TEN YEARS CODE OF CONDUCT: PRINCIPLES IN PRACTICE

1. The Humanitarian imperative comes first 2. Aid is given regardless of the race, creed or nationality of the recipients and without adverse distinction of any kind. Aid priorities are calculated on the basis of need alone 3. Aid will not be used to further a particular political or religious standpoint 4. We shall endeavour not to act as instruments of government foreign policy 5. We shall respect culture and custom 6. We shall attempt to build disaster response on local capacities 7. Ways shall be found to involve programme beneficiaries in the management of relief aid 8. Relief aid must strive to reduce future vulnerabilities to disaster as well as meeting basic needs 9. We hold ourselves accountable to both those we seek to assist and those from whom we accept resources 10. In our information, publicity and advertising activities, we shall recognise disaster victims as dignified human beings, not hopeless objects.

NGO conference on The Code of Conduct of the Red Cross and Red Crescent Movement and NGOs in Disaster Relief • The Hague, 20 September 2004

Ten years Code of Conduct: Principles in Practice

Conference on The Code of Conduct of the Red Cross
and Red Crescent Movement and NGOs in Disaster Relief,
The Hague, 20 September 2004

COLOFON

Organisation Committee
Netherlands Red Cross, Novib/Oxfam Netherlands, PSO capacity building in developing countries, and Disaster Studies Wageningen, in co-operation with IFRC, Cordaid, World Vision Netherlands, and other Dutch NGOs.

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PREFACE

This year marks the tenth anniversary of the Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief. The Code defines what 'humanitarian' stands for, how humanitarians want to work, and what makes them different from other actors in the field, for example armies and private companies. The drafting process of the Code of Conduct started in 1991, an initiative of the French Red Cross, and was brought under the Steering Committee for Humanitarian Response. The Code was launched a few months after the Rwanda crisis. Ten years on the crises in Afghanistan and Iraq prove for many that humanitarian principles are more relevant than ever before.

With over 300 signatories the Code of Conduct is a binding element for humanitarian organisations. On the other hand the Code has also been criticised. It has been described as dormant, because little reference is made to it in everyday practice, as outdated, and as insignificant because there is no mechanism for reporting or monitoring. The question emerged whether the Code was still a living document and how its use can be promoted?

With this question in mind, a group of signatories organised an international conference entitled *'Ten years Code of Conduct: Principles in practice'*. The conference was organised by the Netherlands Red Cross, PSO, and Novib/ Oxfam Netherlands, in co-operation with IFRC, Cordaid, World Vision Netherlands, and other Dutch NGOs. In preparation for the conference, Disaster Studies Wageningen conducted research, including a survey of all signatories, on opinions and use of the Code in practice. The conference took place on the 20th of September in The Hague and brought together signatories of the Code, implementing partners from signatories in emergency areas, and support NGOs concerned with the quality of humanitarian aid. The conference aimed, and we think succeeded in, reinforcing the Code as a living document. 130 participants discussed the Code in its changing context, considering its future, exploring ideas and working out recommendations for practical applications of the Code that can enhance the quality of humanitarian assistance. The international conference will be followed by a conference for Netherlands-based NGOs to decide on ways to promote and institutionalise the Code in their organisations. Several participants to the international conference have taken similar initiatives in their respective countries.

The main conclusion of the conference was that the Code is still highly relevant. It was further resolved that in order to keep the Code alive, a light mechanism should be set up to guard the Code. This would entail, among other things, regularly updating the list of signatories, deciding on minor or major text revisions if required, advising on how the Code can be better institutionalised among the signatories, and considering the possibilities for complaint and monitoring procedures. The Steering Committee for Humanitarian Response would be the appropriate body to set such a mechanism in motion. This publication provides an overview of what has been discussed during the conference. It presents the most important discussions and outcomes, recounts the speeches and offers a format for organising national follow-up conferences. The report starts with a narrative of the actual conference and a summary of the Disaster Studies research. For readers with little time these are the most important parts of the report. For readers who wish to read the input by the opening and keynote speakers: we have included their presentations. The annexes include a creative reproduction of the Code in cartoons and a format suggested for follow-up gatherings on the Code of Conduct.

We wish to thank those people and organisations that helped make the conference a success. They include Fernanda Teixeira, who chaired the day, the keynote speakers, Peter Walker, Younis El-Khatib, Brendan Gormley and Thea Hilhorst, the workshop facilitators, Hugo Slim, Rosien Herweijer, Fernando Almansa, François Grunewald, Alison Joyner, Welmoed Koekenbakker, Lewis Sida and Sean Lowrie, and all the participants of the conference who showed great dedication for the future of humanitarianism. We also thank the Dutch Ministry of Foreign Affairs and PSO capacity building in developing countries for funding the conference, and the Dutch NGOs that have invited their partners and signatories from disaster-affected countries to ensure a world-wide representation in the event. Finally, a special word of thanks to Arthur Molenaar who co-ordinated the conference.

On behalf of the organising committee,

Ton Huijzer (Netherlands Red Cross)
Russell Kerkhoven (PSO)
Tilleke Kiewied (Novib/ OXFAM NL)

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3

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We shall endeavour not to act as instruments of government foreign policy.

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We shall respect culture and custom.

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Relief aid must strive to reduce future vulnerabilities to disaster as well as meeting basic needs.

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In our information, publicity and advertising activities, we shall recognise disaster victims as dignified human beings, not hopeless objects.

CHAPTER 1 **CONFERENCE PROCEEDINGS**

Tony Sheldon

A decade after the Code was written 130 representatives of disaster relief agencies from across the world gathered in the Netherlands to discuss its practical use in a rapidly changing and often threatening environment. They aimed to take home lessons drawn from ten years of experience and to forge recommendations to guide the Code into its second decade. Brought together were the original authors plus many of the current 304 signatories and other interested bodies, including non-government organisations (NGOs) from developing countries hit by disasters. The conference sought the views not just of Anglo Saxon Europeans. Present too were those who could bear testimony to practices in the field from Mozambique to Columbia from Sri Lanka to Afghanistan.

The conference was organised by the Netherlands Red Cross, PSO, and Novib/Oxfam Netherlands, Wageningen Disaster Studies, in co-operation with IFRC, Cordaid, World Vision Netherlands, and other Dutch NGOs. The idea for a conference was sparked by renewed interest in the Code as a result of conflicts in Afghanistan and Iraq. After years in which the Code appeared dormant it now seems more relevant than ever as the NGO community is forced to draw a line between humanitarian relief and military operations. But the conference also addressed a desire among NGOs to improve the quality of their disaster relief work that has been growing steadily regardless of world events.

Summing up the day, conference chair and Secretary General of the Mozambican Red Cross, Fernanda Teixeira said the Code was more relevant than ever but needed to be made to work better in the field. In particular good ideas should be shared through a 'light mechanism' for monitoring humanitarian work. Brendan Gormley, Chief Executive of the Disasters Emergency Committee, did not want to add any more words but simply said he would go way and, 'try to do things better'...'improve behaviour' and 'put lessons into practice'.

Opening

Ten years ago the International Red Cross and Red Crescent Movement together with the Non-Governmental Organisations in Disaster Relief drew up the Code of Conduct. It was intended to improve the quality and enhance the accountability of humanitarian assistance. It set universal standards to govern the way aid organisations work in disaster relief and was intended as a guide to how things 'should' be done.

Now a decade and over 300 signatories later, Jan Post Director General of the Netherlands Red Cross asked the conference: 'Is it alive? Is it dead or merely asleep? Is it history or is it the future?' Does it need to be adapted to changing environments, he asked, citing article seven calling for the involvement of beneficiaries? What happens, he asked, in places such as Darfur where refugees do not want to be involved in their relief if it means the aid organisations pull out leaving them once again at the mercy of the local Janjawid militia? 'We want to make things better, not work with the best intentions but actually make things worse,' and inviting the conference to debate these questions concluded: 'Today is about people in difficult circumstances who need help, true constructive help.'

Rob de Vos, Deputy Director General for International Co-operation of the Dutch Foreign Affairs Ministry stressed how the environment had changed profoundly in ten years. 'The borders between humanitarian and military space have become increasingly blurred,' he said, asking: 'Is it possible in such extreme circumstance to develop a set of guidelines?'

Ibrahim Osman, Director of Monitoring and Evaluation at the International Federation of the Red Cross and Red Crescent Societies (IFRC) urged people to build on the success of the Code in providing a philosophical base that had become an essential ingredient in the humanitarian field. But he asked: 'What over the last ten years has changed in us and in our organisations for the better since we signed the Code. What difference has it made?'

Keynote speeches

In his keynote speech 'Cracking the Code: origins and futures', Peter Walker Director of the Feinstein International Famine Centre, Tufts University emphasised that the Code was crucial to fundamental questions about who we are and why humanitarian organisations act as they do. The spirit of the Code, he believed, was about how do you personally approach this work. 'We need to get back to an understanding of what type of organisations we are. Are we driven by a need to survive, or to provide assistance that keeps a moral ethic running through our work?' he asked. He outlined how the origins of the Code and the political changes of the last decade had thrown up challenges today. The Code had been drafted for natural and technological disasters. Conflict and war were only added later but these now killed more people. Today's approach to conflicts, where governments say you are either for or against us, was a threat to universal values of human rights. These needed to be reasserted.

Another challenge he described as 'normalcy' where it was normal for moral institutions to be used for immoral purposes. In Afghanistan for example, he had found institutions such as school and local government all permeated by the influence of warlords. Faced with such challenges he argued the Code should go back to its roots, its primary purpose of ensuring skills in disaster relief. 'The Code is about skills, about taking the right decision on the spur of the moment,' he said. It needed to go beyond the welcome pack and be part of people's automatic thoughts. This was important as: 'A lot of people out there are expecting us to do the right thing.' He urged that today the Code needed to be made more relevant to conflict and should be accountable through peer review but not policed or monitored. Action was also needed to ensure the Code was less 'gender blind'. But this must not be just an added extra. The gender issue needed to be addressed with the hard evidence of the economic injustice and human rights abuses. He also suggested that more use could be made of the Code's Annexes. These underlined the primary duty implicit in 'statehood' to look after people in disasters and reminded donor governments not to impinge on the independence of non-

governmental humanitarian organisations. 'I don't think we have used the leverage of these annexes enough. It seems a trick we forgot about,' he said.

