only recently emerged as a field of academic study (Regnier, 2011). There is a burgeoning literature on the theory and practice of humanitarian diplomacy, including peer-reviewed papers on the theory of humanitarian diplomacy and negotiation, and instruction manuals (e.g. Mancini-Griffoli & Picot, 2004; McHugh & Bessler, 2006). The fact that most humanitarian workers use humanitarian diplomacy in their daily work (Regnier, 2011; Grace, 2020), means there is a much larger body of potential case study evidence to draw upon.

There are several problems and difficulties with the evidence. One is the fact that much diplomacy and negotiation takes place behind closed doors, and may remain secret for operational and reputational reasons (Grace, 2020). Another is the difficulty of judging the success of a given form of diplomacy or negotiation given the uniqueness and complexity of situations and the difficulty of applying counterfactuals (Grace, 2020). Humanitarian actors may also have slightly different measures of success based on their prioritisation of different humanitarian principles, for instance. A third is the difficulty of generalising examples from different contexts and situations, and between organisations with different conceptions of success (Grace, 2020). Some authors argue that different methods of humanitarian diplomacy may work more or less well in different contexts, and should therefore be seen as complementary (Slim, 2019).

Much of the evidence is synthesised from case studies. Minear (2007), introducing a handbook of humanitarian diplomacy case studies, finds that, despite particularities of each case, 'success seems to correlate positively with such factors as the cohesiveness of the humanitarian sector, the presence of seasoned and creative practitioners, the utilization of institutional experience and memory, in-depth knowledge of the political environment and cultural context, the creation of trust, the careful demarcation of what is negotiable, and access to a durable reservoir of political and public support' (Minear, 2007, p. 29).

While the practice of humanitarian diplomacy is widespread and longstanding, attempts to systematise learning are more recent. De Lauri (2018, p. 2) notes that 'few agencies and political actors reflect on their humanitarian diplomatic practices,' which can lead to sub-optimal outcomes. For example, Grace (2020) argues that humanitarian negotiation should be more systematically analysed and taught to those who practise it. Many 'lack an awareness of the role that negotiation plays in their work', despite doing it regularly (Grace,

2020). In understanding the skills required, he posits four types of negotiation capital (Bonoliel, quoted in Grace, 2020, p. 24):[5]

- **Cognitive:** 'the negotiator's ability to understand, analyse and synthesise the substance or the issues of the negotiation', including the context, the counterpart's position, etc'.
- **Emotional:** 'the value inherent in the negotiator's ability to perceive, comprehend, analyse and regulate emotions in the face of emotional challenges in negotiation'.
- **Social:** 'refers to the inherent value in the negotiator's ability to develop relationships, nurture trust, show respect, be flexible, play fair and build a positive reputation over time'.
- **Cultural:** 'the inherent value in the negotiator's ability to understand the nuances of the stated and unstated values and norms of different cultures and negotiate effectively in complex cultural contexts'.

Grace (2015) also identifies five analytical approaches to humanitarian negotiation, based on the broader literature on negotiation:

- Distributive, or power-based, based on the assumption that negotiation is 'zero-sum' and compromise is required.
- Integrative, or interest-based, focused on 'developing mutually beneficial agreements based on the interests of the negotiators, with the understanding that interests are the underlying reasons that people become involved in a conflict' (p. 6)
- Basic human needs-based, focused on understanding the interlocutor's 'underlying social needs of identity, participation, and security' (p. 9)
- A behavioural approach, focused 'on the personalities, characteristics, and emotions of the individuals engaged in a negotiation' (p. 10)
- Culture as a factor in negotiation (Grace highlights individualistic versus communal paradigms, negotiating style, concept of time, and religion).

Humanitarian organisations increasingly seek to train their staff in negotiation practices. Manuals and initiatives include Minear and Smith (2007), Mancini-Griffoli and Picot (2004), McHugh and Bessler (2006), initiatives such as the Centre for Competence in Humanitarian Diplomacy,[6] or courses in humanitarian diplomacy.[7]

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[5] using Michael Benoliel's framework

[6] https://frontline-negotiations.org/

[7] IFRC. Red Cross Red Crescent Learning Network in partnership with DiploFoundation. Online 2020. https://media.ifrc.org/ifrc/course-initiative/online-course-humanitarian-diplomacy

Approaches

This section surveys prominent findings on approaches, broadly defined as methods of negotiation, co-ordination, advocacy, use of legal norms, local, international and ideological positioning, consultation and engagement, institutional approach and prioritisation.

