DIPLOMA IN HUMANITARIAN DIPLOMACY

FINAL EXAM

QUESTION1

Humanitarian diplomacy is often defined with reference to the diplomacy of states. However, the two forms of diplomacy differ in more points than they have in common and, as we will discover below, it would seem that the scope of humanitarian diplomacy is not limited to international relations alone. Aspects that they have in common are the collection and analysis of information, relatively similar approaches to negotiation (seeking to arrive at a compromise, if not consensus with contacts and beneficiaries), and the status of immunity (diplomatic passports and laissez-passer, which are not, however, usually issued to NGOs carrying out humanitarian work). Humanitarian diplomacy does not reject traditional bilateral or multilateral diplomacy. On the contrary, to be as efficient as possible, it has to be co-ordinated with conventional diplomacy in capital cities and in the field, without thereby becoming subordinate to the latter.

Humanitarian diplomacy is rooted in the history of humanitarian action going back to the nineteenth century, and draws its raison d’être from the efforts made by humanitarian aid workers internationally, but also nationally and locally, to be allowed access to victims at all times. However, unlike with traditional diplomacy and international negotiation, there is as yet no body of literature or specific manual dedicated to humanitarian diplomacy. One can describe the term ‘humanitarian diplomacy’ through the following definition, as proposed in 2007: 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.

An example of an organization’s definition of humanitarian diplomacy is offered by the ICRC, which has made substantial efforts to define humanitarian diplomacy, bearing in mind its specific mandate: 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.13 The ICRC’s definition is narrower than those presented above, owing to the organization’s specific mandate, which often – but not always – requires its diplomacy to be confidential, and the fact that it carries out a wide range of highly specific actions.

[[1]](#footnote-1)Humanitarian diplomacy aims to mobilise public and governmental support and resources for humanitarian operations and programmes, and to facilitate effective partnerships for responding to the needs of vulnerable people. Humanitarian diplomacy includes advocacy, negotiation, communication, formal agreements, and other measures. It is a field with many players, including governments, international organisations, NGOs, the private sector, and individuals.

QUESTION 2

[[2]](#footnote-2)Humanitarian diplomacy (HD) emerged as a concept in the early 2000s. It can be defined as persuading decision makers and leaders to act, at all times and in all circumstances, in the interest of vulnerable people and with full respect for fundamental humanitarian principles.

Traditionally, HD ranges from negotiating the presence of humanitarian organizations to negotiating access to civilian populations in need of protection. It involves monitoring assistance programs, promoting respect for international law, and engaging in advocacy in support of broader humanitarian goals (Minear and Smith 2007). There is a growing political consensus and commitment to “leave no one behind” in the 2030 Agenda and HD is seen as an instrument through which to reach the most vulnerable people.

The variety of priorities, goals and humanitarian actors involved in complex emergencies create different understandings of HD. The definitions and content of HD vary as widely as the number of organizations (or states) using the term. There is a significant difference between the idea of HD, the use of the term, and international recognition for an agreement on how it should be conducted (Regnier 2011). Although HD is increasingly framed as a crucial aspect of providing access to aid in conflict areas, few agencies and political actors reflect on their humanitarian diplomatic practices.

International humanitarian law is a set of rules which seek, for humanitarian reasons, *to limit the effects of armed conflict.* It protects persons who are not or are no longer participating in the hostilities and restricts the means and methods of warfare. International humanitarian law is also known as the law of war or the law of armed conflict.

International humanitarian law is part of international law, which is the body of rules governing relations between States. International law is contained in agreements between States – treaties or conventions –, in customary rules, which consist of State practise considered by them as legally binding, and in general principles. International humanitarian law applies to armed conflicts. It does not regulate whether a State may actually use force; this is governed by an important, but distinct, part of international law set out in the United Nations Charter. International Humanitarian Law (IHL) International humanitarian law is usually defined as the set of principles and rules restricting the use of violence in armed conflicts, both to spare the [33] persons not (or no longer) directly engaged in hostilities (wounded, sick, shipwrecked members of the armed forces, prisoners of war, and civilians), and to limit the use of methods and means of warfare that causes superfluous injury (or excessive suffering, as in the case of dumdum bullets or with gas warfare), or severe damage to the natural environment, or betrayal of an adversary’s confidence in agreed-upon obligations (“perfidity”).

The principle of the limitation of armed violence is reflected in contemporary written law, in the Saint Petersburg Declaration of 1868,26 as well as in Article 22 of the Hague Regulations of 190727: “The right of belligerents to adopt means of injuring the enemy is not unlimited.” The terminology used to refer to international treaties may vary (“humanitarian law, “international humanitarian law applicable in armed conflicts, “Laws of war, “Law of Geneva, “Red Cross Conventions,” “Law of The Hague, “human rights in armed conflicts,) but all seek the same objective—namely, to limit the use of violence in war. Contemporary international humanitarian law is the moving balance between two dynamic forces: the requirements of humanity and military necessity. It is also the sum of tragic real-life experiences that need not to be repeated: military wounded and shipwrecked—and the humanitarian personnel taking care of them—must be rescued and respected; prisoners of war must be humanely treated and released at the end of active hostilities; and civilians not be killed nor harmed. Each stage of the codification of international humanitarian law was the result of a postwar shock wave in public opinion and governments, a collective painful process of learning. These codifications occurred as follows: The Battle of Solferino (1859) between Austrian and French armies was the impetus for the First Convention, in 1864, protecting military wounded on land The Battle of Tsushima (1905) between the Japanese and Russian fleets prompted adjustments of the Convention on War at Sea, in 1907, extending protection to military shipwrecked World War II led to the four 1949 Conventions, an extensive regulation of the treatment of civilians in occupied territories and internment Decolonization and the Vietnam War preceded the two 1977 Additional Protocols, which brought written rules for the protection of civilian persons and objects against hostilities A worldwide campaign by like-minded governments, United Nations agencies, the Red Cross and Red Crescent Movement, and NGOs in a full partnership that stressed the human suffering and socioeconomic costs caused by antipersonnel mines resulted in the total ban on landmines signed in Ottawa on December 4, 1997.

