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Cultures of humanitarianism: Perspectives from the Asia-Pacific

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Preface

MIWA HIRONO AND JACINTA O'HAGAN

With complex humanitarian emergencies and natural disasters occurring with greater severity and frequency in various parts of the world, questions of humanitarianism – particularly how it should be conceived and practised – have become all the more relevant to our rapidly globalising world. In spite of conventional perspectives of humanitarianism as constituting a 'universal' value that transcends both time and context, there are, in fact, diverse interpretations of this complex concept, with its meanings being far from uncontested and uncontroversial. The socio-cultural context of any given situation in which humanitarian action is taking place often works to significantly complicate matters. This raises the questions: to what extent do different cultures share similar understandings of humanitarianism? How do diverse and varied understandings of humanitarianism inform the way distinct societies and cultures respond to humanitarian imperatives and challenges? These questions are particularly important given the increasingly significant role of non-Western governments and societies in international humanitarian assistance, and of their changing attitudes towards aid. The Asia-Pacific region provides a particularly important site of this evolution. This dynamic region has not only been the site of a range of crises that have generated humanitarian needs, but is also a significant site of humanitarian agency. Both official and civil society actors are playing increasingly important roles in responding to domestic, regional and international humanitarian crises. In this context, understanding concepts and attitudes of non-Western actors towards humanitarian assistance is extremely important for establishing effective working relationships and has ramifications for the cohesion and direction of humanitarian action in the region as well as internationally.

This *Keynote* seeks to address some of the questions about the ethics, concepts and practices that inform the ways in which humanitarianism is understood in the Asia-Pacific region. The short essays interrogate the universal concept of humanitarianism and examine approaches to humanitarianism found in China, Japan and Indonesia. In so doing, they explore commonalities and variation in concepts and practices of humanitarianism. The leading essay by Miwa Hirono and Jacinta O'Hagan presents guiding questions that allow us to elucidate important commonalities and differences in conceptions and practices of humanitarianism in the Asia-Pacific, without harbouring presuppositions as to what the definition of humanitarianism should be. They also illustrate key tensions arising from such differences and from the complex and contested nature of humanitarianism more broadly. William Maley discusses complexities of the concept of humanitarianism by

exploring the meanings of being human, humanity and humanitarianism, and by pointing out key challenges of these for humanitarianism in practice. Jeremy England, then, takes us back to the argument about the need for a clearer definition of humanitarianism and a stricter separation of humanitarianism from other forms of intervention, such as development assistance. This is because he defines humanitarianism as 'a form of aid given separately of other agendas'. He argues that conflation of other forms of intervention with 'humanitarian' aid obscures the transparency and accountability of aid.

The next three essays examine conceptions and practices of humanitarianism from Chinese, Japanese and Indonesian perspectives. Miwa Hirono argues that China's assistance is informed by the historically-oriented concepts of state legitimacy and unity between the state and its people. However, she suggests that the way these concepts are put into practice is evolving in the changing international and domestic social and political circumstances. Yukie Osa discusses the nature of different actors and the roles they play in the evolving structure of humanitarian assistance in Japan. She further discusses the complex, historically-embedded challenges Japan's humanitarian actors face. Finally, Sigit Riyanto focuses on Indonesia, examining the philosophical, institutional and legal frameworks of humanitarianism in Indonesia, the challenges faced in implementation of humanitarianism and the sources of hope for the future that come from an increase in genuine popular solidarity in humanitarian activities.

These six essays raise issues of the tension between the ethics of universalism and particularism, but also questions of power, representation and agency that reflect the cultural, normative and political complexity of this dynamic region. Exploration of cultures of humanitarianism has only just begun, and the issues and questions raised in these essays will need to be taken up by future research.

The pursuit of humanitarianism in a multicultural world: Critical issues and key tensions

MIWA HIRONO AND JACINTA O'HAGAN

With complex humanitarian emergencies and natural disasters occurring with greater severity and frequency in various parts of the world, questions of humanitarianism – particularly how it should be conceived and practised – have become increasingly important. Given the inherently heterogeneous nature of contemporary international society, how humanitarian actors operate within a multicultural world order presents both challenges and opportunities. Conventionally, humanitarianism is understood as constituted by 'universal' values that transcend both time and context. But there are, in fact, diverse interpretations of this complex concept. As a consequence, its meaning is far from uncontested and uncontroversial. In addition, the socio-cultural context of any given situation in which humanitarian action is taking place can often accentuate and compound tensions arising from diverse interpretations of humanitarianism. This can significantly complicate matters, particularly in complex humanitarian emergencies, which tend to not only be intrinsically political to begin with, but where the mismanagement of socio-cultural sensitivities can lead to disastrous outcomes despite the best intentions.

It is important to problematise this often 'taken for granted' idea that humanitarianism is understood the same way in all societies. In particular, it is imperative to interrogate the extent to which different cultures share similar understandings of humanitarianism; and how diverse and varied understandings of humanitarianism inform the way in which distinct societies and cultures respond to humanitarian imperatives and challenges. Nowhere are these issues more significant than in the Asia-Pacific. This dynamic region has not only been the site of a range of crises that have generated humanitarian needs, but is also a significant site of humanitarian agency. Both official and civil society actors are playing increasingly important roles in responding to domestic, regional and international humanitarian crises. In this essay, we ask how can the perception of what constitutes humanitarian obligation and the legitimate form of response be understood without necessarily privileging existing dominant conceptions? We argue that one way that this can be achieved is by comparing and contrasting actors' understandings of the humanitarian imperatives in responses to the three central questions: who acts for whom in response to humanitarian crises? Why do they act? How do they act? We focus in particular on conceptions and practices of humanitarianism found in China, Japan and Indonesia. This provides a representative rather than a compre-

hensive set of insights from the region, but is one that provides an effective starting point for inquiry and dialogue on this important issue. The essay first unpacks these questions in greater detail; it then points to key tensions that the questions bring to the fore; and finally it reflects on what these findings suggest for the development of approaches to humanitarianism that are respectful of difference, but help constitute cohesive approaches to humanitarian need across cultures and contexts. The issues, concepts, tensions and challenges outlined in this essay are explored in greater depth in the companion essays in this *Keynote* collection.

GUIDING QUESTIONS

Who acts for whom in response to humanitarian crises?

In any humanitarian crises, a range of different actors and agencies are involved in the provision of humanitarian assistance. Humanitarian responses include the agency of state and non-state actors, transnational actors, the military and the local community. But the level of involvement of different actors, the nature of their roles and the relationships between them varies greatly. To some extent this variation is due to the nature and context of the crises, but there is also variation across political, social and cultural contexts. A key issue governing the structural framework of humanitarian assistance in any society is, who is seen as having responsibility to respond to humanitarian need? And to whom are these responsibilities owed? To ask these questions allows us to probe different conceptions of who are perceived as the *legitimate* providers and recipients of humanitarian assistance, without harbouring presuppositions as to what the answer to these questions should be. At the same time, it is also important to acknowledge that conceptions of the roles and responsibilities of different actors and the relationships between them are not necessarily static, nor uniform. Such conceptions evolve and change over time and in the wake of social and political change. In addition, conceptions of legitimate agency may be contested within as well as across cultures and societies. Taking these factors into account, it is also valuable to be alert to the politics involved in the 'representation' of various actors.

Why do they act?