Brendan Gormley in his keynote speech, 'The Code of Conduct as an evaluation tool' argued that it has helped breach the divide between the voluntary, solidarity side of humanitarian work, the so-called 'passion', and the professionalism. It has enabled both these elements to be brought together without a fruitless destructive debate by providing an 'over-arching framework' in which 'harder tools can be situated'. For example the Code had provided a simple language about behaviour that allowed the evaluations by his own Disasters Emergency Committee to be less threatening. It meant they had been welcomed and been able to have a dialogue that was not threatening but liberating. He found it had been possible to 'harden up' the behaviours found in the Code so people can say in practice, 'What does this mean for me on Monday morning?' They were able to ask themselves if they are reflecting properly what is captured in these sets of principles. Citing the first article that puts the humanitarian principle first he said: 'We challenge our members to say that when they took money from us were they doing it just for the growth of their organisation, to plant their flag, or because you felt you could make a greater contribution to saving life and diminishing suffering.' The Code enables a robust challenge to be made to decision makers. The Code had also supported efforts by his committee to improve their evaluation. It made it clear that evaluation through one visit nine months after a crisis started was no longer good enough. Instead there needed to be a wide range of mechanisms for evaluation.

President of the Palestine Red Crescent Younis El-Khatib made a powerful plea in his keynote speech 'The Universal Value of the Code', to protect the universal value of the Code and of humanitarian action in general. He was asked to comment on the relevance of the Code to Islamic communities. But instead he stressed the international heritage of the Code's humanitarian ideals. No community owned these. Though the Code may have drawn on European wars, laws and doctrine it was not

limited to the needs of Europeans but was universal. He gave as an example a project to improve blood transfusion services in the Palestinian territories. This was jointly funded by Jewish and Islamic groups and managed by the Red Cross. He stressed the need to act together was particularly relevant in conflict zones where not just the Code but also all humanitarian activities were disregarded. Quoting archbishop Desmond Tutu he said: 'My work is bound up with yours. We can only be human together.' 'As humanitarian organisations we share an individual and collective responsibility to affect change and not to become just charity organisations,' he argued, adding that the 'the war agenda threatened to hijack humanitarian principles that are based on preserving human rights.'

Thea Hilhorst, Senior Lecturer of Disaster Studies, Wageningen University, presenting her research stressed that her survey on ten years of the Code of Conduct had demonstrated a 'constituency' among signatories in favour of some kind of complaints procedure. There was she argued, a need for a guardian process or mechanism that could address questions such as adhering to minimum requirements for signatories. 'There needs to be a guardian of the Code. This need not be set up in an office but could be a light mechanism or process such as a representative committee meeting once a year. This could create for itself a mandate to make changes to the Code if necessary.' This was not a 'Code of Conduct police', she stressed, but could ensure minimum requirements for signatories are met such as an obligation to put the Code on their website. This was the main conclusion in her survey that mapped out signatories views on the Code. Other suggestions included making the language of the Code more applicable to local NGOs. Currently it felt geared strongly towards international ones. But she stressed that her work had also demonstrated an enormous strength of the Code to act as a common context in which tensions in humanitarian work, such as about neutrality, could, if not resolved, at least be discussed. By offering a comprehensive context in which humanitarian action takes place it was an ideal vehicle for discussion. As such the Code was very much alive offering 'a body of shared beliefs', 'common language' that 'defined humanitarians compared to other actors in the field'. Its influence could be found in local codes, in negotiations with donors and with NGOs such as in their marketing plans.

Workshops

Afternoon workshops were held to discuss seven themes. Workshops were so organised, that each theme was discussed in two or three groups.

1. Negotiating principles

How can the humanitarian community forge its own identifiable philosophy?
Hugo Slim, Chief Scholar at the Centre for Humanitarian Dialogue, reported that the key role for the Code in negotiating its principles was internal, within the humanitarian community itself. He explained that the workshops had felt that the best results could be achieved by, 'pulling the proliferating humanitarian community around a core philosophy and core set of principles'. In this way the Code could act as a real 'differentiator or identifier,' so that people who own and share the Code can 'mark themselves out from the different non-state and military actors working in the same environment'. There was however scepticism that the Code could become just 'another piece of paper' and therefore meaningless in negotiations about neutrality and independence. What mattered was the perception of a humanitarian organisation based on the single question: ' Does it, as many NGOs do, take money from belligerent donors?' However there was a commitment to keep promoting the Code, to gain recognition and make it more effective in negotiating with external bodies such as governments and armed groups. And while there was not a need for a separate Code for conflict, gaps needed to be filled regarding staff security, protection and gender. Workshops also felt it was important to keep pressure on governments to abide by their own principles set out in the Good Humanitarian Donorship Agreement.

2. Independence

Can the Code be used to make all parties sensitive to the need for NGOs to act independently?
Rosien Herweijer, the Director of PSO reported how the workshop accepted there was a gap between theory and practice in NGOs efforts to act independently. However it was felt the Code could at least be used to sensitise all the actors, including governments and the military, to the need for NGOs to operate independently. It was recognised that independence could be compromised simply by the need to protect the space for humanitarian work to proceed or by the need to secure funding. But independence could be promoted by avoiding single sources of funding and, if independence was not possible, then NGOs must at least be completely transparent in their dealings with actors in the field.

3. Reducing future vulnerabilities

How can the Code be used to go beyond immediate disaster relief?
A specific crisis requires a 'co-ordinated vision' if communities are to achieve the aim of the Code's article eight and be less vulnerable in the future, reported Fernando Almansa, Oxfam International's Humanitarian Co-ordination Manager. This may be difficult but the need for the donor and implementing agencies to work together to identify vulnerable groups and priorities was also important, he argued. He explained the workshop had identified how, especially with little money, difficult choices had to be made between helping disaster victims on the spot and making them less vulnerable in future. There were added complications. Money itself may also come with conditions attached by

the donors, while agencies may not have the political will to continue humanitarian aid in the long run. Article eight was particularly difficult to implement in refugee camps. Refugees may not want to stay there and national governments may not want to assist them. He commented that article eight had to be understood in the context of weak and fragile states where poverty is closely related to their future vulnerability.

4. Annex 4: Recommendations to ourselves

If, and then how, should the Code be changed?
'Don't kill the spirit of the Code by creating another administrative bureaucracy', was the most important message from François Grunewald, Chair of Groupe URD. His workshop dismissed the idea of a separate back up mechanism to help share experiences. There were doubts whether further recommendations were needed to 're-cook the cake for us to eat it.' It was suggested instead to simply follow the recommendations ready spelt out in the articles of the Code. There was agreement, however, on the need for benchmarks to help NGOs share their wealth of experience. He suggested this could be achieved simply through a 'light' mechanism such as a database of good practices or a list of references.

5. The Future of the Code

Is there a need to re-invigorate the Code?
The workshop largely rejected the notion of a strong controlling mechanism that would act as a guardian of the Code, arguing that there was 'no need for another institution', reported Alison Joyner, Project Manager with Sphere. She said that there had been a preference for a less controlling,

lighter, largely voluntary, approach, which is seen as being the strength of the Code. Ideas such as self-regulation through internal audit and a mechanism for receiving complaints from beneficiaries in the field were however discussed. One option was some form of central information centre such as a website including translations, training, and lessons learnt from the field. Workshops recognised the need to re-invigorate the Code through better links between principles and practise but agreed it was better to focus of what already exists and make that work. But they accepted too that there was scope for change especially concerning protection. This was seen as a weak spot in the Code.

6. Article 5: We shall respect culture and custom

There was agreement that the current drafting of article five was unsatisfactory, explained independent consultant, Welmoed Koekenbakker. The workshop agreed that it is important to try to understand local culture. Aid organisations, it believed, need to remember they remain 'guests in the local society' and need to be aware of the burden they may leave behind. However, respecting local culture and customs could, she warned, pose great dangers and dilemmas for humanitarian aid. In countries such as Iraq, Somalia and Rwanda this can reinforce power structures that in turn reinforce violence. The workshop proposed changing the article to include respect for the notion of 'diversity and plurality' but only so far as they do not violate human, and in particular, women's rights.

7. Local Codes

How principles are used on the ground
Lewis Sida, a consultant for the ICVA, reported how this workshop had identified two important new roles on how the Code could be used on the ground. It could be used better to define what humanitarianism is. This was crucial 'in an era when we feel more under threat than ever'. It could also be used to play an important role in helping resolve dilemmas about neutrality. For example to help people understand that in order to operate in practice, organisational principles sometimes need to take precedence over personal values. But his workshops also believed the Code should be left as it is. With over 300 signatories so far, 'radical change will lose people rather than gain them.' This did not however preclude modernising it through new interpretations and certainly a new 'impetus' was needed to 'keep the Code alive'.

Conclusions

In a final concluding round, Peter Walker agreed that in essence the Code should stay. Re-writing it now would be extremely difficult. But, at the same time, he believed that as times change a 'vehicle' was needed to update the Code. The commentary to the Code presently prepared by SCHR and ICVA could serve this purpose. He added too that after ten years it was clear that while some of the Code's principles had been thoroughly thought through, others seemed thrown together at the last moment in response to gaps. These could be re-drafted. He highlighted principle five, 'We shall respect culture and custom', commenting, 'boy that's bad drafting'. In general accountability required attention. 'If we wish to be accountable to certain standards then there must be some mechanism for that,' he said. He suggested, for example, an independent advisory board already used by some agencies to take a critical look at their work.

Brendan Gormley concluded the conference saying that there already exists within our organisations mechanisms for accountability and learning that could be put into practice. Organisations, he argues, just needed to be better in supporting those who 'do, and are seen to be, putting lessons into practice'. He highlighted one 'wonderful' summary. This said that organisations should be 'judged on their behaviour', while 'being sensitive to other people's perceptions of us'.

Thea Hilhorst questioned whether the spirit of the Code needed re-invigorating. But she accepted something needed to be done to it. She too favoured a 'light' mechanism for monitoring the Code. She cited her research showing: 'No-one is interested in a heavy mechanism surrounding the Code. The especially attractive thing about the Code is that it is not highly institutionalised but it has principles that are being shared by most people working in the field'.

Younis El-Khatib concluded that any future mechanism for co-ordinating humanitarian NGOs required action on an operational level. Such mechanisms 'in the field' needed to be simple and not take up many resources. He also highlighted the dilemmas surrounding the Code's adherence to neutrality. While a passionate believer in the basic principle, he felt NGOs sometimes took it too far. For him the basic principle was: 'to be neutral is to side with the victim'.