Universality of International **Humanitarian Law** The four 1949 Geneva Conventions are universally ratified. The two Additional Protocols are widely ratified, but still lack ratification by the United States and some other countries. The 1907 Hague Regulations, which establish laws for conducting war on land, are universally considered part of international customary law since the International Military Tribunal of Nuremberg declared on October 1, 1946, binding both signatories and non signatories. [35] Humanitarian law has evolved from a law protecting only certain categories of individuals (from medieval knights to today’s prisoners of war) to a set of provisions ensuring fundamental human rights guaranteeing the survival of entire civilian populations in wartime. The International Criminal Tribunals for the Former Yugoslavia and for Rwanda broke down the distinction between international and non-international armed conflicts regarding the prosecution of war crimes.

The International Court of Justice (ICJ), in the Nicaragua Case (1986), considered Common Article 3 of the 1949 Geneva Conventions as “elementary considerations of humanity” binding all: The Court considers that the rules stated in Article 3, which is common to the four Geneva Conventions, applying to armed conflicts of a non-international character, should be applied. The United States is under an obligation to “respect” the Conventions and even to “ensure respect” for them, and thus not to encourage persons or groups engaged in the conflict in Nicaragua to act in violation of the provisions of Article 3. This obligation derives from the general principles of humanitarian law to which the Conventions merely give specific expression.

**Human Rights** The Preamble of the United Nations Charter states the determination of Member States “to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women, and of nations large and small.” Article 1, paragraph 3 defines one of the purposes of the UN as: “To achieve international co-operation in solving internal problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion.” World War II and regional conflicts prompted the drafting of the United Nations instruments on human rights, disarmament, prohibition of terrorism and mercenaries, protection of the environment, and of the rights of children.

While instruments of international humanitarian law are normally applicable during armed conflicts, human rights treaties are based on a peacetime approach, yet their scope often overlaps, especially in regard to the fundamental guarantees they embody. The universality of humanitarian standards can also be seen with human rights instruments: The 1948 Universal Declaration of Human Rights (see the appendixes for the full text of the 1948 Universal Declaration of Human Rights) The 1948 Convention on the Prevention and Punishment of the Crime of Genocide Both 1966 Covenants (International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights The 1984 Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment The 1989 Convention on the Rights of the Child The universality and indivisibility of human rights was reaffirmed by the UN International Conference in Tehran in 196852 and by the World Conference of Human Rights in Vienna in 1993.

Listed below are characteristics belonging to international humanitarian law, to human rights law, or to both.

Each work group should decide to which branch of law each characteristic belongs.

• Protects all human beings equally, although legal statutes are being developed to incorporate the differences between people.

• Has its foundations in antiquity and was consolidated little by little in the Middle Ages.

First developed when use force was not an illegal instrument in international politics.

• Only applies to armed conflicts.

• Though a product of domestic law, it has tended progressively towards internationalization.

• Fruit of Enlightenment era theories (17th-18th centuries), with origins in domestic law.

Became important in public international law only as a reaction to the abuses of the Second World War.

• Its principle instruments are the Geneva Conventional and the two Additional Protocols.

• It is one of the oldest subjects of public international law.

• The Universal Declaration of Human Rights is the main legal instrument from which it has developed.

• It is mainly the responsibility of States, through action or omission, to guarantee and respect this law.

• Protects combatants, combatants not in combat, and the civilian population.

• This law has progressively penetrated States, to the point where it now regulates domestic conflicts.

• Responsibility for its application rests not only with States but also with the parties in conflict.

• Permits the suspension of some human rights in times of war or other emergencies that threaten national security. This excludes the “hard core” (non-derogable) rights: the right to life, the prohibition of torture and other inhumane treatment, and the prohibition of slavery

• Principally shaped by The Hague and Geneva Conventions, as well as the Convention Protocols and the Statute of the International Criminal Court.

• Concerns the organization of state power as opposed to the individual. Mainly pertains to times of peace, but also applies times of war since it deals with rights enjoyed just by the fact of being human.

• Cannot be suspended; remains in force as long as the conflict continues and afterwards, without exception.

• At the national level during times of war, military courts play an important role.

• At the national level, the ordinary courts are the proper forums to resolve violations of this law.

• Primarily formulated as the obligations of combatants, although it also defines the rights of combatants, of combatants no longer in combat, and of civilian populations.

• The language of this law, as it exists in treaties, tends to be based on the definition of rights and their compensation by State obligations.