The traditions and principles of moral obligation and assistance that impel humanitarianism in culturally and religiously distinct societies must be considered in order to ascertain whether it is possible to talk about *cultures* of humanitarianism. If so, what are the possible convergences and divergences in understanding between them? The traditions and principles of moral obligation and assistance often derive from enduring histories of a particular society. However, again, such traditions and principles are not static. They are the product of dialectic interaction with a variety of factors inside and outside of society, and

evolve over time. Conceptions of humanitarian imperatives therefore need to be considered in the context of social and political changes.

How do they act?
Just as the conception of who should act and why they should act underpin perceptions and practices of humanitarianism in all societies, the question of how they should act informs understandings of legitimate practices. It speaks to conceptions of how the humanitarian imperative should be pursued. Of course a range of factors shape humanitarian responses in each and every crisis, but here we highlight two factors that can generate very different perceptions of how and indeed when humanitarian assistance should be provided. The first concerns the way in which the nature of the crisis unfolds. Specifically, complex emergencies and natural disasters can elicit very different conceptions of whether a humanitarian response is appropriate or feasible.

The second factor relates back to the issue of agency and to the relationships among the variety of 'humanitarian' agents involved in providing assistance on the ground. Conceptions of legitimate agency can shape what is expected of particular actors in any crisis. It can also impact upon the complex relationships between actors and upon coordination and cooperation between them. Three major divides are evident in many humanitarian efforts: the civil/military divide, the international/national/local divide, and the technical/policy culture and social/indigenous cultural divide. Our preliminary research indicates interesting variation in the way in which these divides are negotiated and managed across cultures in the region.

KEY TENSIONS
The questions outlined above seek to provide a way of examining conceptions and practices of humanitarianisms across cultures and societies without presuming that any one approach provides us with the definitive conception of humanitarianism. Applied to the study of humanitarianism in the Asia-Pacific, they provide a means to reveal both synergies and variation in the conceptions of humanitarianism in the region. At the same time it brings to the fore tensions, some of which are due to this variation and some due to the complex and contested nature of humanitarianism more broadly. Here we outline three key axes of tension: that between the universal and the particular; between ethical and political imperatives; and between technical/policy cultures and social/indigenous cultures.

Universalism versus particularism
One of the key tensions in conceptualisations of humanitarianism is between the universality of the concept, and cultural and contextual contingencies. Humanitarianism necessarily contains elements of both universality and particularity. As Yukie Osa notes, 'humanitarianism is a

universal language, but when it comes to the Asian region, [the meaning of] humanitarianism is not universal'.[1] Attempts to discern common standards of humanitarian conduct, or 'core principles of humanitarianism' as expressed by the International Committee of the Red Cross, exemplify this desire to uncover the 'essence' of humanitarianism that can transcend time and context. The question, however, is whether such principles as 'humanity, impartiality, neutrality, and independence' are viewed as essential by all humanitarian actors irrespective of their varying socio-cultural backgrounds.

Four key points have emerged from our exploration of humanitarianism in the Asia-Pacific region. First, cultures and contexts generate different interpretations of humanitarianism. This leads to multiple interpretations of humanitarianism. This is important because particular 'understandings of what "humanitarian" means can lead to very different actions and patterns of behaviour'.[2] Understandings of the working of civil society actors are also affected by a particular political, social and cultural context.[3] Humanitarian advocacy groups in Indonesia and China are a case in point. Practices of humanitarian advocacy in these states tend to differ greatly from their Western counterparts, being more low-key and, in certain cases, more dependent on the 'good graces' of the state. This has ramifications for how and when assistance is provided, with ramifications for conceptions of impartiality. At issue here is whether these divergences can be reconciled with a more common basis of understanding.

Our second point qualifies this first observation, however. While cultural differences matter to conceptions of humanitarianism, such differences are not always irreconcilable. Muslim conceptions and practices of humanitarianism, both in terms of assistance and protection, are very much embedded in traditions of Islamic thought. The origins of these ideas can be traced back to the Islamic faith and divine law, which have subsequently come to inform the operation of Muslim faith-based organisations. Although these organisations are heterogeneous in operational terms, they are 'homogeneous in inspiration'.[4] However, they are ultimately based on concepts of obligation and need that are

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[1] Yukie Osa, remarks, in Miwa Hirono, Jacinta O'Hagan and Pichamon Yeophantong, 'Cultures of humanitarianism: Perspectives from the Asia-Pacific', workshop summary paper, June 2012, p. 4, ips.cap.anu.edu.au/ir/cultures_of_humanitarianism/workshop_report.pdf (accessed 31 July 2012).

[2] William Maley, in ibid., p. 4.

[3] Nell Kennon, remarks, in ibid., p. 5.

[4] Tanvir A. Uddin, in ibid., p. 5.

compatible with broader humanitarian principles. Indonesia is an interesting case in this regard.

In Indonesia, the philosophical basis for understandings of humanitarianism is embodied in both Indonesian traditions and the *Pancasila* (five principles). An example of this thinking can be found in the principle of *Kemanusiaan yang Adil dan Beradab* (just and civilised humanity), which requires all human beings to be treated with due regard given their dignity as God's creatures.[5] Whilst the sentiment of 'humanity' expressed here is drawn from Islamic traditions and thought, it resonates deeply in Indonesia, traversing religions and cultures within that society. At the same time, the application of such principles can vary. Local political cultures can shape and even impede the application of their principles. For instance, in Indonesia, conflicts of interest between the central and local governments and the complex relationship that exists between the state and civil society continue to complicate the allocation of aid and the granting of access to people in need of assistance.[6] This suggests that even when there are strong commonalities in interpretations of humanitarian principles, these may be obscured by the way local political contexts affect and shape the application of these principles.

The third point that relates to the relationship between the universal and particular is the question about the breadth of definitions of humanitarianism employed in different societies and by different agents. Jeremy England advocates for 'clearer definitions' and a 'stricter separation of humanitarianism from other forms of intervention' such as development assistance.[7] This is because too inclusive definitions could 'damage a specifically humanitarian approach (by associating it with aid conducted for a dozen other agendas) as well as our ability to meaningfully analyse it'.[8] On the other hand, as Osa and Miwa Hirono demonstrate in their essays in this volume, in relation to their respective cases of Japan and China, the state is one of the major humanitarian actors in those countries. There is a strong tendency for these states to nest humanitarian action within a broader range of foreign policy and development initiatives. By definition, then, humanitarianism in those countries is conflated with 'other agendas' such as political imperatives. This raises the issue of tensions between ethical and political imperatives, which leads to the second axis of tension discussed below.

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[5]   Sigit Riyanto, in ibid., p. 4.

[6]   Ibid.

[7]   See Jeremy England's essay in this volume.

[8]   Ibid.

