

HCT Endorsed Draft

Joint Operating Principles – Afghanistan: Ensuring the Delivery of Principled Humanitarian Assistance in Afghanistan

Purpose and scope: The aid community engaged in humanitarian response in Afghanistan agrees that these Joint Operating Principles (JOPs) reflect humanitarian policies and established practices for interaction with parties to the conflict and other stakeholders. All humanitarian actors – including those with dual mandates (humanitarian and development) – agree to hold ourselves and our sub-contractors, suppliers and those we contract for related programming accountable to these shared thresholds. These JOPs form the framework for engagement in bilateral and joint negotiations with authorities and armed groups at local, national and international levels in an increasingly complex situation.

Core Humanitarian Principles: Humanity, neutrality, impartiality, and operational independence are the core fundamental principles for humanitarian action. These principles are derived from International Humanitarian Law, Human Rights Law and other normative documentsⁱ, and are part of codes of conduct and mission statements guiding humanitarian organizations.

A. Principles - Humanitarian operations and actors are guided by:

1. **Humanity:** Human suffering must be addressed wherever it is found, with particular attention to the most vulnerable populations, such as children, women, people with disabilities and the elderly. The dignity and rights of survivors must be respected and protected.
2. **Neutrality:** Humanitarian actors will not participate individually or organizationally in hostilities or taking sides in controversies of a political, religious or ideological nature.

3. **Impartiality:** Assistance is provided without discrimination on the basis of ethnic origin, political opinion, gender, nationality, race or religion. Provision of humanitarian assistance is guided solely by needs, and priority is given to the most vulnerable cases.
4. **Operational Independence:** Humanitarian action must be autonomous from the political, economic, military or other objectives that any actor may hold with regard to areas where humanitarian activities are being implemented.

In practice, the humanitarian actors agree to principles of:

1. **Do no harm:** Humanitarian actors must strive to 'do no harm' or to minimize potential harm when being present and providing assistance.
2. **Dignity:** People in need shall be respected as equal partners in action in all activities and their dignity as human beings will be maintained in all communications.
3. **Transparency and accountability:** Humanitarian actors act in a transparent manner with all parties and are accountable to those whom they assist.
4. **Cultural Sensitivity:** Humanitarian actors aim to ensure that local customs, cultures and religions are respected while simultaneously adhering to international humanitarian standards around gender and equality.
5. **Prevention of Sexual Exploitation and Abuse:** Humanitarian actors commit – individually and organizationally – to creating and maintaining an environment in which sexual violence is not tolerated and prohibited for all interactions.

B. Actions:

In order to be able to address human suffering, provide life-saving assistance and protection activities, humanitarian actors will:

1. Engage with parties to the conflict and relevant actors; this engagement should never be considered political legitimization, recognition of - or support to - a party of conflict.
2. Call for all parties to the conflict to respect and promote humanitarian principles and ensure the protection of aid workers and those communities served.
3. Seek rapid and unimpeded access to all affected people;
4. Conduct independent needs assessments and identify beneficiaries for humanitarian assistance based on established vulnerability criteria that accounts for specific vulnerabilities, including gender and disability.

5. Where applicable, and as mandated under International Humanitarian Law, deliver medical assistance to all persons based on need; this may include parties to the conflict 'hors de combat'.

Humanitarian actors will not accede to requests to:

- Provide personal information identifying beneficiaries of humanitarian assistance to any external actors in exchange for access, nor in instances where it would place the beneficiary at risk of exploitation or harm. Any personal information shared will be handled in compliance with humanitarian principles and data sharing protocols;
- Pay taxes, duties or other payments on humanitarian projects, services to beneficiaries or aid deliveries ^{Pii};
- Influence the selection of staff, partners or vendors for humanitarian actors or provide confidential information about staff, partners and vendors;
- Enable coercive or other unsafe returns of IDPs or refugees;
- Allow parties to the conflict to take control of humanitarian facilities - including warehouse, vehicles, commodities and any other humanitarian assets - or permit armed actors to enter or control access to humanitarian facilities or vehicles;
- Deliver humanitarian assistance to armed actors or parties to the conflictⁱⁱⁱ.
- Submit to programming demands from any party to the conflict based on violence, abduction or intimidation (physical or administrative);

ⁱ Including the Geneva Conventions (1949), the Fundamental Principles of the Red Cross (1965), the Code of Conduct for International Red Cross and Red Crescent Movement and NGOs in Disaster Relief (1992), UN General Assembly Resolutions (1991 and 2003), the Sphere Standards (1999), and the Core Humanitarian Standard (2015).

ⁱⁱ This includes the intentional sub-contracting of local/national humanitarian actors and suppliers to circumvent this issue.

ⁱⁱⁱ Medical assistance may be provided in certain circumstances – as mandated by IHL – as per point B5.