Advocating for IHL and protection

International humanitarian law (IHL) regulates the conduct of conflict parties in war, including the protection of civilians, and allows for the presence of impartial humanitarian actors.[8] Many humanitarians see their role as to provide aid and to advocate for adherence to IHL. However, conflict parties often set the terms of humanitarian access, meaning that calling for restraint may prompt them to restrict access. Whittall's (2009) research on UN agencies operating in Palestine in 2007 shows how political factors constrained the UN's humanitarian diplomacy. The occupation of Palestinian territories, and the budgetary boycott of Palestinian authorities at this time, led UN humanitarian actors to not invoke IHL or human rights concerns. They instead focused on humanitarian needs (e.g. food, shelter), but did not address IHL and human rights violations, and were thereby seriously constrained. Their humanitarian diplomacy was limited by the political constraints so that they, for instance, might 'deal with access, and what we should be dealing with is freedom of movement' (quoted in Whittall, 2009, p. 50).

Recent research on the UN's protection advocacy finds that it is 'cautious' (Bowden & Metcalfe-Hough, 2020). This is despite initiatives to improve protection, namely the protection cluster in 2006[9] to identify and analyse concerns and coordinate responses, and the 2014 'rights up front' agenda. The reasons identified by the research are (Bowden & Metcalfe-Hough, 2020):

- A failure of states to abide by IHL
- A UN focus on maintaining presence, sometimes at the expense of avoiding potentially confrontational protection advocacy
- Policy confusion created by the UN's multiple frameworks on protection, and multiple UN agencies.[10]
- An 'increasing technocratic approach to protection with a far greater focus on protection programming to mitigate the impact of violence and less action to prevent or halt violence' (p. 11).

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[8] https://www.icrc.org/en/war-and-law/treaties-customary-law/geneva-conventions

[9] UN clusters are sector-specific, inter-agency co-ordination mechanisms activated for particular emergencies. UNHCR leads the global protection cluster. https://www.globalprotectioncluster.org/

[10] the article mentions the 'PoC agenda of the UNSC, the 2005 'Responsibility to protect' commitmentvof member states, protection of civilians within UN peacekeeping doctrine, the 'Rights up front' action plan and classical human rights protection'.

- A reliance on state donors.

While both sources suggest the choice of humanitarian actors to put more or less emphasis on protection, through research and policy decisions, they also highlight the constraints imposed by states.

Discretion and denunciation

One of the central dilemmas for humanitarian actors is how to respond to political actors who may have a role in humanitarian crises – denouncing such acts may lead to access restrictions, while ignoring them may allow greater humanitarian harms to be committed. Many organisations use a range of communication strategies. For the ICRC, for example, 'persuasion is the ICRC's preferred mode of action, and it resorts to denunciation only in exceptional circumstances' (Haroff-Tavel, 2009, p. 7). Slim (2019) identifies several potential advantages to a discrete approach, and looks to the ICRC's humanitarian action and a longer history of moral persuasion. This includes the eloquence of certain acts of silence, and the reassurance it provides to conflict parties (for example) who might otherwise refuse access (Slim, 2019). Sometimes, in contrast to the ICRC's approach, Médecins sans frontières (MSF) has 'spoken out' at various points throughout its history, risking losing access to populations, driven by the 'need to avoid becoming the medical enabler of oppression' (Brauman, 2012, p. 1528). A 'power struggle in which the authorities' international image is at stake' is sometimes needed to win humanitarian autonomy (Weisman, 2012, p.180). In reflecting on the history of the two organisations' stances, Brauman (2012) highlights the inherent difficulty of determining how outspoken or discrete to be.

Many organisations used both modes, according to circumstance. Slim, discussing the ICRC's preference for discretion in many cases notes the difficulty of determining a more or less successful approach overall: 'Inevitably, the ICRC's humanitarian diplomacy is not always effective. Nor is it necessarily better than other more public approaches to humanitarian persuasion. But it is certainly complementary to such approaches' (Slim, 2019, p. 72). He notes the possibility for other actors, such as human rights organisations, to raise potentially contentious issues, without compromising the ICRC's relations with conflict parties (Slim, 2019). Discussing MSF's stances in conflict, Weissman (2012) points to the broader political support needed in many contexts to enable effective aid, and the negative consequences of relying too much on particular coalitions.