The fourth point, an important one that must be kept in mind when examining the relationship between the universal and particular, is that 'cultures' of humanitarianism transform over time. As Pichamon Yeophantong has observed, 'humanitarianism is not static, nor monolithic. It *has* evolved and it *is* influenced by a variety of historical and political factors'.[9] This holds true not just for humanitarianism as a broad concept, but also for humanitarianism within different cultures and societies. In Japanese and Chinese societies, a 'communitarian ethic of obligation' – which sees one's ethical obligations as expanding in concentric circles – has long been the predominant mode of thinking on humanitarianism.[10] Today, China, in particular, continues to harbour this attitude in its foreign policy-making, where its responsibility is conceived to be first and foremost to its own people. Nevertheless, the conception of humanitarianism in China continues to grow as China evolves as an international actor. China is making a gradual shift in its attitude towards international contributions to humanitarian crises in developing regions, with increasing engagement with regions beyond the Asia-Pacific, such as in Africa.[11] A similar change can be observed in Japan. Here, the first Iraq War in 1991 was a catalyst, generating popular pressure to push the government to become more active in international humanitarian activities. Analysts discuss why China and Japan have been broadening their international humanitarian engagements. They often conclude that national interests drive the increase in humanitarian activities, rather than the sense of global ethical obligation. This echoes the contentious realist argument that states pursue their own strategic self-interests, often with scant regard for international ethics to which they rhetorically claim to adhere. This, again, leads us to the second axis of tension that permeates comparative analyses of cultures of humanitarianism in the region, which is the tension between humanitarianism based on a sense of ethical obligation, and humanitarianism based on political imperatives.

Ethical obligations versus political imperatives

In practice, humanitarian actions often blend elements of ethical obligation and political imperatives. It is rarely possible to clearly segregate so-called 'ethical' and 'political' imperatives in humanitarianism, but the question of how the balance between the two is achieved is a critical issue facing humanitarian civil society agents in the region. In Japan, China and Indonesia, civil society actors often have to address

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[9] Pichamon Yeophantong, remarks, in Hirono, O'Hagan and Yeophantong, 'Cultures of humanitarianism', p. 5.

[10] Ibid.

[11] Miwa Hirono and Marc Lanteigne, 'Introduction: China and UN peacekeeping', *International Peacekeeping*, 18(3) 2011: 243–56.

primarily state-led humanitarian agendas. Osa illustrates the challenges of attempting to balance between state prerogatives and a (non-state) humanitarian agenda through the example of the Association for Aid and Relief's (AAR) efforts to provide famine relief to North Korea. The political tensions between Japan and North Korea have led to severe restrictions on Japanese relations with North Korea. Therefore, officially, Japanese organisations are not permitted to provide assistance to North Korea – a stance which, by extension, applies to the majority of humanitarian agencies in Japan. This has created an obstacle for AAR's proposed assistance to famine relief. At the same time, as an 'independent' and 'impartial' humanitarian organisation, AAR is expected by its constituencies to provide assistance to those in need regardless of their political suasions.[12] The question of how the balance between the ethical and political imperatives can be achieved is also considered in Hirono's essay. She argues that China's assistance is informed by the concept of state legitimacy and unity between the state and its people. China's disaster assistance is state-centric, which works efficiently in practice because of the state's overall strong capacity to deal with disasters. However, the question of how to reconcile its state-centric approach with the reality of civil society actors poses a challenge for the future when witnessing a rapid qualitative and quantitative increase in humanitarian civil society actors in China.

These tensions are perhaps not unique to Asia-Pacific cultures or societies. Indeed, they highlight the fact that all humanitarian actions are located within broader political contexts. It is essential to understand the politics of any crisis, for only then can the power-based human relations that underlie the 'politics of humanitarianism' be understood.[13] This is as much the case in the Asia-Pacific as elsewhere. An awareness that both elements co-exist is a necessary prerequisite for effective humanitarian activities.

The tension between political and ethical imperatives is also evident when comparing governments' responses to complex emergencies and natural disasters. Responses to disaster events tend to be less 'politicised'. As a result governments often prove to be more willing to extend assistance. In the Chinese case, conducting disaster relief operations is less controversial than providing assistance in complex emergencies. This is because the Chinese government can avoid the controversy surrounding issues such as the *a priori* consent that is often involved in 'humanitarian intervention'. Assistance in the case of natural disasters must be requested by the host state. This can have

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12 See Hirono, O'Hagan and Yeophantong, 'Cultures of humanitarianism', pp. 5–6.
13 Gavin Mount, remarks, in ibid., p. 6.

ramifications for relations between assistors and the host states. For instance, in the wake of the devastation following the tsunami in Aceh in December 2004, the Indonesian government was more willing to accept international disaster assistance than in the context of conflict, viewing the natural disaster matter in relatively 'de-politicised' terms.

The relationship between technical/policy cultures and social/indigenous cultures

The third axis of tension that quickly becomes evident in an analysis of conceptions and practices of humanitarianism in the Asia-Pacific is that of communication between external and local actors, and the relationship between the technical language and culture of aid agencies and local and indigenous cultures. The establishment and maintenance of communication with local communities is critically important. A key issue here is the extent to which, and ways in which, local agencies and networks are acknowledged and engaged with in humanitarian operations. This encompasses both the acknowledgment of the significance of local agencies and networks, and also ensures that effective communication is established between external and local actors to build trust and cooperation. Good communication is critical not only to achieving effective coordination but also to building the trust that facilitates access. Establishing effective communication is critical in the negotiation of 'humanitarian space'. As England argues, humanitarian space is fragile, inconstant and can never be taken for granted. It is acceptance that generates the humanitarian space. Acceptance is earned through interaction and the building of trust. External agencies need to negotiate and re-negotiate such space with a variety of actors on-the-ground 'day-by-day through trust and cooperation'. As England noted, drawing on his experience in the field, 'you earn [trust] through years of hard work, but you can lose it in an afternoon'.[14]

Effective communication requires careful awareness of the dangers of divisive language that can plague humanitarian activities. Humanitarian practitioners, policy-makers and academics have their own unique language, standards of expectations and ways of thinking. In a sense, these organisations have their own 'culture' with their own technical and professional language. Technical and policy language is often not readily comprehensible to local populations. Humanitarian practitioners are not ill intentioned. Their goal is to develop frameworks and approaches that are neutral and can be applied across all cultural contexts, but the result can be sterile and technical approaches can become a barrier rather than a bridge to communication and understanding. This can result in unintended consequences that undermine

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[14]   See England's essay in this volume.

trust, acceptance and the effective provision of humanitarian assistance in the culturally and politically complex situations within which humanitarian actors are working. In addition, the language used in humanitarian assistance can often depict beneficiaries as 'victims' and 'passive' recipients of aid, rather than 'active' agents who form an integral part of the humanitarian process. Hiroko Inoue has demonstrated this in the context of Timor-Leste, where she argues such language has given an impression to the East Timorese that external humanitarian agencies lack knowledge of East Timorese culture. As Inoue notes, this 'has a significant impact on how both the local population and humanitarian actors come to understand who they are and what is expected of them'.[15]

CONCLUSION: THE WAY FORWARD

The pursuit of humanitarianism in a multicultural world presents a complex range of issues and challenges. There is a constant tension between the quest to identify and consolidate universal principles, conceptions and practices that can provide a common platform for action with an appreciation for, and incorporation of, diverse approaches and attitudes. We oscillate between the quest for very specific definitions of humanitarianism and those that are broad, but somewhat diffuse. The overarching challenge, however, is how to move beyond the mere recognition of cultural specificity and difference to humanitarian policies that embrace difference and diversity. Meeting this challenge means developing the capacity to balance culturally diverse conceptions of humanitarianism, with the imperative to create and disseminate a 'common' humanitarian language that all can refer to, irrespective of their differences. Only by recognising the contested nature of understandings of humanitarianism and the existence of alternative conceptions can the barriers that currently inhibit effective cross-cultural communication be gradually taken down.