Ten years on the Code remains alive, more relevant than ever, and an inspirational guide for humanitarians daily work, concluded conference chair Fernanda Teixeira. But, she added: 'We still need to

make it work better in the field.' In particular, she stressed the need to enliven the Code through sharing ideas. 'We need to share best practices, to share experiences in order to continually comment on how to improve the Code,' she said. This could be achieved internally, through national follow up conferences such as will be held in The Netherlands, or externally by using the Code as a tool when dealing with governments or the military. But if organisations are to share their experiences better then there is also a specific need for some form of 'light' mechanism for monitoring how the Code is implemented.

CHAPTER 2 **A LIVING DOCUMENT? THE CODE OF CONDUCT OF THE RED CROSS AND RED CRESCENT MOVEMENT AND NGOS IN DISASTER RELIEF** (summary report)

Dorothea Hilhorst
(Senior Lecturer at Disaster Studies, Wageningen University)

'There needs to be a guardian of the Code.'

In preparation of the international conference Disaster Studies Wageningen conducted a research, mainly consisting of a survey about the use and future of the Code of Conduct. The response is already an indication that people find the Code important. 118 people have found time to fill in the elaborate questionnaire. 105 of these are signatories of the Code. After a period in which the Code was not much referred to, the interest in the Code is presently reviving. Organisations look upon the Code to help resolve intensified concerns about the nature and legitimisation of humanitarian aid after Afghanistan and Iraq. And the Code is finding its way into practice. Since 2001, for instance, the Disasters Emergency Committee has used the Code in several evaluations and developed an instrument with 28 questions to assess performance against the Code.

Some characteristics of the Code:

- It brings together classical humanitarian principles such as humanity, independence and impartiality, along with modern principles derived from development. The Code reflects that it is an instrument of organisations with different mandates.

- While the classical principles of humanity, impartiality and independence are incorporated in the Code, neutrality is not.

- The Code is very basic. There are no sections about monitoring or complaint procedures. This is

consistent with the intention of the Code to be a voluntary code. There are, however, also no sections about the ownership and management of the Code.

- The Code is sensitive to the different players in humanitarian aid including people and agencies in the areas of work. Nonetheless, the Code is written from the perspective of international NGOs.

- The language of the Code is cautious, in the use of phrases like 'we shall endeavour to', instead of 'we shall'. The cautious language makes the Code comprehensive and very appropriate as an instrument to discuss policy and operational decisions and dilemmas. It makes the Code less useful for NGOs seeking guidance for their actions and for purposes of accountability.

Because the Code accommodates different approaches to humanitarian aid, it lends itself perfectly for discussing humanitarian strategy. The Code was drafted around the assumption that humanitarian and developmental approaches could be reconciled in practice. In the course of the 1990s, there was a lot of debate on this possibility and on the question what the right mandate should be for humanitarian aid? Recently, there has been more recognition that humanitarian strategy should be contextual. Working in the midst of an ethnic conflict requires a different approach than working in the relative calm of a refugee camp, or in a post-conflict situation. Some situations require strict neutrality others do not. Some situations give room for a developmental approach; other emergencies require a strict concentration on life-saving activities. In extremely tense situations, local organisations may not be relied on, in others it would be highly unethical and inefficient not to. One could say that a new doctrine is evolving seaking to suit humanitarian approaches to particular situations. The Code provides an instrument to help decision-making in such a differentiated and contextual way.

Towards a new humanitarian doctrine?

Using the Code to discuss humanitarian strategy:

As neutral as necessary	As rights-based as possible
As relief-oriented as necessary	As developmental as possible
As expatriate as necessary	As local as possible
As dirigiste as necessary	As participatory as possible

Management of the Code

The Code contains no sections about its management. This raises the question of how the Code is managed in practice? The IFRC has been its caretaker from the start. The only instruction following from the Code is that it is the Code of the RC/RC movement and NGOs. To verify if an organisation is indeed an NGO, the charity number has to be provided or the web site is checked. In 2002, the list of signatories was put on the web site of the IFRC. At that point, all signatories were asked to update their addresses. IFRC has no mandate to manage the Code, and therefore also those who did not respond (about half of the signatories) are still on the list.

1 The research report entitled 'A living document? The Code of Conduct of the Red Cross and Red Crescent Movement and NGOs in Disaster Relief' can be obtained from www.pso.nl/knowledgecenter/nieuwsitem.asp?nieuws=50

The lack of management arrangements around the Code leads to several problems:

- Ownership of the Code is not clearly established.
- The list of signatories becomes inaccurate, when signatories are not periodically renewed or when signatories who cease operating are not being removed.
- There is no forum in which to discuss the required qualification of signatories.
- There is no representation of the Code. There are, for instance, occasional meetings of the European-based quality initiatives, where the Code is not represented or discussed.
- People have no place to resort to when they want to report a situation that is abusive of the Code.
- There is no forum in which to discuss questions about the interpretation of the Code, or the incorporation of new concerns.
- There is no periodical forum or occasion where the Code can evolve, for instance to develop proposals to promote its use among signatories.
- There is no process laid down on, if, and through what process the wording of the Code and/ or the principles can be amended.

Not having management on the Code does not mean that these issues are not addressed. Key players in the humanitarian agencies meet each other regularly on different occasions, where matters of the Code are being discussed informally. Although the SCHR is not mentioned in the Code, it is by many considered its management body. Nonetheless, the lack of management is perceived to be a problem. Several interviewees suggested that clearer entry-criteria have to be established. One of the reasons forwarded for such minimal requirements is that even though there is no threshold to sign up to the Code, there is nonetheless a status attached to it. ECHO, for example, restricts eligibility for funding to signatories of the Code.

Institutionalisation of the Code

Institutionalisation means the ways by which signatories incorporate the Code in their internal and external affairs. This could take many forms. Examples, based on interviews and the survey, include:

- Announce on the web site that the Code was signed with a link to the text of the Code.
- Incorporate the Code in reports of the organisation.
- Internal guideline on how the principles of the Code relate to the organisation's principles and other standards adopted by the organisation.
- Make respect for the Code part of contracts of new staff and consultants.
- Make the Code part of training curricula.
- Integrate the Code into the format of project proposals.
- Issue the Code of Conduct as a standard part of terms of reference for evaluation.
- Make respect of the Code a condition for partnership.
- Refer to the Code in general policies.
- Provide a complaint mechanism for people served by the organisation.
- Self-assessment of the organisation's accordance with the Code.
- Peer reviews to assess NGO accordance with the Code.

All these examples are derived from practice but they are exceptions. The institutionalisation of the Code is generally patchy.

The Code in practice

The Code appears most institutionalised in education. Many organisations have made the Code part of the introductory courses; others use the Code implicitly in their education. Organisations have their own principles, and often adhere to different Codes and legal or operational standards. Several people report that they have incorporated the principles of the Code in their own principles and strategic plans. Some rights-based organisations find it difficult to incorporate the Code because it 'may generate conflicting messages'. Several people mention that the Code of Conduct has a particular role in guiding the humanitarian work of their multi-mandate organisation.

Several people have given examples of how to use the Code in programme implementation. However, general opinion is that the Code is being used implicitly, but as such does not reach the field sufficiently. With regard to negotiating and resolving disputes, somebody noted that 'the Code is being used in discussions with other INGOs. However, the Code does not stop the need for debate to inform decisions, for instance about the question which principle should have priority'.

All in all, there are uneven instances of explicit use of the Code, while people often find that the Code and its principles are implicitly incorporated in their work. Someone said: 'in many cases, the Code coincides with the experience of the people. Many colleagues are living illustrations of the principles, they don't quote the principles, the principles are part of them'.

The Code of Conduct in relation to other values and standard-setting instruments

The preamble to the Code of Conduct states that in the event of armed conflict, the present Code of Conduct will be interpreted and applied in conformity with International Humanitarian Law. Apart from IHL, there are other bodies of law relevant to agencies including human rights, and a large number of conventions that governments in conflict and disaster areas may have ratified. Agencies are also bound by and can make use of locally prevailing law. Organisations have their own values and have often adopted different instruments. In addition there are a number of standard-setting initiatives specifically for humanitarian aid, such the Inter-agency Standing Committee, ALNAP, Sphere, People in Aid, Humanitarian Accountability project International and the Disaster Mitigation Institute in India. There is a large agreement that the Code of Conduct has inspired these and other important quality initiatives. Finally, during the last years there has been a proliferation of local codes. Several people mention in the survey that the Code of Conduct was taken into account when drafting their local code, for instance in Cote d'Ivoire, Afghanistan, Somalia and in Colombia. It would be important to systematically collect these local codes and make them accessible, for instance through a web site, for NGOs wanting to work on their own code.

Few people see contradictions between different bodies of law, principles and instruments. Interviewees in the ICRC, for example, said that: we see no contradiction between our fundamental principles and the Code. It is a motivating factor in dialogue with those who broadly have the same principles.' ICRC is also seeking ways to deal with accountability and partnership, whereby they draw on the Code in their internal discussions. However, several people do point to confusion among humanitarians between the different instruments.

Opinions on the Code of Conduct

People have a high (0,8 on a 0-1 scale) appreciation of the Code. The appreciation of each of the articles was more or less the same. Reasons given why the Code of Conduct is considered important:

- It is a body of commonly shared principles.
- It defines humanitarians next to government and military.
- It provides a common reference for discussions between NGOs and with stakeholders.
- It is a reference for discussions between humanitarian and development divisions, and between programme people and marketing.
- It is relatively concise and simple, no need for elaborate training.
- With ten years and 304 signatories, the Code has gained broad recognition.

People firmly agree that in the first place much can be gained by promoting the implementation of the Code as it is. There is also agreement, albeit a weaker one (0,6) that the Code's articles should be updated, without however replacing the Code. Interestingly, the survey shows agreement on issues of monitoring. There is large agreement that the articles are binding and that beneficiaries should be able to use the Code to complain. There is also agreement on the requirements to signatories for self-reporting. There appears thus a constituency to discuss possibilities for complaints and monitoring mechanisms, or self-monitoring. This concurs with the trend that many of the local codes that are being developed have also introduced such mechanisms.

During personal interviews there appeared some reluctance among key actors to change the articles of the Code or open the discussion on complaints and forms of monitoring or self-monitoring. The reason given to pre-empt a discussion about these issues is that 'tinkering with the principles would be opening a Pandora's box'. The question is if this fear is justified. The survey suggest there is more constituency than anticipated for starting discussions on adjusting the Code to new demands of the time without losing it to disagreements!