• Its treaties are universal without regional differentiation, although parties to a conflict can make humanitarian agreements.

• This law concerns responsibility for the so-called grave violations of the laws and customs of armed conflict or war crimes.

• It was originally symbolic in nature, but a series of conventions have been established making its provisions legally prosecutable.

QUESTION 3

Humanitarianism is at once a broad dedication to and belief in the fundamental value of human life. Though lacking an agreed definition, this central ethics of humanitarianism crosses cultures and history. Humanitarianism is also a more specific reference to the (international/Western) crisis response that has evolved from the founding of the Red Cross and the first Geneva Convention over 150 years ago. As a systemic response to crisis, humanitarianism involves addressing the needs of people affected by conflict, natural disaster, epidemic and famine. In these crises, the focus of humanitarianism is, to varying degrees, placed upon basic or immediate needs of assistance and protection, as distinct from (though increasingly linked to) work more directly aimed at development, peace building, rule of law, etc.[[3]](#footnote-3)

Henry Dunant (1828-1910), founder of the Red Cross and Red Crescent Movement and initiator of modern international humanitarian law, successfully managed to mobilize the good intentions of people at the local, national and international levels by calling on the public, Governments, and civil society to act with humanity towards victims of war, after having personally witnessed the suffering of the battle of Solferino (24 June, 1859). In so doing, he set in motion the evolution of modern international humanitarian law.

On 24 June 1859, Dunant arrived at Solferino where he witnessed one of the fiercest battles of the nineteenth century. The Battle of Solferino lasted for more than 15 hours and more than 40,000 were wounded. Dunant was filled with horror and pity as he viewed the appalling spectacle of human suffering. With the help of the villagers at Castiglione, he worked tirelessly, without sleep for three days, giving comfort and what medical care he could to the injured men. Back at Geneva, Dunant was haunted by visions of the terrible battle and he devoted all his strength to ensure that the terrible sufferings he had witnessed never occurred again. In 1862, Dunant wrote and published a book entitled "A Memory of Solferino", which he put forward his ideas to foster the creation in every country of a society for the relief of the military wounded and capable of helping the army medical services to carry out their tasks[[4]](#footnote-4).

**Development of Red Cross**

The founders of the Red Cross set themselves the task of fostering the creation of National Societies. By 1874, twenty-two national societies in European countries and soon the Red Cross movement spread to other continents. In 1876, when Turkey was at war with Russia, they informed the Swiss Government that it was adopting for its ambulances the emblem of the Red Crescent instead of the Red Cross. The Red Crescent emblem was then used by most of the Islamic countries.

During the wars and internal disturbances, which broke out between 1864 and 1914, the Red Cross and Red Crescent were on the scene wherever men were suffering. Above all, it was during the First World War that the Red Cross was called upon to operate on a scale never before paralleled. All Red Cross Societies of the belligerent countries organised hospitals and ambulances. The activities of the International Committee of the Red Cross also expanded greatly, particularly following the creation at Geneva of the Central Tracing Agency. The Agency received from the fighting force lists of the wounded and of the prisoners they had taken, and passed on the information to their Governments. Later prisoners were given the right to correspond with their families and the Agency was given the responsibility of receiving, checking and forwarding the enormous flow of mail.

Delegates of the International Committee visited the prisoners-of-war and, in their confidential reports, called for improvements in conditions for captives. Mr Henry Pomeroy Davison, President of the War Committee of the American Red Cross, suggested that the Red Cross Societies of the United States, France, Great Britain, Italy and Japan should devote their resources to action in the public health field and to the organisation of relief in case of natural disaster. The League of Red Cross and Red Crescent Societies was started in 1919 with its headquarters in Geneva, in coordinating role and work of National Societies at international level.

The Red Cross new orientation towards humanitarian work in peacetime did not affect the continuing work of the International Committee of the Red Cross. It indicated that the First World War had demonstrated the urgent need to protect many parties, including the civilians. In the years that followed, the successive signings of the Geneva Conventions served these protections.

During the Second World War, the International Committee intervened to improve the treatment of victims, avoid reprisals and ensure that camps were established in safe and healthy places.

Each stage of the codification of international humanitarian law occurred as the result of a post war shock wave in public opinion and governments - a collective painful process of learning.

These codifications occurred after the following traumatic events:

- The battle of Solferino between Austrian and French armies was the impetus for the First

Geneva Convention (1864), protecting military wounded on land;

- The naval battle of Tsushima (1905) between Japanese and Russian fleets prompted an adjustment of the Convention on war at sea in 1907, extending protection to military shipwrecked;

- World War I then brought about the two 1929 Conventions, including a much broader protection for prisoners of war;

- World War II led to the four 1949 Conventions, an extensive regulation of the treatment of civilians in occupied territories and internment. The 1949 Geneva Conventions – along with the UN Charter (1945) and the Universal Declaration on Human Rights (1948) – are the result of the tragedies of millions of civilians and prisoners victims of total war and genocide in Europe and in Asia. The survivors pushed for the adoption of international instruments in order to avoid the repetition of such tragedies;

- The decolonization of African colonies and the Vietnam War preceded the two 1977 Additional Protocols, which provided written rules for the protection of civilian persons and objects against hostilities;

- A worldwide campaign in full partnership between Governments, United Nations agencies, the Red Cross and Red Crescent Movement and NGOs stressing the human suffering and socio economic costs caused by anti-personnel mines, resulted in the total ban on anti- personnel landmines signed in Ottawa on 4 December 1997;5

- A similar worldwide coalition brought about the adoption of the International Criminal Court Statute in Rome in 1998.