To do this, it is imperative for humanitarian agents to be 'self-reflexive'. Actors need to be aware of their own cultural subjectivities and clear about their motives. At the same time, self-reflection must be balanced by the willingness and capacity to listen to the perspectives and priorities of others. This is arguably one of the most difficult tasks, as it requires all humanitarian actors, no matter who they are and where they are located whether at the local, national or global level, to look beyond their own understandings of humanitarianism and to be open to alternative perspectives.

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[15] Hiroko Inoue, in Hirono, O'Hagan and Yeophantong, 'Cultures of humanitarianism', p. 7.

Given that trust is the 'most important humanitarian commodity', there is also a need to build and maintain 'trust' between those affected and humanitarian actors by continuing to keep channels of communication open. This entails the need for training to include the development of cross-cultural communication as well as the technical skills required for humanitarian emergency response. This would help strengthen capacities for external humanitarian practitioners to build relationships and networks with beneficiaries, local practitioners and each other, enhancing mutual understanding, trust, acceptance and access.

Enhancing engagement between state agencies (including the military), non-state and transnational humanitarian actors is critical but also demands recognition that the relationships amongst these actors varies across societies. The specific expertise – whether technical, policy, social or indigenous – of these actors are often complementary. As such, partnerships between them cannot only help to contribute to the construction of a more inclusive humanitarian space, but can also facilitate humanitarian efforts in the field.

More research needs be conducted into the variety of cultural approaches to humanitarianism in the Asia-Pacific. This must include not only discussion of the broader conceptual dimensions of humanitarianism but also focused research on particular issues and case studies. Such a balanced agenda would provide rich empirical insights into continuity and variation in conceptions and practices of humanitarianism in the region. This is crucial to enhancing the quality of design and implementation of humanitarian assistance.

The universality of humanitarianism: A questioned concept?

WILLIAM MALEY

There is no doubt that the idea of humanitarianism is extremely complex. There are a number of reasons why this is the case. One is undoubtedly that there are a range of different interpreters who have offered their own understandings of humanitarianism as part of an ongoing discussion about its significance. A second, however, is that the idea of humanitarianism is built around a number of other complex ideas which are often not examined as closely as they should be, at least when humanitarianism is under discussion. Embedded within the idea of humanitarianism is the idea of humanity, and embedded within *this* is the idea of what it means to be human. Furthermore, even if there is consensus over the broad values of humanitarianism, there is still scope for lively debate over whether they can realistically be expanded to a global level, or whether humanitarianism should be practised predominantly within particular communities. My aim in the following remarks is to explore some of the difficulties that are involved in making use of these concepts.

BEING HUMAN, HUMANITY AND HUMANITARIANISM

The question of what it means to be 'human' is one that has preoccupied philosophers for more than 2,000 years. In *The Statesman*, Plato promoted the image of man as a featherless biped. More sophisticated approaches since then have focused on the ability to develop religious sentiment, on the existence of sentience, on the capacity to empathise with others, on the ability to enter relationships of trust, and even on the importance of being able to pose the question of what it means to be human in the first place. In the light of these approaches, and with the concept of *homo sapiens* firmly established as a component of the Linnaean system of categorisation, the question of what it means to be human might seem a somewhat arcane one. Unfortunately, it is not. An unsettling feature of modern times has been the proliferation of pseudo-scientific approaches that seek to divide *homo sapiens* into different categories on the basis of assigned identities. From the racial theories of Gobineau onwards, manifestations of this dangerous phenomenon have abounded. These reached their peak with the Nazi concept of *Untermenschen* and the Final Solution following the Wannsee Conference in January 1942, but continue to surface in events such as the Rwandan genocide of 1994. There are even perils associated with the ostensibly

innocuous notion of 'civilisation', which has long figured in discussion of world affairs, but which is not nearly as harmless as it seems.[1] Dehumanisation remains a potent political strategy in certain circumstances.

The concept of humanity is also a complex one, not least because the term itself is polysemic: humanity is both a collective noun, and a particular value. Even if humanity as a collective noun is not a semantic universal, there is some evidence to suggest that the word 'people' is; and in European languages, one finds words such as *gens* in French, *Leute* in German, and *liudi* in Russian which carry this specific connotation.[2] As the label for a value, however, there is no reason to expect similar universality in usage of the word 'humanity'. What is considered humane, or as a manifestation of humanity, seems to have varied over time and place, with different individuals and groups guided by varying understandings of what humane behaviour entails.

All this creates considerable difficulties for any notion of universalistic humanitarianism. It is relatively easy to point to specific impulses in different historical contexts that one might easily deem 'humane': the enactment by the English Parliament of the *Statute of Charitable Uses* of 1601, and the establishment of the Red Cross movement in 1863, come to mind. It is much harder to make the case for a generalised or universal conception of humanitarianism. Indeed, some might go so far as to argue that humanitarianism is an essentially contested concept.[3] This probably goes too far, but there are strong grounds for conceding that different cultural scripts will shape understandings of what humanitarianism is and what it requires. This in turn raises the question of what kinds of community might shape such cultural scripts.

COMMUNITIES AND HUMANITARIANISM

The idea of humanitarianism as a commitment to the swift relief of human suffering no matter where it is to be found might seem to invoke the image of a global human community, but this is at best a metaphor or an ideal rather than a reflection of the ways in which the politics of

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[1] See Gerrit W. Gong, *The standard of 'civilization' in international society* (Oxford: Oxford University Press, 1984); Brett Bowden, *The empire of civilization: The evolution of an imperial idea* (Chicago: University of Chicago Press, 2009).

[2] Anna Wierzbicka, *Semantics: Primes and universals* (New York: Oxford University Press, 1996), pp. 40–1.

[3] See W.B. Gallie, 'Essentially contested concepts', *Proceedings of the Aristotelian Society*, New Series, 56, 1955–56: 167–98.

the world play out. Very few people would identify themselves as 'citizens of the world'. Despite all the effects of globalisation in the twenty-first century, personal ties, affiliations and associations appear as potent as ever in shaping the ways in which people relate to their fellows, and orient themselves politically. Thus, an ideal of humanitarianism finds itself routinely in conflict with local norms of reciprocity, solidarity and association. These norms are captured not only in popular statements such as the claim that 'charity begins at home', but also in more rigorous philosophical discussion, of which F.H. Bradley's famous essay 'My Station and its Duties' provides an example.[4] Even the universalist visions of the great monotheistic religions have buckled in the face of these local patterns of identification, and the Muslim idea of a universal community of believers (*ummah*) led by a Caliphate is as utopian in the twenty-first century as was the idea of a unified Christendom that underpinned the Holy Roman Empire in its dying days.

This has led some people to turn to the state as an agent of humanitarian action. There is no doubt that many humanitarian agencies now receive the bulk of their funding from state budgets, and some agencies, for example the International Rescue Committee, have long had close relationships with governments.[5] There are, however, three serious problems in relying on states to play the prime role in this sphere. First, an association with a particular state may put a humanitarian worker at risk. Second, states typically are motivated by a range of interests and considerations, of which the humanitarian maybe only one. In a democratic polity, rulers may feel obliged to respond to what they see as the opinion of the majority; or they may craft policies to pander to what they expect the wishes of the majority to be. On occasion the wishes of the majority may reflect humanitarian considerations, but there is no reason to assume that this will inevitably be the case. Third, in a society of states, there may be a 'free rider' problem that interferes with the exercise of humanitarian impulses. States seeking to find optimal ways of using scarce resources may well resile from making early commitments to humanitarian causes in the hope or expectation that other powers will fill the gap.