The efficacy of each approach varies by situation. In discussing efforts to negotiate access to Taliban-controlled Afghanistan (1996-2001), Donini (2007) shows examples of where public denunciation may have swayed the authorities, but also instances where it led to anger and access restrictions. Quiet diplomacy was often effective, but at times media statements could help persuade reluctant authorities to allow access (Donini, 2007).

Promoting humanitarian norms internationally

Humanitarian actors seek to promote respect for humanitarian laws and norms, and can successfully reshape norms of violence and restraint. The Red Cross was central in securing state agreement to the Geneva Conventions, and the movement continues to hold international conferences to bring states and Red Cross delegates together (Hutchinson, 1989; Regnier, 2011). More recently, non-governmental organisations (NGOs) were central in 'setting the agenda' and generating support for the Ottawa Convention against land mines in 1999 (Rutherford, 2000). While weapons treaties are usually led and framed by political and military actors, NGOs were able to set the policy agenda to focus on humanitarian aspects and the effects on victims (Rutherford, 2000). The 'framing' of problems can be influential in bringing them to public attention and policy frameworks (Weir, 2017). For example, civil society actors have sought to draw attention to and mitigate the environmental consequences of war, reframing the issue and prompting the International Law Commission to draft the protection of the environment in relation to armed conflicts (PERAC) principles (Weir, 2017).

Humanitarian coordination and forums

While some humanitarian diplomacy is led in an ad-hoc way by workers in the field, humanitarians also appeal to various national and international networks and structures. Coordination can be hampered by problems of integration, trust and different organisational priorities (Avis, 2018; Carter & Haver, 2016). Nevertheless, many successful instances of humanitarian diplomacy are driven by 'the cohesiveness of the humanitarian sector' (Minear, 2007, p 29).

UN-led technical committees on humanitarian issues can be ways to engage conflict parties in humanitarian issues (Kelly, 2019). By having distinct forums, distinct from political questions, parties can reach agreement on humanitarian issues. The success of such forums is also helped by factors such as the conflict parties employing humanitarian specialists, and the ability to monitor and enforce implementation on the ground (Kelly, 2019). The way that they are configured shapes their effectiveness in particular contexts (Kelly, 2019):

- Forums may be formal or informal. Informal forums may allow humanitarians to negotiate with armed groups, without being seen to 'legitimise' them, and may allow access in a politicised situation. However, they may be easily dominated or instrumentalised by one conflict party. Formal processes may include a declaration of principles to try and hold parties to agreement, and for aid agencies to present a united face.

- Humanitarian forums may be more or less closely linked to political processes. Diplomatic pressure from outside actors, or with a forum linked to a peace process, might encourage more engagement with humanitarian issues. However, it is often important for humanitarian actors to distinguish themselves from political actors and processes to gain acceptance, such as when the UN is associated with a particular policy or conflict party.

Joint frameworks have been used by humanitarians to create a coordinated position among themselves (Avis, 2018). This enables them to avoid being played off against one another by presenting a common front, sharing information, and supporting each other (Donini, 2007). Common operating principles, whereby conflict parties agree to certain rules, such as humanitarian access, can also be helpful. In Bosnia, where agencies failed to co-ordinate effectively, aid was given for access on many occasions (Cutts, 1999). The evidence suggests that such frameworks' or coordinating mechanisms' efficacy is not universal: they may, for example, work better with more 'moderate' armed groups, and alongside enforcement mechanisms or incentives provided by political actors (Avis, 2018).

States and international organisations can have a role in negotiating humanitarian access. Humanitarians may have to distance themselves from states and political projects as well as using them for support (Weissman, 2012). They can make use of reconstruction aid or other inducements as leverage for access, and use more or less strong forms of persuasion. After Cyclone Nargis in 2004, Myanmar was reluctant to allow foreign aid into the country. Some Western states threatened to invoke the responsibility to protect (R2P) doctrine,[11] but the 'less threatening' diplomatic work of the Association of South East Asian Nations (ASEAN), promoted as 'international assistance with a regional character', proved more effective (Belanger & Horsey, 2008, p. 4). Association with different political actors can both create leverage and support for humanitarians, and create perceptions of politicisation that erode the trust of interlocutors.