**Contemporary Developments**

Humanitarian diplomacy has undergone tremendous development since the end of the Second World War, in particular with the growing role of the International Committee of the Red Cross (ICRC), humanitarian and human rights NGOs, alongside the mobilization of civil society, on national and international levels.

Humanitarian diplomacy aims, through the representatives of Governments, international organizations, humanitarian organizations, as well as NGOs and actors within civil society, to defend human life and dignity in those places where it is under greatest threat. The ICRC, Doctors without Borders (MSF), Human Rights NGOs (such as Human Rights Watch and Amnesty International) and Coalitions of NGOs (such as the NGO Coalition for the International Criminal Court, which contributed significantly to the adoption of the Rome Statute in 1998), the “Geneva Call”, international personalities (“Goodwill Ambassadors”), and members of local civil society, all partake in humanitarian diplomacy.

The period since 1945 has seen a tremendous increase in Red Cross relief activities for the victims of natural disasters, for which the League is responsible at the international level. In countries subject to disasters, National Societies have been seeking to develop, in agreement with their governments, their capacity to intervene in relief operations and to prepare themselves for the task of receiving and distributing relief from abroad when an international appeal is launched.

The League, which has engaged in large-scale relief work in the past, is now concentrating on coordinating relief and action between donor and recipient National Societies and between the Red Cross and the United Nations. The activities of National Societies have since changed to reflect the requirements, to move from curative to preventive medicine and to concentrate on broader problems of public health and hygiene. The blood transfusion programme was developed and Red Cross has played an effective part in persuading people to give blood. At the same time, the Red Cross, in almost every part of the world, is doing an active role in nursing and social welfare. National Societies have shown an increasing interest in the recruitment of young people and various programmes in schools are developed, which include first aid, evacuation, fire-fighting, nursing, social welfare services, etc.