SOME CHALLENGES FOR HUMANITARIANISM

In the last decade or so, much has been done to investigate the challenges of undertaking humanitarian action in an appropriately reflective and self-critical fashion. The paradoxes of humanitarian action

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[4]   F.H. Bradley, *Ethical studies* (New York: Oxford University Press, 1962).

[5]   See Aaron Levenstein, *Escape to freedom: The story of the International Rescue Committee* (Westport: Greenwood Press, 1983).

have been investigated with care and skill by researchers such as Fiona Terry, David Rieff and David Kennedy.[6] Michael Barnett has drawn attention to the dilemma of whether to work within existing systems, or seek to replace them.[7] The most swingeing critique sees humanitarianism as *adding* to suffering by contributing to the prolongation of conflict.[8] This may go too far, but in the light of all these analyses, no longer can one automatically treat humanitarian action as an unalloyed good. Much of what results from humanitarian action *is* positive, but humanitarian action is more than capable of having unintended consequences that are negative in their import.

One of the reasons why this is the case is that humanitarianism is not the only positive value that one might seek to promote or defend. Desirable as it may be in the abstract, in practice it may compete with the requirements of other values such as democratic accountability, justice, or individual freedom. The classic and haunting example was the involvement of the International Committee of the Red Cross in visiting Nazi camps during the Second World War.[9] The real world, as Avishai Margalit has recently reminded us, is a world shot through with compromises, and often the best we can hope is that these compromises will not be rotten to the core.[10]

It is tempting to defend humanitarianism in terms of its consequences, since on the whole they are positive; but if the defence of humanitarianism is *purely* consequentialist, then the risk is that humanitarianism will become indefensible if it does not seem to be working. Fortunately, this does not leave us at a dead end. Even if humanitarianism cannot be defended as a universal value, and even if humanitarian cannot be defended on purely consequentialist grounds, it can still be defended as a core cultural value in a given society. Just as human rights advocacy has struggled with the challenge of vernacularisation, so too can humanitarianism seek new foundations in the traditions and practices that distinguish different cultures. How this can be accomplished is a central concern of this *Keynote*.

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[6] See Fiona Terry, *Condemned to repeat? The paradox of humanitarian action* (Ithaca: Cornell University Press, 2002); David Rieff, *A bed for the night: Humanitarianism in crisis* (New York: Simon & Schuster, 2002); David Kennedy, *The dark sides of virtue: Reassessing international humanitarianism* (Princeton: Princeton University Press, 2004).

[7] See Michael Barnett, *Empire of humanity: A history of humanitarianism* (Ithaca: Cornell University Press, 2011).

[8] See Richard Betts, 'The delusion of impartial intervention', *Foreign Affairs*, 73(6) 1994: 20–33; Edward N. Luttwak, 'Give war a chance', *Foreign Affairs*, 78(4) 1999: 36–44.

[9] See Jean-Claude Favez, 'Une mission impossible? Le CICR, les deportations et les camps de concentration nazis' (Lausanne: Éditions Payot, 1988).

[10] Avishai Margalit, *On compromise and rotten compromises* (Princeton: Princeton University Press, 2010).

Is humanitarian aid acceptable?

JEREMY ENGLAND

> The donor's act is not an entirely simple process. It is an expression of the inequality between the person who gives and the one who receives, underlining the condition of injustice, even while alleviating misfortune ... Jean-Jacques Rousseau … considered a gift to be a *contract presupposing the consent of both parties*. It is only by the application of this rule that humanitarianism respects man's dignity.[1]

INTRODUCTION

The project to better understand what humanitarianism is and how it is articulated and perceived in different cultures is more critical than ever. Needs are greater and more complex. New forms of aid are multiplying: there are new donors, new actors on-the-ground and new technology allowing people to act and interact from anywhere. Affected populations are more empowered and informed, host nations more assertive and both are increasingly suspicious of the motives that underpin aid. Aid provision has become more risky. The manipulation of aid for different objectives is not new, but it appears more conscious and widespread. There have been too many compromises in what we choose to call humanitarian aid, what we try to integrate into it and how we choose to go about it. And insufficient results have been achieved, especially in recent mega and complex emergencies, such as the Haiti earthquake, the Pakistan floods or the Somalia food security crisis.

In today's multipolar world, the aid sector as a whole, and the humanitarian aid component within it, is under as much pressure as the world's financial, security and diplomatic sectors. In a crowded sector, humanitarian aid needs to show its difference from other forms of intervention and prove its intentions and its capacity to deliver – in short, to demonstrate its professionalism. Broader ownership and more consistent interpretation of the basic tenets that make humanitarian aid distinct (impartiality, neutrality and independence) are needed if it is to offer any specific value within the kaleidoscope of expressions of solidarity or self-interest that currently manifests as humanitarianism.

Underlying humanitarian assistance are a host of complexities, too many to discuss here. This essay therefore focuses on three critical dimensions:

- agreed international legal norms and state's views;

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[1] André Durand, 'The International Committee of the Red Cross', *International Review of the Red Cross*, 221(March–April) 1981: 59–75, at 59–60.

- the idea of common humanitarian concepts across cultures and religions; and

- the actual perceptions of the affected communities themselves.

The essay argues that all three dimensions point to the need for clearer definitions and a stricter separation of humanitarianism from other forms of intervention (such as development assistance, international justice, peacekeeping or counter-insurgency strategies, all of which may more readily be seen as interference in one way or another). At the same time, these dimensions demand that humanitarian aid be more ambitious, not less – that it responds to all those not cared for at times of greatest need and, in addition, that it contributes to 'early recovery' and long-term resilience. This essay concludes that clarity in concepts and definitions are essential to assessing humanitarian aid, its security and its utility.

DEFINITIONAL ISSUES

The term humanitarian, perhaps due to its perceived value, has been overused. The desire to shelter any and all activities for the 'global good' under the one umbrella term both damages a specifically humanitarian approach (by confusing it with aid conducted for a dozen other agendas) as well as our ability to meaningfully analyse aid effectiveness. In comparing apples with oranges, we risk throwing out the entire fruit basket. Add the diversity of contexts and crises in which humanitarian aid takes place to an over-inclusive definition and we risk problems of transparency and accountability because it becomes less clear what motive or mission is actually being assessed.

In this essay, a narrow definition of humanitarianism is maintained – a form of aid which is given separately from other agendas and is measured only on its ability to provide for those most in need, on an impartial basis, whenever and wherever it is needed. This definition is based on international humanitarian law, on affected communities and warring parties' expectations and on the need for transparency. This essay does not assume that one form of aid is better than another; rather, that clarity about what kind of aid is being provided is essential. The focus of the essay is on complex emergencies. The varying impact of conflict and disasters on different socioeconomic groupings, minorities and security agendas, means that virtually every large-scale crisis is political and complex.