Conclusions

The main conclusion of the research is that the 'Code of Conduct of the Red Cross and Red Crescent Movement and NGOs in Disaster Relief' is alive! To borrow its language: The Code has been relieved from the life-threatening situation of being a 'forgotten code', and time has come to start reducing its future vulnerability. The interviews and survey show a broad support for the Code and all its articles. They also show positive support for introducing complaint procedures or other mechanisms to forward the Code.

The most tantalising question is of course whether the Code inspires organisations to act in accordance with its articles. That question is beyond the scope of this research, and it is questionable if this could be measured accurately given on the one hand contingencies of humanitarian situations and on the other the impossibility of isolating the impact of the Code from the impact of other quality initiatives.

Interviews and survey findings suggest that the use of the Code can be vastly improved. The Code is mostly used in education activities. In other aspects of humanitarian aid there are examples of the explicit use of the Code, but these seem to be exceptions. The Code is mostly used implicitly and could be brought much more to the field. One way of taking the Code to the field is to promote its use. There is a large scope for initiatives within and between signatories to do so. People who have

made suggestions along this line, prefer the Code to be promoted by the signatories rather than setting up a new organisation for this purpose.

For the Code to remain a living document, however, it is imperative that a guardian mechanism for the Code is set in motion. This mechanism, for instance a representative, revolving committee takes up the following tasks:

- Incorporate in the text clear and transparent regulations about ownership of the Code.
- Incorporate in the text clear and transparent regulations about signatories of the Code.
- Consider minimal requirements for signatories.
- Consider minor amendments in the text and subtexts of the articles of the Code.
- Provide advice to signatories on how they can institutionalise the Code in their organisation, and add this to the text of the Code.
- Decide when and how to make major amendments to the articles if required.
- Decide when and how to reopen the discussion on complaint procedures and other arrangements for monitoring and self-monitoring in order to strengthen the Code.

Minor and major issues to consider when amending the text of the Code include:

- Update the language of the Code, for instance by finding a more appropriate term for beneficiaries. Consider the suggestion of Tony Vaux to split Article nine and bring the text pertaining to beneficiaries under Article seven.
- Update the text to incorporate concerns that have become more pertinent, such as the roles, rights and vulnerabilities of children, security of aid workers, forgotten crises, and HIV/AIDS.
- Resolve more clearly the issue of neutrality.
- Amend the text to make the text as applicable for national NGOs as for INGOs.
- Consider if, and how, the Code could be strengthened towards a rights-based approach.

The Steering Committee of Humanitarian Response that launched the Code of Conduct should play a major role in creating this light mechanism.

Beyond Us performs an 'Ode to Mummenschanz'.

Comedienne Grainne Delaney looking for a humanitarian job.

Left to right: Thea Hilhorst, Fernanda Teixeira, Russell Kerkhoven, Peter Walker, Arthur Molenaar, Ibrahim Osman.

Discussions continue during the breaks.

Mark de Koning drawing his cartoons.

Rosien Herweijer facilitating the workshop 'independence'.

The venue and the participants.

Participants applaud Peter Walkers' speech.

CHAPTER 3 **OPENING ON THE BEHALF OF THE ORGANISING COMMITTEE: THE CONFERENCE, THE INITIATIVE, ITS PURPOSE AND EXPECTATIONS**

Jan Post
(Secretary General of the Netherlands Red Cross)

'Is the Code history, or is it the future?'

Ladies and gentlemen,

I wish you a very warm welcome at the conference 'Ten Years Code of Conduct: Principles in Practice'. In my hand I have a piece of paper that you have seen before. It is a set of principles that should always guide relief workers when helping people in need. A set of principles humanitarians should live and work by every day. This Code of Conduct, that I am holding here, holds the chance to increase the quality and enhance the accountability of humanitarian assistance. It sets universal basic standards to govern the way aid organisations work in disaster relief. It says: 'this is how things *should* be done'.

The Code is now ten years old and I ask you: What is it? Is it alive? Is it dead, or merely asleep? Is it being used, is it being ignored? Is it being remembered, is it being forgotten? Is it useful, is it without use? Is it in practice, is it a theory? Is it history, or is it the future? I am guessing, ladies and gentlemen, these are all relevant questions to you and to me. This is why we are here today. All of us are involved in humanitarian assistance. We are all relief workers, from every corner of the world. We are all, somehow, concerned with aid. And we want this aid to be very, very effective. We want our help to really help. What we want is making things better. What we don't want is to work with good intentions, but actually make things worse. That is why this Code of Conduct was drafted; That is why we are here today.

This Code sets ten principles for good disaster response. Today we ask you: Is it being used? After ten years, perhaps, we need an invitation to change our consensus and change environments. Are the principles still relevant? Article number seven, for instance, states that beneficiaries shall be involved in the management of relief aid. What happens in places such as Darfur where refugees do not want to be involved in their relief if it means the aid organisations pull out leaving them once again at the mercy of the local Janjawid militia?

Article number five, to use another example, tells aid organisations to respect the culture and customs in the country where they are working. But what do you do after an earthquake in Guyarat in India if the local culture and customs entail discrimination based on descent and gender?

Ladies and gentleman, I advise you to listen, to speak, to deliberate, to discuss, to disagree, to co-operate today, together. Today is about people in difficult circumstances who need help, true constructive help.

CHAPTER 4 **OPENING ON BEHALF OF THE DUTCH MINISTRY OF FOREIGN AFFAIRS**

Rob de Vos
(Deputy Director General for International Co-operation of the Netherlands Ministry of Foreign Affairs)

'I wonder if the Code is practical enough.'

Ladies and gentlemen,

On behalf of the Netherlands Minister for Development Co-operation, Agnes van Ardenne, I would like to welcome you to the Netherlands and to the Ministry of Foreign Affairs. I am glad that a number of NGOs took the initiative to organise this conference, three years after the conference, *Enhancing the Quality of Humanitarian Assistance*, which my ministry organised.

As we all know, the Code of Conduct, which we discuss today, was launched after the Rwanda tragedy and the crisis in Somalia, which was poorly managed by the international community. What have we learned in ten years? With 'we' I mean the donor community, the NGOs and recipient countries. It is clear that the international environment we are working in now, has changed profoundly in ten years; the number of conflicts has grown, existing conflicts have deepened or are frozen; conflict resolution seems to be more and more difficult and many countries on the road to stability tend to slide back (60% of the countries in sub-Sahara Africa); the world map paints us a very grim picture. What has definitely changed in the last years is the fact that the borders between the so-called humanitarian space and military space in some countries, in great need of humanitarian aid, have become increasingly unclear. A dangerous situation if we leave it in this current state. Another change in the last ten years, is the gaining of knowledge from experience, that the expected logical sequence of disaster relief, reconstruction phase and finally the long term development phase, do not occur in a nice orderly way.

We are working in a transitional process, which is often a no war/no peace situation. The different elements of this process exist simultaneously in changing levels of intensity as a UN working group

on transition issues concluded in February of this year. For me, this international conference, and the follow up ones on the national level, will be a success when it succeeds in dealing with three questions:

- The original one: What role has the Code of Conduct in improving the quality of the work of NGOs and how has it influenced the behaviour, attitudes of donor organisations and recipient countries? With donor organisations I do not exclude the multilateral organisations, on the contrary in the Dutch policy in theory and practice they play the crucial role of co-ordinator. When I look at the Code I wonder if it is practical enough, whether it provides us with the precise benchmarks to measure progress in quality control. And who was responsible for monitoring and evaluation of the last ten years? Has a system of peer review been developed?

- The border between humanitarian and military space is under debate now humanitarian assistance is given in the most extreme circumstances, for example, in Afghanistan and Iraq. Is it possible to develop a set of guidelines that helps us to draw borderlines but at the same time leave maximum impact on the process toward peace, security and development? Keep in mind that the requests for more robust mandates, for example MONUC in the Great Lakes area, are more likely than a request for a more limited role for the peace keepers. The UN Office for the Co-ordination of Human Affairs, OCHA, last June took an initiative to draft, with others, a paper on the Civil-Military Relationship in Complex Emergencies. It is a good start but we need to go even deeper in our analysis.

- If you agree with the statement that the sequence relief/humanitarian assistance, rehabilitation activities, development activities will not happen in an orderly manner, that humanitarian assistance needs to be prolonged, and often intensified, and combined with rehabilitation activities in an early stage, the Code of Conduct and especially point eight which says: 'must strive to reduce further vulnerabilities to disaster as well as meeting basic needs...', may be too vague for our present knowledge. Where are the gaps in our financing system, co-ordination mechanism and maybe total programming of the concept of rehabilitation?

I have taken out three, in my view, basic questions which, I hope, you will deal with in discussing the value of the Code. But there are many more like:

- Political neutrality in the world after September 11; Does the word neutrality still mean the same?
- Another important one is humanitarian assistance and the public opinion in the West. How far are you prepared to go to draw attention to disaster areas? How secure is your information?
- And are we sufficiently aware that our well-intended presence with its brand new equipment and cars can create enormous irritation in the conflict countries itself and also in the West, but it requires special behaviour in the disaster relief areas by the humanitarian organisations. Is the Code also addressing this subject?

I can go on posing questions to you but that is not the intention of this Conference. I wish you a constructive debate and I am very interested in reading the final outcome.

CHAPTER 5 **OPENING ON BEHALF OF THE IFRC**

Ibrahim Osman
(Director Monitoring & Evaluation at the IFRC)

'The Code provides a philosophical and methodological backdrop.'

As one of the founding organisations behind the Red Cross Red Crescent NGO Code of Conduct, I am very pleased and proud to welcome you all here today to this Conference 'Ten Years Code of Conduct: Principles in practice'. I thank the Dutch Ministry of Foreign Affairs and the umbrella organisation, PSO for supporting this conference and for the Netherlands Red Cross for hosting and inspiring it.

The wide range of organisations represented here today surely indicates the continued interest in the Code one decade after its inception. Over 300 humanitarian organisations have signed the Code and the number grows each year. Many of those have gone further and internalised the principles that the Code inspires and elaborated their own working tools on the basis of it. Since 1994 the Code has spawned many different initiatives on the part of the humanitarian sector to improve the quality of our humanitarian endeavour and to be more accountable for our collective labour. Some of these include the Humanitarian Charter and Minimum Standards in Disaster Response Project (SPHERE), the People in Aid Code, the Humanitarian Accountability Project International and many others.