QUESTION 4

[[5]](#footnote-5)Informed by our analysis, we have determined that the private sector is contributing to disaster-recovery financing in a variety of ways, including playing a key role in early response and long-term recovery, collaborating with the public sector in public–private partnerships, driving innovation and facilitating technology use, helping smaller communities manage influxes of funds, and supplementing the federal disbursement processes. In this section, we discuss these contributions. A typical disaster cycle (as shown in the figure) goes through a series of phases: the period of preparedness or preplanning, the response period (short term, measured in days), and the recovery period (intermediate term, measured in weeks or months, as well as long term, measured in months and years). 4 Phases of a Typical Disaster Cycle During these phases, there are significant financial activities and implications for both households and communities— activities that involve both the public and private sectors. The shortfalls at particular phases of response and recovery can be devastating and accumulate if not addressed swiftly. Typically, communities (local jurisdictions) go to state and federal governments for help. But it is unclear how the private sector should best be involved in the process. For example, as a disaster exceeds the bounds of what is covered in public-sector mechanisms, the private sector can be particularly useful in addressing gaps. Given existing assets and risk-bearing capacity, a community might be able to withstand only a certain amount of risk exposure and, as a result, must seek out private-sector help. For example, during the response phase, local financial supports might kick in from both the public and private sectors to help households stabilize and manage daily needs, but the private sector’s cash reserves might be more flexible than government cash options. As the recovery phase takes root, households might need to access medical or disability benefits as a result of injury. Depending on the seriousness of the disaster impact, these needs could exceed what health insurance usually covers or the traditional offerings of routine social services. Whether supports for medical, financial, or other impacts are available from philanthropic investment is an open question, but examples from recent disasters indicate that the private sector is now often addressing those shortfalls. During the recovery period, households can access a range of government-sponsored individual and case management assistance programs while communities begin to leverage rebuilding grants, such as resources from the Community Development Block Grant (CDBG) Disaster Recovery program. During the recovery process, other potential funding mechanisms might kick in, such as additional support for home or community rebuilding or renovation and continued support to close gaps in general cash flow to meet basic household or community economic needs (e.g., keeping government agencies running). However, if households have difficulty overcoming existing vulnerabilities and the subsequent disaster effects, individuals might fall further behind, stressing a range of safety-net options and increasing the need for such supports as unemployment services. Private-Sector Contributions to Preparedness In this disaster cycle, the private sector plays a key role in preparedness, early response, and longer-term recovery. In terms of preparedness, businesses can help build resilience before a disaster RAND PE187-1 Ongoing Short term (days) Long term (months or years) Preparedness Response Recovery Intermediate term (weeks or months) Disaster Household stabilization Medical or disability benefits Financial management (e.g., cash flow) Lawsuits and compensation Recovering property lost Phases of disaster funding 5 strikes, such as by driving local investment and strengthening general resilience. According to FEMA, 2011: Businesses play a key role in building resilient communities. As businesses consider what they need to do to survive a disaster or emergency, as outlined in their business continuity plans, it is equally important that they also consider what their customers will need in order to survive. The ongoing involvement of businesses in preparedness activities paves the way to economic and social resilience within their communities. (p. 12) In 2011, then–United Nations Special Representative of the Secretary-General for Disaster Risk Reduction Margareta Wahlström noted in a public statement, “A private sector committed to disaster risk reduction can steer public demand toward materials, systems, and technological solutions to build and run resilient communities” (United Nations Office for Disaster Risk Reduction, 2011). DHS, 2008, notes ways in which business can support making communities safer: setting standards and quality assurance criteria for safer structures in urban areas, as well as providing expertise to help with administration, internal business processes, and external disaster risk assessments. As part of such resilience efforts, companies are extending the reach of their emergency preparedness, response, and recovery activities to include employees, family members, and other constituents. For example, Office Depot is using its foundation to educate small businesses about emergency preparedness, Shell Oil Company has provided support for disaster victims in need of fuel to address key needs during recovery, and Wal-Mart uses its website to promote preparedness among employees and to post tips for specific areas and shelter or disaster information. As another example, IBM has focused on long-term resilience by creating Smarter Cities Challenge grants in Japan after the 2011 earthquake and tsunami and developing an open-source database to track people and resources leveraged for ongoing community monitoring of economic and social recovery. For future disasters, Airbnb will be partnering with Portland and San Francisco to preidentify hosts for displaced people and services when an emergency occurs and to provide alerts via web and mobile technology. This will ensure that disaster response is more effective than past efforts have been and that the recovery period is as speedy as possible. SeeClickFix is using its database of citizen requests for on-the-spot services, such as debris removal, to generate actionable data on the state of community infrastructure and to facilitate recovery and, ultimately, community rebound or resilience. Another way for private-sector companies to address predisaster social and economic conditions is to focus on improving the general resilience of those living in vulnerable communities. For example, Citigroup is focused on precrisis preparation and financial management for those who are traditionally disenfranchised; specifically, it is providing programs for the “unbanked” (those without formal bank accounts) who need immediate support in the form of prepaid benefit cards to facilitate immediate economic recovery after a disaster. Some communities have had the business community serve as the lead predisaster recovery planning resource to build local capacity, which has ensured that communities were not left flat-footed in the ability to deploy resources while waiting for federal programs to stand up or for local staff to be trained on disaster-recovery financing programs. 6 Noting one company’s reach into the community, one interviewee said, We do care about the small businesses in our community because they are part of the communities as well. We work with the chambers of commerce on general tips, etc. and try to focus special merchandise toward [those businesses] so it’s easier for them to come in and get [support]. How much the private sector, particularly businesses, should formalize its role or responsibility in preparedness is an open question, but the private sector is already leaning forward in the area. Private-Sector Contributions to Response and Recovery Once a disaster occurs, time is of the essence in responding to immediate individual and community needs as a precursor to the longer process of recovery. Although national governments, nongovernmental organizations, and intergovernmental organizations usually take the lead in relief efforts, private-sector companies have increasingly emerged as major players in disaster response and recovery in ways that go beyond individual business continuity of operations. These organizations provide goods and services immediately after disaster and play roles in logistics and support activities during both disaster response and recovery (Fritz Institute, 2005). The private sector, particularly industry, has opted to provide its contributions to disaster response and recovery primarily either through single funds, as in the case of the Boston Marathon bombing, or through philanthropic partners, such as the American Red Cross or national or local foundations. Most information to date is based on data from larger nongovernmental organizations and companies; as a result, findings should be reviewed in that light. Other activities of smaller companies might not be as well tracked or systematically assessed. As one example, in addition to public dollars for the hurricanes of 2005, there were significant outlays from the private sector. One year later (as of June 30, 2006), private donations totaled $3.5 billion. The Allstate Foundation Hurricane Recovery Fund distributed $1.2 million in grants among three leading community foundations that served nonprofits in New Orleans, southern Mississippi, and the coastal region of eastern Texas (Business Civic Leadership Center, 2007). A total of 50 nonprofit organizations in those areas received grants from Allstate Foundation funds. These organizations implemented projects that served nearly 1.5 million people in hard-hit regions, though there is very little information on the actual use and effectiveness of these dollars, how these dollars supplemented public dollars, and how they were targeted. Hurricane Sandy provides a recent example to illustrate the private sector’s role in response and recovery. The federal government provided approximately $60 billion, private corporations donated $141 million, and nonprofits raised more than $500 million for distribution to affected Sandy residents and communities. Although these data provide insight into the relative distribution, it is difficult to obtain data to fully capture other investments that corporations might have made to support employees, to ensure business continuity of operations, or to support other community redevelopment. As of December 2012, about 90 organizations had raised more than $400 million for Hurricane Sandy relief. Two-thirds of business aid came from direct monetary donations to organizations, such as the American Red Cross and Feeding America (U.S. Chamber of Commerce Foundation, 2013). The top organizations that received corporate donations were the American 7 Red Cross, the Salvation Army, the Robin Hood Foundation, the United Way, and the Mayor’s Fund to Advance New York City. Other donations were to local 501(c)(3) organizations and local disaster-relief funds. The most frequent donation was $100,000, but amounts ranged from around $4,000 to $23 million. Comcast raised the majority of its funds through a benefit concert. Most companies donated funding to immediate relief efforts and not long-term recovery or mitigation. Donations tended to be greatest from cable companies, business and financial institutions, banking institutions, health care organizations, grocery retailers, motor companies, and sporting organizations (Major League Baseball, Major League Soccer, the National Association for Stock Car Auto Racing, the National Basketball Association, and the National Football League). The top five types of assistance for which organizations received funding were for grant-making, nonfood relief supplies, food, volunteer coordination and capacity-building, and cleanup. Seven percent of funds expended were grants to individuals, families, and businesses (U.S. Chamber of Commerce Foundation, 2013).in disaster relief. Explain also three reason that hinder them to participate