LEGAL AND POLITICAL FRAMEWORKS

Even in the midst of great tension and suspicion, such as during international armed conflict, all states represented at the United Nations have agreed that certain forms of aid intervention may be provided. Through both their practice (recorded as customary international law) and through treaty law (for example, the universally adopted Geneva

Conventions),[2] states have articulated both the responsibilities for governments, occupying powers or those assuming their roles, to provide basic protections and services for affected populations, and the conditions on which humanitarian aid by others can be provided. In brief, such aid is to be consent-based, impartial, non-discriminatory, independent and *strictly humanitarian.*[3] Neutrality is not formally required by the Geneva Conventions, but the requirement to separate such aid from other interests and to win the trust of the warring parties is clear. In return, states may not block such aid for anything more than a temporary period on the basis of immediate operational or security reasons.[4] Similar, although slightly weaker, clauses apply to non-international armed conflict.

In UN resolutions on humanitarian coordination over the last two decades,[5] the fundamental characteristics of acceptable humanitarianism have been consistently reaffirmed as neutrality, humanity, impartiality and independence. In the Statutes of the International Red Cross and Red Crescent Movement, also endorsed by states, the same principles have been adopted.

These soft and hard law frameworks provide us clarity that many other forms of aid – bilateral, developmental, trade, support for social or regime change, stabilisation and so on – valuable and legal as they may be, are not to be confused with humanitarianism. States clearly want control over exactly what kind of aid they are obligated to accept in times of crisis.

CULTURAL AND RELIGIOUS FRAMEWORKS

It is not, however, only international law that defines how we think about limits and responsibilities during conflict or crises and what kind of aid is welcome. Indeed, for most people, conventions and statutes have nothing to do with it. Religion, culture, history and tradition are

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[2]   The Geneva Conventions have been ratified by 194 countries, including all member states of the United Nations. To date, only one other treaty, the Vienna Convention for the Protection of the Ozone Layer, can claim universal support.

[3]   Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977, Art 70.1: Relief actions; Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977, Art 18.2: Relief societies and relief actions.

[4]   Protocol I, Art 71.3: Personnel participating in relief actions; Jean-Marie Henckaerts and Louise Doswald-Beck, *Customary international humanitarian law, Vol. I: Rules* (Cambridge: Cambridge University Press and ICRC, 2005), Rule 56.

[5]   For example, General Assembly Resolution 66/L.28 (2011) on strengthening of the coordination of emergency humanitarian assistance reaffirms the principles laid out in General Assembly Resolution 46/182 (1991) 'of neutrality, humanity, impartiality and independence for the provision of humanitarian assistance' together with the obligation 'to promote and fully respect these principles'.

arguably more important. When it comes to both the aid and protection that should be given at times of warfare or other violence, we find that societies around the world made their minds up on this long before the Geneva Conventions. These positions are the common ground that validates humanitarian action and it is crucial to research and refer to them.

Examples are found in all the world's major religions but also in the Pacific. A whole range of taboos and practices that protected those no longer involved in 'the fight' always governed tribal warfare.[6] For the provision of assistance to those affected by tribal fights in Papua New Guinea today, the principal preconditions are neutrality and independence. Tribal representatives consistently request clarification that humanitarian aid providers are not there to judge legitimacy of 'the fight', nor to influence its outcome. At the same time, there are examples where they are prepared to protect the assistance given and to spare the providers from any violence.[7]

THE MECHANICS OF PERCEPTION

At ground level, the specifics of law, faith or tradition alone are unlikely to guarantee the perception and reception of the humanitarian gesture. The approaches of humanitarian organisations themselves are also important. The real test of the acceptability of humanitarian aid to affected populations, armed actors and governments, is to create a relation with those concerned and to seek their feedback. It is usually astoundingly clear. In discussions with anti-government tribal leaders in Afghanistan in 2010, the dividing line between humanitarian and non-humanitarian was articulated to a senior International Committee of the Red Cross (ICRC) delegate:

> Today, like 20 years ago, you come here to try and make sure prisoners are well treated, wounded taken care of, our families not bombed, or starved, or humiliated. We respect that. Now, be warned: just as we do not expect you to support our religious, social, political views and actions, so we expect you not to support – in any way – our enemies. Know when so-called humanitarian action becomes a sword, or a poison – and stop there.[8]

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[6] International Committee of the Red Cross, *Under the protection of the palm: Wars of dignity in the Pacific* (Suva: Regional Delegation in the Pacific, ICRC, May 2009).

[7] Results of an ICRC stakeholder survey on the containment of tribal violence (unpublished, 2011) and of ICRC's negotiations with individual highland tribes in PNG for the provision of assistance during tribal fights (2011/12).

[8] Fiona Terry, 'The International Committee of the Red Cross in Afghanistan: Reasserting the neutrality of humanitarian action', *International Review of the Red Cross*, 93(881) 2011: 173–88, at 188.

A methodology used by much of the humanitarian sector[9] to gain safe access, and also good programme ownership by all concerned, is *acceptance-based security.* A simplification of this approach, as used by ICRC, appears in Figure 1.

PERCEPTION
Authorities, arms carriers,
affected community

ACCEPTANCE
Authorities, arms carriers,
affected community

ACTION
Programmes
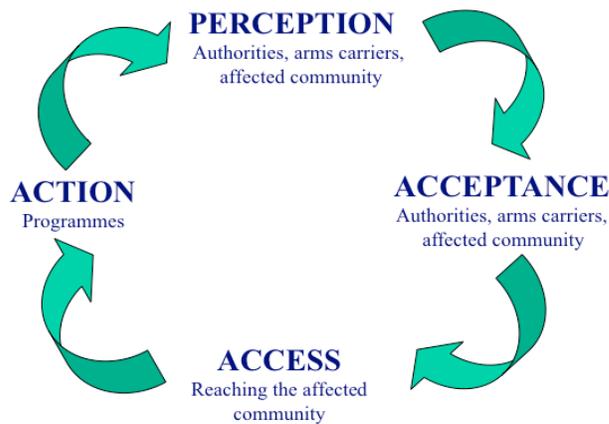
ACCESS
Reaching the affected
community

Figure 1   Acceptance-based security approach

The starting point is perception – something the community defines about the organisation, not the other way around. By listening to and exchanging with a whole range of community leaders (women, men, youth, elders, religious, tribal, military, judicial, medical, and so on), ICRC can understand both people's concerns and what they think of ICRC. The next step is to clarify and debate the way in which ICRC works – why, how and where – but also its limits. If acceptance is gained, ICRC has a chance to access communities directly to make its own assessment of need (crucial to assure the organisation's independence and impartiality) and to deliver appropriate action. The action should reinforce positive perceptions of the humanitarian endeavour and thus a virtuous cycle is established. But if ICRC does not walk its talk, or if other actors intervene claiming but not delivering the same standards, the confidence of the community – to seek assistance and protection and to allow continued access – is compromised. The Sudanese government's deportation of 14 non-governmental organisations from Darfur the day after the International Criminal Court indicted President Omar al-Bashir is an example of this. Whether accurate or not, the perception was clear that those organisations had more on their agenda – perhaps social justice or even evidence gathering activities – than just humanitarian action.

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[9]   I use the term 'humanitarian sector' to describe non-aligned providers of emergency support and services.

Similar confusion or conflation can occur when military, religious or even former colonial powers lead a humanitarian action. It reminds us that 'humanitarian space' is an abstract notion, defined by the observer, not external rationales, and that acceptance is earned every day through every interaction. Local humanitarians, although strengthened with local cultural understanding, may be just as subject to affected communities' suspicions as international actors, because of a lack of perceived independence and impartiality, and involvement with the local power structures or local religious, ethnic or class divisions.