When it was developed ten years ago, the Code was truly innovative both in terms of its content as well as its inclusiveness. It marked the start of an attempt by the humanitarian sector, together with donor governments and governments of disaster affected countries to seek to work together according to common standards and guidelines. It embodied both a philosophy and an approach to humanitarian assistance which, in spite of decades of implementation, had never been truly elaborated. 304 organisations have adopted this philosophy and this approach and governments within the framework of the Good Humanitarian Donorship Initiative have referred to it. Therefore, there can be no doubt that it has become an influential document - a 'soft law' we might say - within the humanitarian context.

So what are some of the achievements we can boast over the last ten years in bringing this Code to life? There are many. Within the International Federation the Code of Conduct informs our operations on a daily basis. Together with our movement's fundamental principles, the Code provides both a philosophical and methodological backdrop to the humanitarian activities that we carry out. As a global and volunteer-based organisation comprised of 181 recognised national societies, many of our volunteers are, at one and the same time, themselves also victims of disaster and conflict. As individual volunteers, they may well be both recipients and providers of humanitarian relief – our national societies are themselves representative of local capacity, culture and custom, of Principles five, six and seven, we might say in the Code.

Within our programmes the Code is echoed in all parts of the project planning cycle. The International Federation's work in developing the 'vulnerability and capacity' assessment methodology builds preparedness and response on a local capacity. These, as well as recent work on an emergency needs assessment project, are informed by the Code of Conduct as well as by other International Federation principles, standards and guidelines. During all programme implementation, collectively, we strive to adhere to the SPHERE standards and to the Code of Conduct. We increasingly use the Code of Conduct as part of our evaluation criteria for example in the Bam, Iran earthquake operation and the Tajikistan drought operation.

The Code of Conduct is now a standard part of all secretariat-led emergency training, regional disaster response training and technical training. New delegates are introduced to the Code through induction training and are provided with a copy of the Code of Conduct with their employment contract. From a human resources perspective, the Code of Conduct has been used to develop a 'Staff Code of Conduct', which puts special emphasis on behaviour and individual responsibilities as part of employment, and to which all International Federation staff must adhere as part of their contractual obligations. Many of our national societies have developed their own staff codes and are bringing alive the messages of the Code through local sensitisation, awareness-raising and training.

The Code is frequently cited and used as an advocacy tool, both in our relations with governments, other organisations including the United Nations and other partners. The World Disasters Report of 2003 with its focus on 'Ethics in Aid', reinforced through a series of articles the various ways in which the Code is used in operations and where opportunities lie to promote it further. Yet as much as there are successes to cite regarding the ways in which we use the Code of Conduct in our daily work, there are also still big challenges for us. I will name a few here as I know these will be the focus of further discussion during the course of the day.

The Code of Conduct remains a voluntary code. It is self-policing and there are no sanctions for not adhering to it, although some key donors have made becoming a signatory to the Code requisite to obtaining funds. In this context one of *the* key ingredients to applying the Code has to be the commitment by leadership to ensuring observance to the Code in spite of the hard choices such observance may well imply at times. As the International Federation this is certainly one area where we need further effort, jointly with yourselves and hand in hand with donors, the humanitarian sector needs to create a *culture* where observance to the Code is seen as an essential ingredient in humanitarian operations. We must increasingly seek to measure and monitor our observance to the Code through evaluations, peer review and self–assessment.

In our discussions today, let us just remember how powerful these ten principles and the three annexes are and how much of a difference it would really make if we could rise each time to the chal-

lenge of fulfilling these principles. Let us not do the Code of Conduct a disservice by underestimating the profundity and strength of the statements and let us be above all realistic and honest in our commitments to what we are able to achieve.

With this in mind, I want to challenge this meeting today. I want us to ask ourselves whether over the last decade, since its inception, what has changed in us and in our organisations for the better since we signed the Code? This is something that I ask you to reflect upon today. What difference has it really made? In this meeting, let us jointly build on our successes, learn from each others' experiences and ideas and find new ways of bringing the Code alive for the coming decade.

I wish you very fruitful debate and discussions today and thank you once again for your attendance and your commitment.

CHAPTER 6 **CRACKING THE CODE: ORIGINS AND FUTURES**

Peter Walker
(Director of the Feinstein International Famine Center, Tufts University)

'We need the Code, and we need to make it work.'

Ladies and gentlemen,

In this speech I will talk about the genesis of the Code of Conduct. I will go on to look at its present usage and some of the arguments against its usage and finally examine future threats to humanitarian action and how the Code may need to evolve to deal with these threats.

There were many strands of action and thought which came together to create the Code of Conduct; some political, some personal. *Political*: The Code, like many initiatives in the humanitarian endeavour, was a product of its time. In the early 1990s the cold war had just ended, the talk was still of a peace dividend, and the figures on humanitarian aid spending seemed to support this. They had increased every year in the decade 1984-1994. Genocide in Iraq and the Bush senior's Gulf War triggered the mass exodus of Kurds over the mountain passes into Turkey in early 1991. The next year saw massive flooding in Bangladesh and the substantial involvement of Western Coalition military forces in relief, as naval ships made their way home from the Gulf. Boutros-Boutros Ghali had published his Agenda for Peace and Francis Fukuyama had proclaimed the end of history. The world was changing and the low profile side-show of humanitarian aid was being thrust into the vacuum of foreign policy. *Personal:* The Code, inevitably, reflects the attitudes of the people who substantially drafted it: Tony Vaux, Oxfam-UK's emergencies coordinator and myself, then Director of Disaster Policy at the IFRC in Geneva. Both Tony Vaux and myself had witnessed the full range of agencies' behavior from the noble, through the benign, to the appalling: A refugee camp in Darfur where workers were flying in bottled water for themselves from Riyadh; An American NGO proposing to use micro-light aircraft to deliver individual sacks of grain into the Red Sea Hills, an area where at that time the PLO also had a training camp; And in Central Province a banner at the entrance to its feeding station proclaiming that the food was a gift from the Christian God. Seven years later, the opportunity to do something about this free-for-all presented itself.

Let me summarize the official story of how the Code of Conduct came into being. In 1991, at the Council of Delegates of the IFRC and ICRC, the French Red Cross sponsored a decision calling upon the Federation to '*set up a group of experts to study the possibility of elaborating a Code of Conduct relative to Humanitarian aid in situations of natural and technological disasters.*' Initially the idea was explored with the UN, through the office of OCHA's precursor, UNDRO but they showed little interest. The Federation then decided to approach the issue via a small but well respected group of independent agencies and see if we could gather others around the initiative. Thus the idea for a code of conduct was taken to the Steering Committee for Humanitarian Response (SCHR), which then consisted of the Federation, Oxfam, Save the children Alliance, CARE, CRS, LWF, WCC and Caritas Internationalis. The SCHR endorsed the project and charged Tony Vaux and myself with drafting the Code. At that time ICRC was not part of the SCHR, but nevertheless, towards the end of the process, they were called in and helped draft the language around the use of the Code in conflict situations. Hence the Code ended up entitled 'Principles of Conduct for The International Red Cross and Red Crescent Movement and NGOs in Disaster Response Programmes'.

The SCHR initiative was not the only one pursuing the issue of humanitarian behavior at the time. At that time many agencies and researchers were concerned about the same issues. The early 1990s, rather like today, was a time when aid agencies felt under threat and felt that if they did not act in self defence, they would see their principles, and themselves eroded away. This concern was one of the main reasons why the Code was then taken in 1995 to the 26th International Red Cross Conference. This in effect lifted the Code from a somewhat parochial issue to one of international standing, involving nation states. The hope was that states would have endorsed the Code, thus giving it some clout, but by 1995 humanitarian assistance was officially on the foreign policy agenda and, as a member of the US government delegation commented at the time, 'we are not going to endorse *anything* we have not been part of creating'.

The question now is: did it have any effect?

In the intervening years the Code has been used in two ways, and should have been used in three. It has been used as a personal code, as a set of principles to guide the behaviour of aid workers. At this level the Code seems to have had some success. It has provided a reference point, a base line, and one that is now accepted as standard rhetoric, if not doctrine. At the institutional level it has had a mixed effect. In some sense its biggest success has been to pave the way for the SPHERE project, its humanitarian charter and standards. In retrospect, the initial enthusiasm for the Code, belied a naïvety, or at least undue optimism over the commitment of agencies to walking their talk. The international resolution that called for agencies to register their support for the Code with the Federation, was the only tangible form of accountability envisaged. For the first few years of its existence the Federation published the list of registered agencies in the World Disasters Report. In parallel a number of country-level aid coordinating bodies expected their membership to have registered their support for the Code. Some donors, mostly Scandinavian, required agencies receiving their humanitarian funds to have registered with the Federation. One surprise in those early years was how many Southern-based and small agencies registered with the Federation. It was all about promises to your peer group. But in 1996 the system was tested and found wanting. The SCHR received a formal complaint from one agency, detailing the behaviour of a larger agency which was registered as supporting the Code and, if the complaint was to be believed, was clearly in violation of it. The SCHR had no agreed mechanism for dealing with complaints and the Federation, as repository of the register, certainly had no authority to make any judgement. In the end the complaint was passed on to the accused agency, and the accuser and accused were invited to get together and discuss the

issue. This salutary experience lead directly to the hesitancy seen in the SPHERE project over establishing any sort of policing arrangement and that in turn gave rise to an alternative approach to accountability including HAP International.

But what about that third usage of the Code? The real missed opportunity of the Code lies in its annexes. The three annexes speak to donor governments, host governments and UN agencies. Remember, at the International Conference in 1995, 143 states and their governments welcomed the Code and encouraged NGOs to use it. 68 observers, including all the main UN agencies did likewise. Used correctly this could have been a tremendous platform for advocacy. Annex 1 of the Code places prime responsibility for humanitarian action with host governments, which is where it should be. Annex two speaks to donor governments, calling on them to '*provide funding with a guarantee of operational independence*'. Annex three promoted local and international NGOs as partners, not contracted implementers with UN agencies. When one looks back now from the perspective of Kosovo, DRC, Afghanistan and Iraq, it is clear that agencies missed a vital advocacy opportunity. It is doubtful if an opportunity like that will ever occur again.

If the big picture opportunity was missed with states, the Code did open up unexpected opportunities at a local level. In Ethiopia 1999, in Botswana in 2001, and in many countries, agencies worked out local codes of conduct, almost always informed by the Code of Conduct.

The case against the Code

So far the case for the Code had been presented. There is a case to be made against. In fact there are three. First, that it initiated a process of defining, with states, the nature of humanitarianism and thus opened another route for states to impinge upon the independence of aid agencies. Second that it legitimises illegitimate behavior in conflict zones and third that it effectively opened the door to the deregulation and distortion of humanitarian action in conflict zones. The second and third cases are, in my view, the more important ones.