QUESTION 5

The term UN mandate is typically used to refer to a long-term international mission which has been authorized by the [United Nations](https://en.wikipedia.org/wiki/United_Nations) [General Assembly](https://en.wikipedia.org/wiki/United_Nations_General_Assembly) or the [UN Security Council](https://en.wikipedia.org/wiki/United_Nations_Security_Council) in particular. UN mandates typically involve [peacekeeping](https://en.wikipedia.org/wiki/Peacekeeping) operations.

[[6]](#footnote-6)The name “United Nations”, coined by United States President Franklin D. Roosevelt, was first used in the “Declaration by United Nations” of 1 January 1942, during the Second World War, when representatives of 26 nations pledged their governments to continue fighting together against the Axis powers. States first established international organizations to cooperate on specific matters. The International Telecommunication Union was founded in 1865 as the International Telegraph Union, and the Universal Postal Union was established in 1874. Both are now United Nations specialized agencies. In 1899, the first International Peace Conference was held in The Hague to elaborate instruments for settling crises peacefully, preventing wars and codifying rules of warfare. It adopted the Convention for the Pacific Settlement of International Disputes and established the Permanent Court of Arbitration, which began work in 1902. The forerunner of the United Nations was the League of Nations, an organization conceived in similar circumstances during the First World War, and established in 1919 under the Treaty of Versailles “to promote international cooperation and to achieve peace and security.” The International Labour Organization was also created under the Treaty of Versailles as an affiliated agency of the League. The League of Nations ceased its activities after failing to prevent the Second World War. In 1945, representatives of 50 countries met in San Francisco at the United Nations Conference on International Organization to draw up the United Nations Charter. Those delegates deliberated on the basis of proposals worked out by the representatives of China, the Soviet Union, the United Kingdom and the United States at Dumbarton Oaks, United States, from August to October 1944. The Charter was signed on 26 June 1945 by the representatives of the 50 countries. Poland, which was not represented at the Conference, signed it later and became one of the original 51 member states. The United Nations officially came into existence on 24 October 1945, when the Charter had been ratified by China, France, the Soviet Union, the United Kingdom, the United States and a majority of other signatories.

Due to the powers vested in its [Charter](http://www.un.org/en/documents/charter/) and its unique international character, the United Nations can take action on the issues confronting humanity in the 21st century, such as peace and security, climate change, sustainable development, human rights, disarmament, terrorism, humanitarian and health emergencies, gender equality, governance, food production, and more.

[[7]](#footnote-7)The UN also provides a forum for its members to express their views in the General Assembly, the Security Council, the Economic and Social Council, and other bodies and committees. By enabling dialogue between its members, and by hosting negotiations, the Organization has become a mechanism for governments to find areas of agreement and solve problems together.

Purposes and principles The purposes of the United Nations, as set forth in the Charter, are: • to maintain international peace and security; • to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples; • to cooperate in solving international economic, social, cultural and humanitarian problems and in promoting respect for human rights and fundamental freedoms; • to be a center for harmonizing the actions of nations in attaining these common ends. The United Nations acts in accordance with the following principles: • it is based on the sovereign equality of all its members; • all members are to fulfil in good faith their Charter obligations; • they are to settle their international disputes by peaceful means and without endangering international peace and security and justice; • they are to refrain from the threat or use of force against any other state; • they are to give the United Nations every assistance in any action it takes in accordance with the Charter; • nothing in the Charter is to authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state.

First, the United Nations through its document of the Universal Declaration of Human Rights (UDHR) has promoted women’s rights.  In respect to the fourth point in the preamble of the charter which emphasizes one of its objectives as, “to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, “The UN has made great strides in promoting women’s rights and empowering them for greater participation in society and the global economy. In 1995, 189 countries, activists, and organizations participated in the World Conference on Women held in Beijing. According to the UN, it “set the agenda for advancing women’s rights and promoting gender equality. “At the 2013 Clinton Global Initiative, former U.S. Secretary of State Hillary Rodham Clinton said that the 1995 Beijing Conference was an “ambitious platform of action” that “called for the full and equal participation of women in political, civil, economic, social, and cultural life.” She added, “It has served as a road map, guiding progress for women and girls.”

One hundred eighty-seven countries endorsed the 1979UN Convention on the Elimination of All Forms of Discrimination against Women, which has often been described as the “international bill of rights for women.” The 1979 Convention provided “the basis for realizing equality between women and men through ensuring women’s equal access to, and equal opportunities in, political and public life – including the right to vote and to stand for election –as well as education, health, and employment.”