CONCLUSION

Humanitarianism is a disputed concept and an increasingly more criticised and suspect endeavour. Greater professionalism and discipline are needed by those claiming it and clearer distinctions should be drawn between it and other forms of aid. Central to this distinction is the ability to win communities' and states' trust, to respond impartially to needs and not to be manipulated by other agendas. Local and international humanitarian actors need to strengthen their understanding of what values and interests they are seen to be representing. The recipient communities, cultures and political authorities ultimately decide how the gesture of humanitarianism is perceived, not those providing or theorising about it.

Greater research and exchange on indigenous traditions of humanitarianism can only strengthen this understanding and help clarify the common ground for humanitarian action. Common cultural references can inspire confidence, coherence and collaboration between international and national expressions of humanitarianism. In each country, there is that which inspires and a standard to be met for those who would help the most needy (not just their own people or those who will support their interests). These common standards are essentially what are codified in international humanitarian law.

Care must be taken to separate the different forms of aid and human kindness for proper assessment. The sector as a whole suffers from too many blanket generalisations and poorly defined expectations leading to imprecise and inconclusive theories and judgements. We need to measure humanitarians according to whether they can act with and for affected populations when they are most needed, in predictable, non-controversial and locally acceptable ways. Humanitarianism must respect the dignity of both sides of the exchange, but not endorse either side of any ongoing controversies or conflict. Humanitarianism is not there to reinforce one value set or power dynamic over another, or to engineer social change or a political solution. Humanitarians themselves need to be humble – they are not the solution to every ambition, nor the vehicle for all forms of solidarity or assistance.

China's conception of assistance in disaster areas

Miwa Hirono

China's increasing engagement in assistance in humanitarian crises has generated widespread debate about what constitutes legitimate forms of international humanitarian assistance. China's assistance is conducted on a government-to-government basis, bypassing a broader range of civil society actors, even when the recipient government may be part of the problem that has caused a humanitarian crisis. Analysts often criticise the way China provides assistance in these instances by arguing that China upholds the principle of state sovereignty regardless of the character of the recipient government. It is argued that China behaves in that way simply to enhance its national interests. For instance, in the case of Sudan, China has befriended the Sudanese President Omar al-Bashir, implicated in the causes of the Darfur crisis in order to secure steady, long-term resources of energy.[1] The Chinese government, how-ever, typically claims that its government-to-government approach to assistance not only enhances its national interests, but also benefits and strengthens the stability and autonomy of the recipient state – the so-called 'win-win' approach. Critics in turn argue that this is merely Chinese rhetoric that seeks to project a favourable image of China.[2]

These two positions suggest an impasse in the debate on the nature and role of China as a humanitarian actor. While this essay does not deny the pragmatic aspects of China's foreign policy, it asserts that the current debate fails to address the traditions and principles of moral obligation that drive the way China provides assistance in humanitarian crises. It is important for Western traditional donors to understand those traditions and principles. A lack of understanding not only hinders constructive engagement with China, but also exacerbates pre-existing tensions with and suspicions about China. In order to form a solid basis on which more nuanced dialogue can assist all parties to navigate the impasse, it is fundamental to recognise the way China understands its conception of humanitarianism.

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[1] For example, see Stefan Halper, *The Beijing consensus: How China's authoritarian model will dominate the twenty-first century* (New York: Basic Books, 2010).

[2] For example, see Joshua Kurlantzick, *Charm offensive: How China's soft power is transforming the world* (New Haven: Yale University Press, 2007).

This essay addresses this lack of understanding by providing insights into China's conception of assistance in disaster areas. What are the key concepts underpinning China's approach to assistance? How is the understanding of the key concepts evolving in the changing international and domestic social and political circumstances? When examining China's conception of assistance in disaster areas, we need to keep in mind that its concepts and practices have two facets: how China responds to humanitarian crises outside of China, and how it responds to disasters inside China. In both contexts, the state plays a central role in the provision and management of assistance. Whilst this is perhaps controversial internationally, expectations that the state should play such a role are deeply embedded not only in China's history, but also in its contemporary political culture.

This essay highlights the importance of the concepts of legitimacy and unity that permeate much of China's perception of assistance in disaster areas. It further discusses how these concepts are practised by China in both international and domestic contexts. The essay argues that China's assistance is informed by the historically-oriented concepts of state legitimacy and unity between the state and its people. It also argues that the perception of these concepts is evolving. Recognition of this duality in China's conception of assistance – historical yet evolving – can strengthen the ability of Western traditional donors to overcome the impasse in the debate noted above.

One of the first challenges we face in researching China's approach to assistance in humanitarian crises derives from the complex issue of terminology, in particular the complexity of translating the term 'humanitarian assistance' into the Chinese language. There is a significant difference between a strict translation of 'humanitarian assistance' (*rendao zhuyi yuanzhu*) and the broader concept of 'assistance in disaster areas' (*jiuzai*). The term *rendao zhuyi yuanzhu* is used in reference to cases of emergency outside Chinese territory. In these cases, 'China provides materials or cash for emergency relief or dispatches relief personnel of its own accord or at the victim country's request'.[3] In contrast, the term *jiuzai* is more widely used by the Chinese government, Chinese media and among the Chinese people when referring to *both* international and domestic contexts. *Jiuzai* includes not only emergency relief but also reconstruction efforts, such as infrastructure building, both domestically and internationally.

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[3] Information Office of the State Council, 'China's foreign aid', 21 April 2011, news.xinhuanet.com/english2010/china/2011-04/21/c_13839683.htm (accessed 16 August 2012). By international convention, too, the term 'humanitarian' cannot be used to refer to assistance provided in domestic contexts because 'humanitarian' connotes assistance provided to someone other than a donor state's citizens.

Jiuzai therefore has broader application than the official definition. To limit analysis of China's approach to assistance in humanitarian crises to the narrower concept of *rendao zhuyi yuanzhu* would hinder a more nuanced understanding of concepts that are deeply embedded in China's history and society and which form the foundation of China's conception of humanitarianism. Therefore, in order to understand China's conception of humanitarianism in its broader application, this essay adopts the broader term 'assistance in disaster areas'.

HISTORICALLY-ORIENTED CONCEPTS OF LEGITIMACY AND UNITY
China's approach to assistance in both international and domestic contexts reflects two significant concepts: *legitimacy* and *unity*. Its conception of assistance is linked closely to the *legitimacy* of the state both historically and in modern times. Throughout its long history, China has frequently experienced natural and man-made disasters, including floods of the Yellow River, droughts and plagues. In Chinese political culture, the state has long been seen as a significant moral and legitimate humanitarian actor, and therefore one that should play a central role in the provision of assistance to those affected by such disasters. By so doing, the state enhances its legitimacy.

Unity is defined in terms of the Confucian idea that a degree of harmony between family, society and the state through communal consensus should exist, because the state and society are seen as one.[4] In this harmony, it is assumed that a society is prepared to work together in the interest of the state. China's assistance in disaster areas also reflects this concept of unity both domestically and internationally. The state-centric nature of China's approach acknowledges the principle of unity between a state and its people – strengthening the state by successfully providing assistance in disaster areas will inevitably enhance the degree of harmony between the state and its people. This concept is manifested in its infrastructure-oriented approach to assistance. Infrastructure development is seen as an enduring contribution to the society by enhancing the capacity of the state.[5]

Two faces of China's assistance: International and domestic
Legitimacy and unity are relevant in both the international and domestic contexts in which China operates. Internationally, China decides when to render assistance following a request by, and subsequent agreement with, a recipient state. The state-centric nature of the assistance is made

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[4] Tu Wei-ming, *Centrality and commonality: An essay on Confucian religiousness* (Albany, NY: State University of New York Press, 1989), p. 48.