In 1992 when the Code was first drafted, the drafters were actually focusing on disaster relief, not humanitarian aid. The Code was about how agencies and their workers behaved when responding to floods, famines and earthquakes in someone else's country. As the drafting process went forward, and war in Iraq and then in the Balkans unfolded, the naïvety of assuming two separate worlds of conflict and non-conflict seemed clear and the Code drifted, in the mind of its sponsors and drafters, into a Code for all disasters. Hence the pulling in of ICRC at a late stage in the Code's genesis. With hindsight, treating conflict-related assistance as essentially a footnote was a grave error. The critical issue though is that the Code omits any reference to neutrality and its implications. Humanity, impartiality and independence are all there, but not neutrality. The reason is that at the time of drafting, some of those NGOs that saw themselves primarily as development and justice-driven were very clear that they could not subscribe to a code which required them to be neutral. The Code reflected the reality of the day, that two previously very different approaches to the alleviation of suffering were being mixed and distorted. On the one side was the tightly defined and constrained approach of the ICRC, on the other side was relief as an extension of community-based development. It is not that one approach is right and the other wrong. Both approaches are legitimate, but they are not the same thing. The question we need to ask is, can we have our cake and eat it? Can we have both approaches to aid being carried out by expatriate-based organisations in the same arena and yet preserve the trust and access needed to provide immediate relief from suffering?

Finally let us look at the third critique leveled at the Code, that far from 'cleaning up' the humanitarian act, it effectively de-regulated it. Prior to the Code, humanitarian aid, which meant assistance *and* protection in war zones, was regulated by International Humanitarian Law and specifically the Geneva conventions. Thus, until the ending of the Cold War, Boutros-Boutros Ghali's Agenda for Peace and the Code of Conduct, humanitarian action was a tightly defined and highly regulated endeavour. Then, as Nick Stockton puts it, 'The publication of the Code of Conduct represented an important step in re-writing the quasi-official rules of 'humanitarianism', as these now appeared to allow peace-builders, human rights campaigners and all manner of development workers to shelter under the protective umbrella of International Humanitarian Law, the maintenance of which is the duty of states and 'controlling authorities'. This deregulation has made it possible for Collin Powel to state that he is: '*serious about making sure we have the best relationship with the NGOs who are such a force multiplier for us, such an important part of our combat team.*' Why on earth would nation states sanction, as they appeared to do at the 1995 International Red Cross Conference, such a free-for-all of the largely Northern-based NGOs? Well actually they didn't. The reality is that agencies, and selective governments, have used the Code and their acceptance of it, almost as a certificate of authenticity and competence. Its very wording invited de-regulation: '*wherever possible* we shall base the provision of relief aid upon a thorough assessment', '*Notwithstanding* the right of NGNAs to espouse particular political or religious opinions', '*Endeavour* not to act as instruments of government foreign policy'.

Do we still need it today?

Where does this leave us now, older and wiser with ten year's hindsight? Today, I believe we need the Code more than ever before, but we need to update it and we need to give it more teeth. The Code was put together in an atmosphere where the main threat to humanitarian legitimacy was perceived as internal. It was about cleaning up our act. That challenge still remains, but today humanitarianism also faces growing external threats. Four key threads of concern can be detected.

The challenge to universalism

First, humanitarianism is premissed on the belief that all peoples have the same right to receive life saving assistance and protection in crises. That in conflict and crisis there are innocent parties who deserve protection from the chaos around them. The Frankenstein like distortion of Islam by Al Qaeda and the distortion of libertarianism by the present US administration challenge that notion. The doctrine of 'you are either with us or against us' needs to be fiercely resisted by humanitarians. Our allegiance should be to those caught up in the middle. There are universal values and rights, there are universal norms of humanity and it is the absolute duty of humanitarians to stand up and defend them.

The challenge of normalcy

The second challenge is already alluded to above, and that is the challenge of normalcy. This takes two forms, both of which are essentially the province of the cynic. The first holds that suffering is inevitable, that the 'basket case' of Africa will always be with us, that progress will have its casualties but in the long run will serve the greater good, that even if you feel uncomfortable about all the suffering you see on the TV, you can't do anything about it. The Code makes a point of highlighting the vital role of voluntary support from concerned individuals for humanitarian action. If we want to keep that support, then we need to show that agencies can and do make a difference, that suffering only happens because humanity allows it to happen. The second cynicism holds that all institutions are fair game for manipulation. In Afghanistan today, there is hardly a single local institution, village committee, police unit or marketing system which is not manipulated in one way or another by war lords.

The challenge of corporate growth

Third, I believe we are starting to see a major challenge as the world heads down the economic road of global free market-ism. In creating corporations the West has unleashed something of a Frankenstein's monster. Corporations can be sued of course, they have a legal persona, but unlike real people, they have no morality. Robert Monks, a former corporate CEO and a Ronald Reagan appointment to the US Labor Department, doesn't mince his words when he highlights the basic problem of the corporate construct. '*Again and again in America*' he says *'we have the problem that whether [corporations] obey the law or not is a matter of whether it's cost effective. If the chance of getting caught and the penalty are less than its cost to comply, our people think of it as just a business decision*'. The problem is with the amoral beast of the corporation. We have to find a way to limit the inevitable excesses of the corporate process. Do humanitarians have a role to play in this? Is it a challenge they should be addressing? I'm not sure. But I am sure that, left un-addressed, the collateral damage of corporate growth will soon rank alongside extreme weather, human rights abuses and civil war as a major cause of humanitarian crises.

Occidentalism

Finally, we are beginning to see today the inevitable backlash against corporate growth, against the urban elite, the glossy unattainable world of the TV advert, and the championing of what, in another time, we would have called bourgeois values. This backlash, which we now see manifest in the explicit and tacit support for Al Qaeda and in the more extreme fringes of the anti-globalisation movement, is violent, nihilist and without mercy. It is a warring party not open to negotiation, not interested in seeing compromise or a secondary humanitarian agenda. It is here that the most urgent and fundamental challenge of humanitarianism lies. Humanitarianism is cast in the mould of the West. It may hold that its values are universal, but funding, staffing and modus operandi is predominantly Western. The challenge is to unhitch humanitarianism from the Western juggernaut and to demonstrate through consistent independent, impartial and neutral action that it seeks to serve the victim and the victim only.

A redrafting of the Code?

For all these reasons, for the good it has done, for the critiques it has shouldered and the external challenges it faces, the time is ripe to redraft the Code of Conduct. The Code effectively needs to become two separate codes, to become universal and to have teeth. One Code is needed for emergency response agencies who work in natural and technological disasters and with displaced populations outside of war zones, this might look very similar to the present Code, and one for humanitarian agencies who espouse the strict interpretation of the Geneva Conventions, neutrality and the limited alleviation of suffering. This would be a new endeavour and would go beyond a reiteration of the basic IHL and Red Cross principles. It needs to embody an exercise in building consensus around a set of universal humanitarian values, not as at present, 'our' values universalised. It will be no easy thing to do. How for example, do you reconcile multi-mandate agencies who wish to work in disaster relief, and maybe conflict relief, guided by a code, and in justice and development based activities in the same country at the same time? How does one address the belief system of an Islamic response agency which sees no philosophical boundaries between charitable acts, theology and the body politic? And more importantly how can humanitarians reconcile the almost universal desire to free humanitarianism of its ex-patriate trappings through the inclusion of local capacities and organisations with the near impossibility of remaining neutral when the conflict is in your country and killing your family and friends?

Secondly, if emergency response and humanitarian agencies wish to regain their ground as independent agencies, then the Codes have to be linked to a much more rigorous validation system, the key

task agencies so singularly failed to do in the 90s. This is not a thinly disguised call to go back to the good old days where only the ICRC worked in conflict, natural disaster relief had a definite end point and development was a whole different ball game. Rather, it is an attempt to ensure that future war victims have the possibility of effective life saving assistance and protection, that natural disaster victims receive assistance that is predicated on both alleviating suffering and building a better future, and that those agencies that have the motivation to work on development, peace building and democracy initiatives in war zones, do so with due diligence, being fully aware that they do not have the protection of IHL but do have the freedom to fight for justice, liberty and their vision of a better future.

CHAPTER 7 **THE UNIVERSAL VALUE OF THE CODE**

Younis El-Khatib
(President of the Palestine Red Crescent)

'I plea to protect the universal value of humanitarian action.'

Ladies and gentleman,

Permit me to start with sharing some of my thinking and vision for the future, in our region and perhaps globally. The never ending wars and war scenarios for our region prove to us that we can no longer cocoon ourselves in our perfect worlds and pretend that detachment from the human suffering in much of the globe is not our business. We share both an individual and collective responsibility to effect change in the world. This must entail sacrifice. We must learn to share our resources better, and work to address the imbalance in health and wealth world-wide. To do otherwise endangers the very principles we humanitarians stand for.

Conflicts about religion affect the world globally. This isn't just about the Code of Conduct but about the whole of humanitarian doctrines that we work under. At the most acute phases of conflict, we are all challenged to our absolute physical and mental limits. It is precisely at these moments that we must resist the pressures and the lobbies of national or international interest groups that aim to hijack our humanitarian agendas. Friends, it is precisely at times like these that we must be vocal and active. While focusing on our values of promoting human dignity and justice, sanctity of all life, and basic human and global rights, we must carry these messages to our respective leaders. The time has come to speak in clear and unambiguous terms against injustices caused by 'strategic interests' adopted by many wealthy nations.

We will continue to work to preserve human life *with* dignity. Our work is not simply about clinical interventions, it must be enveloped in layers that address the need for human dignity, justice, democracy, and fundamental respect for all life and the environment that sustains us. We need spirit to believe in what we stand for, and sometimes to fight for it. I think that the principles of the human community are in danger. Therefore, I plead for the protection of the universal value of humanitarian action in general as well as the Code of Conduct.

I was asked to comment on the relevance of the Code of Conduct to Islamic communities. However, I would like to stress the international and universal heritage of the Code's humanitarian ideals. No community owns these. Though the Code may have drawn on European wars, laws and doctrine, it was not limited to the needs of Europeans. It is not the heritage of just one community, but the Code of Conduct and other humanitarian values are universal.

My experiences in Palestine made me a strong believer of bringing religions together. We have to promote closer work. The need to act together was particularly relevant in conflict zones where not just the Code but also all humanitarian activities were disregarded. From my own experience I would like to cite a project to improve blood transfusion services in the Palestinian territories. This was jointly funded by Jewish and Islamic groups and managed by the European Red Cross. Let me end by quoting archbishop Desmond Tutu: '*My Humanity is bound up in yours, for we can only be human together*'.