Presentation of identity and values

While many argue that humanitarians can and should present a neutral identity, James argues that the way 'humanitarians are positioned in society' can be very important. Her study is based on Congolese NGO workers in the Eastern Democratic Republic of the Congo (DRC), and finds that 'who is representing an organisation, and the way that person is received and perceived in relation to the political histories of the environment in which they are working' can ease or impede access (James, 2022). While she emphasises that identity is produced differently in different contexts, she notes that local humanitarian workers in particular are affected by their personal histories and identities as much as by their humanitarian status (James, 2022). She contrasts this with the idea that humanitarians 'rely on the performance of a detached humanitarian identity' embodying humanitarian principles through a t-shirt and codes of conduct, to gain access (James, 2022). It is the local humanitarians' ability to 'shapeshift', presenting different facets of their identity tactically, that enables them to successfully facilitate humanitarian access or other goals (James, 2022). Local actors may have better access to certain authorities, communities or conflict parties (Svoboda et al., 2018).

Nevertheless, there is evidence in other contexts that a 'detached humanitarian identity' can be effective. Terry shows the value of the ICRC's maintenance of a neutral identity, in the face of accusations of aid politicisation, and attacks on ICRC staff as Western symbols, in

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[11] https://www.un.org/en/genocideprevention/about-responsibility-to-protect.shtml

Afghanistan after 2003 (Terry, 2011). This was achieved by a slow process of carrying out aid work, explaining its role, winning acceptance to work in more areas, and arguing for the importance of IHL (Terry, 2011). In contexts where a government or other actors reject Western values, humanitarians may face conflicts on matters of principle. For instance, the Taliban in Afghanistan put in place restrictions on female aid workers, potentially compromising the humanitarian principle of impartiality, and creating diplomatic dilemmas about how to confront or negotiate the issue (Donini, 2007).

Working with armed groups

There is a literature on negotiating with non-state armed groups (NSAGs). Humanitarian actors have been found to operate more in government-held areas than those controlled by NSAGs, leading to inequalities in aid access (Carter & Haver, 2016). Working with NSAGs raises a number of problems, including the possibility of 'legitimising' such actors; the unpredictability of some NSAGs; some groups' rejection of, or unfamiliarity with, humanitarian ideals; varying command structures and levels of cohesion; and laws and policies such as counter-terrorism measures that can make contact with NSAGs risky (McHugh & Bessler, 2006; Minear & Smith, 2007).

There is guidance on ways to approach negotiations with NSAGs (McHugh & Bessler, 2006). Clements (2020) argues that 'prenegotiation' can be used to bring NSAGs to the table, citing several potential carrots and sticks:

- Denunciation, particularly by third parties so as not to undermine trust
- The informal legitimacy that may be generated by supporting humanitarian measures
- Broader actions, such as lobbying state and international actors to be able to negotiate with armed groups, by arguing against counter-terrorism restrictions limiting humanitarian action.
- Carter and Haver (2016) also highlight the importance of inter-agency coordination, and the development of strategies.

4. Definitions of humanitarian diplomacy

Below are some definitions of humanitarian diplomacy from the literature:

'Humanitarian diplomacy is the use of International Law and the humanitarian imperative as complimentary levers to facilitate the delivery of assistance or to promote the protection of civilians in a complex political emergency' (Whittall, 2009, p. 37).

'The concept of humanitarian diplomacy encompasses the activities carried out by humanitarian organizations to obtain the space from political and military authorities within which to function with integrity. These activities comprise such efforts as arranging for the presence of humanitarian organizations in a given country, negotiating access to civilian populations in need of assistance and protection, monitoring assistance programmes, promoting respect for international law and norms, supporting indigenous individuals and

institutions, and engaging in advocacy at a variety of levels in support of humanitarian objectives' (Minear and Smith, quoted in Regnier, 2011, p. 1215).

'persuading decision makers and opinion leaders to act, at all times, in the interests of vulnerable people, and with full respect for fundamental humanitarian principles' (IFRC, quoted in Regnier, 2011, p. 1216)

'The ICRC's humanitarian diplomacy consists chiefly in making the voices of the victims of armed conflicts and disturbances heard, in negotiating humanitarian agreements with international or national players, in acting as a neutral intermediary between them and in helping to prepare and ensure respect for humanitarian law.

The ICRC's humanitarian diplomacy is defined by four specific traits: it consists of relations with a wide range of contacts, including non-State players; it is limited to the humanitarian sphere and the promotion of peace is not its primary objective; it is independent of State humanitarian diplomacy; and lastly, it often takes the form of a series of representations which, depending on events, may remain confidential or require the mobilization of a network of influence' (ICRC, quoted in Regnier, 2011, p. 1216).

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Review overview

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