 More so, in correspondence to the fourth objective which states, “To promote social progress and better standards of life in larger freedom”, the United Nations have put in place measures to achieve the Millennium Development Goals (MDG’s) number 1 set out to make the world a better place by fighting hunger. They did so through their specialized agency the UN Food and Agriculture Agency (FAO). The UN Food and Agriculture Organization (FAO) spearheaded international efforts to reduce world hunger. FAO’s collaborative efforts with its partners such as the European Union (EU) has accelerated efforts in eradicating world hunger and progressed more rapidly to fulfilling the Millennium Development Goals (MDG’s). FAO and EU implemented the EU Food Facility, a €1 billion initiative in response to the food price crisis of 2008-2011. This initiative improved the livelihood of 59 million people in 50 countries. More recently, the FAO and EU partnership was further augmented by a €1 billion EU initiative which provided two million people in six countries with agricultural development activities worth almost €60 million EU. This new initiative aimed to achieve the 2015international development goal of reducing by half the world’s number of hungry people.

Furthermore, in article 1 under the UN Charter which states that “ to maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace ”, the UN has been able to prevent the outbreak of another world war or major war. In addition, with regards to assessing the objective emphasizing saving succeeding generations from the scourge of war, the UN has been successful in influencing many countries to forsake their research on atomic weapons.

Which eventually led to the signing of the Nuclear Proliferation The Non-Proliferation Treaty, is an international treaty whose objective is to prevent the spread of nuclear weapons and weapons technology, to promote cooperation in the peaceful uses of nuclear energy, and to further the goal of achieving nuclear disarmament and general and complete disarmament. Finally, the UN has been successful in administering justice to war criminals. In recent years, there have been people who have had no regard for the protection of human rights and have committed human rights violations on a large scale. Two of the most notorious perpetrators known in recent times are Stalinslav Galic who was known for his participation in the genocide in Sarajevo in Yugoslavia and Charles Taylor, for his involvement in terrorizing the civilian population during the Civil war in Sierra Leone. The ICJ sentenced Galic to life imprisonment and Charles Taylor to 50 years imprisonment. Based on the actions of the ICJ regarding administering justice to perpetrators of human rights in order to incite deterrence, it is evident that the UN is achieving major successes in respect to protecting the rights of people irrespective of their race, background, etc. and the administration of justice .Irrespective of these achievements of the UN, the UN has been noted for some failures as a result of recent happenings and circumstances which questions the reliability of the UN. First, one of the shortcomings of the UN is the failure to prevent or avoid terrorist attacks globally.

Many experts agree that “modern” terrorism began with the 1968 hijacking of El Al Israel

Flight 426 by a Palestinian terrorist organization. The United Nations condemned the action, but failed to take any further action. These terrorist acts continued throughout the remainder of the twentieth century, with no reaction from the UN; a simple condemnation was as far as they would go. With the 9/11 terrorist attacks, the UN finally took action, outlawing terrorism and punishing those responsible for the attacks. Unfortunately, this applied only to Al Qaeda and the Taliban. State-funded terrorist programs — such as Hamas, Hezbollah, and Mossad — were unaffected. Nations that support groups that are widely linked to terrorism, such as Iran, are not held accountable specifically for these actions. To this date, the UN still does not have a clear definition of terrorism, and they have no plans to pursue one. Secondly, because the 5 permanent states of the UN and the limitless power they wield, they make the day-to-day business the UN difficult i.e. they interrupt in operations of the various organs of the UN. The United Nations Security Council consists of fifteen nations, five of which are permanent: France, Russia, China, the United States, and the United Kingdom. The other ten nations are elected to serve two-year terms. The five permanent members enjoy the luxury of veto power; when a permanent member vetoes a vote, the Council resolution cannot be adopted, regardless of international support. Even if the other fourteen nations vote yes, a single veto will beat this overwhelming show of support. The most recent use of the veto was by China and Russia, on July 19th, 2012. The Security Council attempted to evoke chapter VII sanctions from the United Nations Charter to intervene and prevent genocide in Syria. But the vetoes by China and Russia halted any international intervention. Since the Syrian Civil War began, an estimated 60,000 civilians have been killed, with thousands more displaced. More so, another shortcoming of the UN is that, the UN failed to stop the first mass murder on European soil. This 1995 Bosnian War massacre was the single worst act of mass murder on European soil since World War II. After an ethnic cleansing campaign led by the Serbs targeted the Bosniaks, a largely Muslim community, the United Nations designated Srebrenica a safe-zone in 1993. Militarized units in the zone were forced to disarm, and a peacekeeping force was put in place, consisting of six hundred Dutch soldiers. The Serbs then surrounded the safe-zone with tanks, soldiers, and artillery pieces. With the zone surrounded, supply lines were slow-moving at best. The UN forces were running low on ammunition, fuel, and food, as the Serbs continued to build an army around Srebrenica. In July, Serbian forces invaded the area, forcing the small UN team back. As many as 20,000 Bosniak refugees fled to the UN compound in Potocari, seeking protection from the advancing Serbs. Despite the UN peacekeeping force present, Serbian soldiers entered the camp, raping Bosniak women and murdering freely while the Dutch peacekeepers did nothing. By July 18th, 7,800 Bosniaks were dead, due largely to an ill-equipped and unprepared UN force. In addition, the UN failed to stop the advent of the Cold War (1947-19911) which caused major havoc in the international system. The Cold War exemplifies the failure behind the United Nations Charter. With the atrocities of World War II still fresh in their minds, the original founders aimed to foster human rights for all citizens of the world. In 1948, the Universal Declaration of Human Rights (UDHR) was established, which was binding to all nations, along with the Convention against Genocide. Almost immediately, the USSR disregarded these. Civic rights were virtually non-existent. Stalin continued to rule with an iron fist, silencing all opponents. In numerous Soviet Bloc nations, uprisings demanding the rights established in the UDHR were crushed with force. With the United Nations unwilling to act upon such atrocities, the words in the charter were rendered meaningless for those who needed them the most .To conclude, the UN, just like any other institution is imperfect and has its shortcomings which also influences certain events negatively in the international system, however based in this assessment, it can be seen that achievements of the UN surpasses its shortcomings thus the UN has succeeded in achieving majority of its goals and objectives which are entrenched in the charter and the ultimate achievement of the UN is the prevention of another major war(World War III).