CHAPTER 8 **THE CODE OF CONDUCT AS AN EVALUATION TOOL**

Brendan Gormley

'The Code has proven to be a successful and welcome evaluation tool.'

DEC EVALUATION POLICY AND PRACTICE

- To ensure transparency and accountability in the use of public funds, and thus retain public confidence that the funds are being spent in an effective manner,
- To enable the DEC to be accountable to both donor and beneficiary
- To enable the Board of Trustees to review performance against the standards set out in the membership criteria
- To facilitate lesson learning and the promotion of ever-improving standards of aid delivery.

KEY ISSUES FOR THE DEC BOARD

- Governance and accountability
- Limits to delegation
- Protection of reputation
- Impact and/or process
- Primacy of improvement
- One tool doesn't fit all

CHALLENGES

- Many DEC Members rights based
  - Social justice and transformation
  - Changing policy and practice
- Emergency relief v. Humanitarian assistance
- 9/11 and the new threats to security and access

THE EVALUATIONS POINT TO REAL BENEFITS

- Shared language of behavioural competences
- Place the life saving in a longer term perspective
- Involvement of beneficiaries
- Reduction of vulnerability
- Sits above the Franco/Anglo divide
- Higher order framework for the 'technical codes' focusing on outputs.

Principle	Issue 1	Issue 2	Issue 3
1. Humanitarian imperative	Self-interest of agencies vs. needs	Flag planting - promising more than can be delivered	Individual v. collective functioning
2. Non-discrimination	Quality of needs assessment	Targeting 'Positive discrimination' The elderly	Gender issues
3. Religion and politics	Role of host government	Relation to national government/ perceived opposition Policy advocacy	Bias in religious-based agencies Prayers/church/mosque based
4. Foreign policy	Identify strategic interests of aid actors	Neutrality in conflict	Funding from DFID
5. Culture and custom	Respectful manner	Imposition of Western/external solutions	Local knowledge

Principle	Issue 1	Issue 2	Issue 3
6. Build on local capacity	Operational balance Validity of fly in option	Training and local staff development	Awareness of political implications
7. Involvement of/ accountability to beneficiaries.	Quality of consultation and participation	Local contribution to strategy Complaints desk	Transparency Publish budgets
8. Reduce future vulnerability	Long-term timescale for involvement	Disaster preparedness plan	Structures designed to resist disaster
9. Accountable to donors	Efficiency	Financial accountability Audits	Financial reporting linked prog. Aims and outputs
10. Dignity in images	Positive images	Increase public understanding	Marketing pressures

SOME GENERAL CONCLUSIONS FROM THE EVALUATIONS

- There are some real tensions and trade offs between options such as fly in/local solutions; life saving phase and beneficiary involvement that can and need to be made explicit.
- Clarity on what are the thresholds of success
  Protection and policy advocacy need factoring in
- DEC Funding cycle too short
- Flexible & independent funding is vital

FINAL CONCLUSIONS

- Code as evaluation tool is welcome
  - Tensions when using as management tool
  - Complex matrix when including impact criteria
  - More on the types of crisis - slow, rapid and complex
- Holding ourselves to account is key

ANNEX 1 **THE CODE OF CONDUCT IN CARTOONS**

The right to receive humanitarian assistance, and to offer it, is a fundamental humanitarian principle which should be enjoyed by all citizens of all countries. As members of the international community, we recognise our obligation to provide humanitarian assistance wherever it is needed. Hence the need for unimpeded access to affected populations, is of fundamental importance in exercising that responsibility. The prime motivation of our response to disaster is to alleviate human suffering amongst those least able to withstand the stress caused by disaster. When we give humanitarian aid it is not a partisan or political act and should not be viewed as such.

Wherever possible, we will base the provision of relief aid upon a thorough assessment of the needs of the disaster victims and the local capacities already in place to meet those needs. Within the entirety of our programmes, we will reflect considerations of proportionality. Human suffering must be alleviated whenever it is found; life is as precious in one part of a country as another. Thus, our provision of aid will reflect the degree of suffering it seeks to alleviate. In implementing this approach, we recognise the crucial role played by women in disaster prone communities and will ensure that this role is supported, not diminished, by our aid programmes. The implementation of such a universal, impartial and independent policy, can only be effective if we and our partners have access to the necessary resources to provide for such equitable relief, and have equal access to all disaster victims.

Humanitarian aid will be given according to the need of individuals, families and communities. Not withstanding the right of NGHAs to espouse particular political or religious opinions, we affirm that assistance will not be dependent on the adherence of the recipients to those opinions. We will not tie the promise, delivery or distribution of assistance to the embracing or acceptance of a particular political or religious creed.

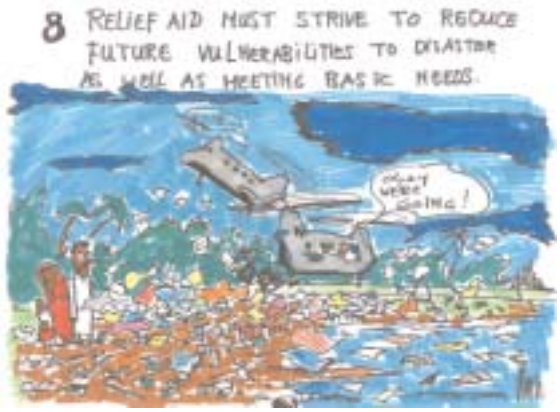
NGHAs are agencies which act independently from governments. We therefore formulate our own policies and implementation strategies and do not seek to implement the policy of any government, except in so far as it coincides with our own independent policy. We will never knowingly - or through negligence - allow ourselves, or our employees, to be used to gather information of a political, military or economically sensitive nature for governments or other bodies that may serve purposes other than those which are strictly humanitarian, nor will we act as instruments of foreign policy of donor governments. We will use the assistance we receive to respond to needs and this assistance should not be driven by the need to dispose of donor commodity surpluses, nor by the political interest of any particular donor. We value and promote the voluntary giving of labour and finances by concerned individuals to support our work and recognise the independence of action promoted by such voluntary motivation. In order to protect our independence we will seek to avoid dependence upon a single funding source.

We will endeavour to respect the culture, structures and customs of the communities and countries we are working in.

All people and communities - even in disaster - possess capacities as well as vulnerabilities. Where possible, we will strengthen these capacities by employing local staff, purchasing local materials and trading with local companies. Where possible, we will work through local NGHAs as partners in planning and implementation, and co-operate with local government structures where appropriate. We will place a high priority on the proper co-ordination of our emergency responses. This is best done within the countries concerned by those most directly

involved in the relief operations, and should include representatives of the relevant UN bodies.

Disaster response assistance should never be imposed upon the beneficiaries. Effective relief and lasting rehabilitation can best be achieved where the intended beneficiaries are involved in the design, management and implementation of the assistance programme. We will strive to achieve full community participation in our relief and rehabilitation programmes.



All relief actions affect the prospects for long-term development, either in a positive or a negative fashion. Recognising this, we will strive to implement relief programmes, which actively reduce the beneficiaries' vulnerability to future disasters and help create sustainable lifestyles. We will pay particular attention to environmental concerns in the design and management of relief programmes. We will also endeavour to minimise the negative impact of humanitarian assistance, seeking to avoid long term beneficiary dependence upon external aid.

We often act as an institutional link in the partnership between those who wish to assist and those who need assistance during disasters. We therefore hold ourselves accountable to both constituencies. All our dealings with donors and beneficiaries shall reflect an attitude of openness and transparency. We recognise the need to report on our activities, both from a financial perspective and the perspective of effectiveness. We recognise the obligation to ensure appropriate monitoring of aid distributions and to carry out regular assessments of the impact of disaster assistance. We will also seek to report, in an open fashion, upon the impact of our work, and the factors limiting or enhancing that impact. Our programmes will be based upon high standards of professionalism and expertise in order to minimise the wasting of valuable resources.

Respect for the disaster victim as an equal partner in action should never be lost. In our public information we shall portray an objective image of the disaster situation where the capacities and aspirations of disaster victims are highlighted, and not just their vulnerabilities and fears. While we will co-operate with the media in order to enhance public response, we will not allow external or internal demands for publicity to take precedence over the principle of maximising overall relief assistance. We will avoid competing with other disaster response agencies for media coverage in situations where such coverage may be to the detriment of the service provided to the beneficiaries or to the security of our staff or the beneficiaries.

ANNEX 2 **FORMAT FOR ORGANISING A NATIONAL FOLLOW-UP CONFERENCE**

The International Conference proved that the Code of Conduct is alive and that there is a strong desire to promote the Code and enhance its impact in practice. The Code can be a useful tool to improve the quality of humanitarian assistance and can provide guidance with dilemmas in the field. The debate on how to translate this desire into concrete policy actions could not be finished within one day. Therefore, the participants were called upon to organise follow-up conferences on a national level. In these conferences the implications of the Code and the recommendations of the International Conference can be translated into action plans that are relevant in the agencies' national context.

In the Netherlands such a follow-up conference takes place on 23 November. The format of this conference is presented here to inspire similar initiatives elsewhere. The specific topics that will be discussed are chosen because of their relevance for Dutch NGOs. Below you find the scenario for the Dutch National Conference *'Ten years Code of Conduct: Principles in Practice'*. Specific tools and materials that are used will be made available after the conference and can be ordered free of charge at www.pso.nl/knowledgecenter/nieuwsitem.asp?nieuws=50. These will include a Code of Conduct training DVD, a Code of Conduct Quiz, cartoons and posters.

Scenario Dutch National Conference 'Ten years Code of Conduct: Principles in Practice' The Hague, 23 November 2004

9:30 - 10:00 Registration and Coffee
The venue will be decorated in a 'Code of Conduct style'. There are posters with the ten articles, cartoons drawn at the International Conference and the Code of Conduct training video will be shown.

10:00 - 10:15 Opening by the chairman Russell Kerkhoven (PSO): The purpose of the conference
Aim: To explain the background to, and aims of, the conference, which is to come to an action plan for the better use, and implementation of, the Code of Conduct in order to enhance the quality of humanitarian assistance.
Method: Presentation by the chairman.

10:15 - 11:00 Presentation research findings and outcomes of the International Conference, by Thea Hilhorst (Disaster Studies Wageningen)
Aim: To inform the participants on the outcomes of the International Conference and the findings of the preparatory research on the use of, and perceptions about, the Code of Conduct.
Method: A 20 minute presentation followed by 25 minutes of debate.
The material: The research paper is published separately.