[[8]](#footnote-8) Boutros Boutros Gali was not popular in the United Nations. He was very strict, very private, he was, in reality, a Professor of International Law, which was his real interest in life and he looked on the world of the United Nations as too pompous and formal.

We have to remember that when BBG became Secretary-General in January 1992, the United Nations was at the end of a long process of decline which has started with [U.S. President Ronald] Reagan in 1981. Eight years earlier, in 1973, the UN General Assembly had unanimously approved a global plan of governance, under which international cooperation became the basis for its actions. Out of this plan, for example, the UN International Development Organisation (UNIDO) was created, and a Summit of Heads of State was even held in Cancun, Mexico, in 1981 to advance on a New Economic Order. It was the first overseas visit of newly-elected U.S. President Reagan, and he immediately made it clear that the days of the United Nations were finished.

From 1981 to 1992, the world changed dramatically, not only because of the collapse of a bilateral world with the end of the Soviet Union, but because the winners took literally the end of communism as a mandate for a capitalism disencumbered from any form of governance. BBG was not a left-wing person, but he felt how the big powers were marginalising the United Nations. Finance and Trade – the two engines of globalisation – were already running outside of the organisation and BBG spoke about this trend based on national interest with the concern of an Arab and the distaste of a Professor of International Law.

In his early days as Secretary-General, he made a strong effort to establish an Agenda for Peace, a strong juridical document on a clear role for the United Nations, which was conveniently ignored by the great powers. He then proceeded to convene a number of extraordinary conferences, from the one on Environment (Earth Summit) in Rio de Janeiro in 1992 (the basis of the path towards the Paris Climate Conference at the end of last year), to the conference on Human Rights in Vienna in 1993, the conference on Population in Cairo in 1994, the Social Summit in Copenhagen in 1995 and the conference on Women in Beijing in the same year. In all those conferences, the United States and the other great powers had to bow again to the rules of international democracy, and accept resolutions and plans of action that they would gladly have avoided.

Today, the United Nations has no funds for action, and has become a dignified International Red Cross, left with education, health, food, children and any other humanitarian sector which is totally extraneous to the arena in which the politics of money and power is played out. The Millennium Development Goals, adopted with great fanfare from the world's Heads of States in 2000, would cost less than 5 percent of the world's military expenses. The five permanent members of the UN Security Council are responsible for the international trade of 82 percent of weapons, and the Council's legitimacy for military intervention is a blanket conveniently used according to circumstances. The sad situation of Iraq, Syria and Libya is a good example. Meanwhile, the great powers have not hidden their agenda of displacing the debate on governance from the United Nations. The Group of Seven has become the Group of 20, and the World Economic Forum in Davos a more important space for exchange than the UN General Assembly.

BBG viewed the decline of the UN with regret. After he left, he moved into positions which were consistent with his concerns. He became the 18th President of SID at a critical juncture of its history, providing support that enabled the Society to navigate a complicated transition. His term, which ran from 1997 through to 2000 oversaw the professionalization of the Secretariat and the rolling out of a robust programme framework that allowed SID to regain prominence in Africa, South Asia and Latin America. This was also a period of intense dialogue on what changes SID needed to enact in order to survive in the new century, one in which would see the traditional pillars of development shift and the impact of globalization become more pervasive. BBG also took up the position of Secretary-General of the International Organisation of La Francophonie, where again he had trouble with the French because he wanted to make alliances with other Latin language areas given his a cultural not merely linguistic view of the world to be mobilised.  He

then became Commissioner for Human Rights in Egypt, and did not deviate from his overall political view by becoming Honorary President of the Belgrade-based European Centre for Peace and Development, an organisation created by the UN General Assembly which has played a unique role in creating academic cooperation all over the Balkans and other countries of Eastern and Central Europe. In this centre, he found a place where his ideals of justice and peace, development and cooperation, were still vibrant and active.

BBG died in the moment of clashes between the fundamentalists of Islam and the others. He had tried to draw attention to this problem which he had clearly seen looming, and he leaves a world where his ideas and ideals have become too noble for a world where nationalism, xenophobia and conflict have become the main actors in international relations.

It is time now to look more at those idea and ideals, and less to BBG as a human being, with his inevitable flaws and shortcomings. This would also be as he would like to be remembered. With him, we lived through what unfortunately looks now as the last great moment of the United Nations, and of international law as the basis for cooperation and action.

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