11:00 - 11:15 Code of Conduct Quiz
Aim: To familiarise the participants with the Code of Conduct.
Method: Ten cartoons representing the ten principles of the Code are shown randomly, using PowerPoint slides. The participants try to identify which article is represented, contesting among each other to give the most right answers.

11:15 - 11:30 Break

11:30 - 12:30 Workshops
Aim: To formulate concrete action plans for using the Code in order to enhance the quality of humanitarian assistance.
Method: The workshops treat subjects that are particularly relevant in the national context. The Dutch Conference will discuss 1) Using the Code of Conduct in Monitoring and Evaluation and 2) The Code of Conduct and profile development, which includes media and marketing policies as well as lobbying and advocacy. During the morning session, the subjects are introduced by experts in the particular subjects and the discussions are opened.

12:30 - 13:30 Lunch

13:30 - 15:00 Workshops continue
Aim: To formulate concrete action plans for using the Code in order to enhance the quality of humanitarian assistance.
Method: During the afternoon session participants will formulate a plan of action.

15:00 - 15:15 Break

15:15 - 16:00 Presentation of workshops and action plans
Aim: To present and highlight what is achieved during the workshops; i.e. a plan of action on using the Code of Conduct in monitoring and evaluation and in profile development.
Methods: The presentation of the action plans by the workshop facilitators.

16:00 - 16:30 Panel arena
Aim: Prioritising and committing to follow-up actions in order to take the first step towards putting the action plans into practice.
Method: The panel is divided into one part consisting of a selection of those responsible for monitoring and evaluation in Dutch NGOs, and one part of those concerned with profile development.

16:30 - 16:40 Testimony of an aid worker
Aim: To hold a mirror up to our faces. To amuse ourselves.
Method: Grainne Delaney, the comedienne whose act at the International Conference was a great success, performs this 'testimony'. Her contact information can be provided by the organisation.

16:40 - 17:00 Closure
Aim: To bring the day to an end and to highlight the most important conclusions and achievements.
Method: At the end of the day, a cartoonist and the chairman summarise the most important achievements of the day.

17:00 - 18:00 Celebration event

ANNEX 3 **CONFERENCE PROGRAMME: 'TEN YEARS CODE OF CONDUCT: PRINCIPLES IN PRACTICE'**

8:45 - 9:30	Registration and Coffee
9:30 - 9:40	Opening on behalf of the organising committee: The conference, the initiative, its purpose and expectations, by Jan Post (Secretary General of the Netherlands Red Cross)
9:40 - 9:50	Opening on behalf of the Dutch Ministry of Foreign Affairs, by Rob de Vos (Deputy Director General for International Co-operation of the Netherlands Ministry of Foreign Affairs)
9:50 - 10:00	Opening on behalf of the IFRC, by Ibrahim Osman (Director Monitoring & Evaluation of the IFRC)
10:00 - 10:30	Keynote speech 1; 'Code in a changing context, 1994-2004', by Peter Walker (Director of the Feinstein International Famine Center, Tufts University)
10:30 - 11:00	Keynote speech 2; 'The universal value of the Code?', by Younis El-Khatib (President of the Palestine Red Crescent)
11:00 - 11:30	Break
11:30 - 12:00	Keynote speech 3; 'The Code's use in practice', by Brendan Gormley (Chief executive of the Disasters Emergency Committee)
12:00 - 12:30	Presentation research findings by Thea Hilhorst (Senior Lecturer at Disaster Studies, Wageningen University)
12:30 - 13:45	Lunch
13:45 - 14:00	Intermezzo
14:00 - 16:00	Workshops (subjects and facilitators on the next page)
16:00 - 16:30	Break
16:30 - 17:15	Panel discussion with the keynote speakers and the workshop facilitators
17:15 - 17:30	Closure
17:30 - 17:45	Testimony of an aid worker
17:45 - 18:45	Drinks

Topics and facilitators of Workshops

1 **Negotiating principles**
Hugo Slim (Centre Humanitarian Dialogue, Chief Scholar)

2 **Independence**
Rosien Herweijer (PSO, Director)

3 **Reducing future vulnerabilities**
Fernando Almansa (Oxfam International, Humanitarian Coordination Manager)

4 **Annex 4: recommendations to ourselves**
François Grunewald (Groupe URD, Chairman)

5 **The future of the Code**
Alison Joyner (Sphere, Project Manager)

6 **Article 5: we shall respect culture and custom**
Welmoed Koekenbakker (independent consultant)

7 **Local codes - how principles are used on the ground**
Lewis Sida and Sean Lowrie (consultants for ICVA and SCHR)

ANNEX 4 **LIST OF PARTICIPANTS**

Name	*Organisation*
Ali Bouguedour	Algeria RC
Alison Joyner	Sphere
Anette Christoffersen	Danish Refugee Council
Angelo Simonazzi	Handicap International
Anja de Beer	Acbar
Anne Holmes	Trocaire
Anne Pieter van Dijk	Novib
Anneli Karras	Fida International
Annemie Peeters	Belgian RC - Flanders
Arthur Molenaar	Netherlands RC
Atallah Fitzgibbon	Islamic Relief Worldwide
Axel Vande Veegaete	Belgian RC - Flanders
Bela Tsugaeva	World Vision Russian Federation
Bhola Sah	AMURT International
Birgit Philipsen	ADRA Denmark
Bobby Lambert	RedR
Bodil Holmsgaard	DanChurchAid
Bonnie Noorman	Cordaid
Brendan Gormley	DEC
Bruce Biber	ICRC
Cees Oosterhuis	Dorcas Aid International
Channah Bentein	Oxfam-Solidarity
Chris Stuart	Oxfam Australia
Clodagh Heagney	Oxfam Ireland
David Wightwick	Merlin
Davide Martina	COOPI
Davron Mukhamadiev	Tajik RC
Debby Mulholland	Beyond Us
Degan Ali	Horn Relief
Dick Kleinhesselink	Kerkinactie
Dominic Crowley	Concern Worldwide
A. Alsammari	Human Relief Foundation
Ed Schenkenberg van Mierop	ICVA
Eliane Provo Kluit	Ministry of Foreign Affairs
Emanuele Pinardi	COSV
Erik Lode	Ministry of Foreign Affairs
Eva von Oelreich	IFRC
Fergus Conmee	CAFOD
Fernanda Teixeira	Mozambique RC
Fernando Almansa	Oxfam International
Fidèle Bushirande Gakuba	Rwanda RC
François Grunewald	Groupe URD
George Corputty	Baileo Maluku
Goossen Hoenders	Ministry of Foreign Affairs

Grainne Delaney	ELP
Gustaf von Essen	Qandil
Hanneke van Sambeek	Netherlands RC
Heleen Rommes	Novib
Hugo Slim	Centre for Humanitarian Dialogue
Ibrahim Osman	IFRC
Igor Shirikov	Russian RC
Ingo Radtke	Malteser Hilfsdienst e.V
Jan de Graaf	Netherlands RC
Jan Post	Netherlands RC
Jannelieke Aalstein	Ministry of Foreign Affairs
Joel McClellan	SCHR
Johan Kieft	CARE Indonesia
John Mitchell	ALNAP
John Peter Nelson	Caritas India
Jonathan Potter	People In Aid
Joost Andriessen	Ministry of Foreign Affairs
Joris Tielens	Journalist
Kate Mackintosh	MSF - Netherlands
Kathrin Schick	Voice
Kor van der Helm	ZOA Refugee Care
Kveta Princova	Caritas College of Social Work
Lewis Sida	ICVA
Lidy Navis	Ministry of Foreign Affairs
Liesbeth Schockaert	MSF - Belgium
Lola Gostelow	Save the Children UK
Manisha Thomas	ICVA
Manon Olsthoorn	Ministry of Foreign Affairs
Marc Hofstra	Netherlands RC
Mark de Koning	Cartoonist
Martin Campbell	IAM
Marvin Pervez	Church World Service Pakistan/Afghanistan
Mathias Sommer	Deutsche Welthungerhilfe / German Agro Action
Matthias van Lohuizen	Hammer Forum
Maurice Herson	Oxfam GB
Michaela Raab	Oxfam Deutschland e .V.
Mohammed Kroessin	Muslim Aid
Monique Muller	Ministry of Foreign Affairs
Najmuddin Mojadedi	Vara
Nel den Boer	World Vision Nederland
Nok van de Langenberg	CARE Nederland
Oscar Rodríguez	PCS
Paolo Cereda	Jesuit Refugee Service
Pascasie Kana	OAP
Paul Borsboom	CARE Netherlands
Peter Walker	Feinstein International Famine Center
Pierrette Quintiliani	Oxfam America
Pim Kraan	Ministry of Foreign Affairs
Rachmat Ahadijat	PMI-Indonesian RC

Raffaele Salinari	Terre des Hommes International
Raga Alphonsus	ZOA Sri Lanka
Rebekka Sah	AMURT International
Rob de Vos	Ministry of Foreign Affairs
Rob van den Heuvel	Humedica International
Rosario Iraola	Intermon Oxfam
Rosien Herweijer	PSO
Russell Kerkhoven	PSO
Sabine Eckart	Medico International e.V.
Samantha Chaitkin	Voice
Samuel Lubuto	Sams-Sweden
Sasja Kamil	Cordaid
Saskia Kouwenberg	Independent Human Rights Activist
Sean Lowrie	ICVA
Simon Tuinstra	Ministry of Foreign Affairs
Simone Rocha	MSF - Belgium
Sipke Visser	Photographer
Stefano Piziali	CESVI
Sunsar Narayan Mishra	CYSD
Sylvia Borren	Novib
Tanzim Wasti	Muslim Aid
Thea Hilhorst	Disaster Studies
Thomas Petracek	ADRA Deutschland e.V.
Tilleke Kiewied	Novib
Tineke Ceelen	Stichting Vluchteling
Titon Mitra	CARE International
Toby Porter	Save the Children UK
Tom Delrue	Refugee Education Trust
Ton Huijzer	Netherlands RC
Ton van Zutphen	World Vision International
Tony Eastwood	Tearfund UK
Tony Sheldon	Journalist
Walter Ricardo Cotte	Colombian RC
Welmoed Koekenbakker	Independent Consultant
Younis El-Khatib	Palestine RC
Yvonne Klynman	IFRC
Zeynep Gündüz	Refugee Education Trust