[5] The importance of the state's self-development capacity is emphasised in Information Office of the State Council, 'China's foreign aid'.

explicit by China's strong preference for providing assistance on a bilateral (government-to-government) basis, rather than via a multi-lateral channel or directly to local organisations.[6] In this way, China signals its recognition and respect of the sovereign authority of the recipient state's government and of its role in managing the provision of disaster assistance to its people, thus reinforcing its legitimacy. Unity between a host state and its society is assumed in China's conception of assistance, as can be seen in the rationale of the infrastructure-oriented approach mentioned above.

Domestically, the Chinese state occupies a central role in managing disasters. Successful disaster assistance is necessary in order to maintain or increase the legitimacy of the Chinese state and unity between it and its people. This was illustrated in responses to the May 2008 Wenchuan earthquake, in an area that is home to many ethnic minorities, particularly Tibetans. Although a wide range of civil society actors provided assistance, they remained only secondary actors guided by the state's direction. Political speeches and state-media reports of the crisis articulated the idea of unity (*tuanjie*) of the 'Chinese nation' (*zhonghua minzu*).[7] For instance, Hu Jintao claimed that:

> In the earthquake relief and post-disaster reconstruction effort, the whole nation worked together, and compatriots also work together with one heart in times of difficulty. These efforts fully display the national character of the unity and struggle of the Chinese nation, and its strong force that stands together regardless of situations.[8]

Evolving practices

While it is important to acknowledge key threads of historical continuity and tradition in Chinese concepts and practices of assistance, it is also important to recognise that these are not static. They evolve as political and social contexts change. When thinking of the 'culture of humanitarianism' in China, analysts often pay attention to Confucian-ism and the way this supports a strong state. While a traditional legacy such as Confucianism matters to our understanding of Chinese conceptions of assistance, the direct application of Confucianism to contemporary Chinese politics requires very careful and detailed ana-

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[6] Miwa Hirono, 'Another "complementarity" in Sino-Australian security cooperation', *Contemporary International Relations*, 21(3) 2011: 103–36; Adele Harmer and Ellen Martin (eds), 'Diversity in donorship: Field lessons', Humanitarian Policy Group Research Report 30 (London: Overseas Development Institute, April 2010).

[7] The 'Chinese nation' is defined by the government as being comprised (officially) of 56 minority groups and the majority Han.

[8] Hu Jintao, 'Zai Chuxi jinian sichuan wenchuan teda dizhen yizhounian huodongshide jianghua' [Speech at the Ceremony Commemorating the First Anniversary of Sichuan Wenchuang Great Earthquake], *Renmin Ribao* [People's Daily], 13 May 2009, data.people. com.cn/directLogin.do?target=101 (accessed 14 August 2012).

lysis in order to avoid cultural essentialism. China's conception of assistance, with particular reference to how the two concepts of legitimacy and unity are understood by the Chinese people, has been reconstituted and has evolved in the changing international and domestic political contexts.

For example, the Chinese state's legitimacy used to be assessed on the basis of disaster assistance provision within the domestic realm only. However, China's rise as a great power from the beginning of the twenty-first century has added an international dimension to the concept of legitimacy. Legitimacy is now understood to be part of China's claim to the status of a 'responsible great power'.

The perception of unity is also evolving. Ironically, an increased state capacity to respond effectively to disasters is leading to Chinese citizens' heightened expectations of the state as the principal responder to disasters. If those high expectations cannot be met (for instance in a case whereby the state may not manage disaster well or is not well prepared), people's disappointment may erode their trust in the state, thus damaging the unity between the state and its people. As Victor Cha claims, the Chinese state:

> faces the heightened expectations of a society that will continue to demand the government's capacity to provide for the social contract. Thus, today's patriotism can easily turn into tomorrow's popular anger and demand for change when the government does not handle well the next SARS crisis or the next earthquake disaster.[9]

CONCLUSION

This essay has argued that China's assistance is informed by the historically-oriented concepts of state legitimacy and unity between the state and its people. As China rises and its capacity to deal with disaster increases, the way in which these concepts are perceived by the Chinese people is also evolving. China's conception of assistance has been reconstituted and has evolved in the context of changing domestic and international political circumstances.

From the point of view of Western traditional donors, what does this suggest? First, it implies the importance of recognising that Chinese assistance in domestic and international disaster areas has been based on the concepts of state legitimacy and unity. From China's point of view, the current form of Chinese assistance is appropriate. It is not helpful if Western traditional donors ignore this. It does not lead to adequately nuanced and constructive discussion with China about how to cooperate

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[9] Victor D. Cha, 'Politics and the Olympic transaction: Measuring China's accomplishments', *International Journal of the History of Sport*, 27(14–15) 2010: 2359–79, at 2377.

in relation to future international humanitarian challenges. Second, China's perception of state legitimacy and unity is changing in the face of rapidly shifting international and domestic circumstances, and international cooperation is needed to assist China to adapt to the changes – for example, by way of more in-depth engagement and dialogue with China on the changing notion of the legitimacy of sovereign states in conflict areas.

Evolving Japanese humanitarianism

YUKIE OSA

Japan's role in humanitarianism in the Asia-Pacific is an important one. For a number of years, the Japanese government has been a significant donor and participant in the multilateral humanitarian assistance framework. In addition, in recent decades there has been a significant growth in Japanese humanitarian non-governmental organisations (NGOs) whose work has focused on providing assistance in international humanitarian crises. Whilst discussing the overall structure of Japan's approach to humanitarianism, this essay focuses in particular on the emergence of the humanitarian NGO sector and the challenges it faces.

THE EVOLVING STRUCTURE OF HUMANITARIAN ASSISTANCE IN JAPAN

Traditionally, the Japanese government has provided overseas assistance that can be divided into two areas: development aid and humanitarian aid. For the Japanese government, development aid has, to some extent, provided a form of compensation, particularly to its Asian neighbours, for action during the Second World War. This form of aid is largely managed bilaterally between the Japanese government and individual states. In contrast, the provision of humanitarian aid by the Japanese government is undertaken through the multilateral framework of the United Nations (UN). The Japanese government has provided substantial funds to the UN and allowed official humanitarian assistance implementation to take place through UN agencies.

A second key element of the structure of Japan's humanitarianism is humanitarian NGOs. While the government's provision of assistance is indirect through UN agencies, NGOs were the first actors to emerge from Japanese society who focused on the direct provision of international humanitarian assistance. In the mid-1990s, a number of humanitarian NGOs began to lobby the government to provide funds not just to development aid but also to humanitarian NGOs. However, the Kosovo crisis in 1999 clearly revealed how the lack of such funding was weakening Japanese NGOs. Whilst many Japanese NGOs sought to react to the emerging crisis in Kosovo, they were slow to raise funds and subsequently to respond. Consequently, by the time Japanese NGOs arrived in Kosovo, the field was filled with better financed and more experienced Western NGOs, leaving few opportunities for these NGOs to be of assistance.

In response to the experience of Kosovo, NGOs in Japan created a scheme aimed at securing government funds – the Japan Platform. The idea was unique in that the platform acted as a fund where large

amounts of finance could be stored in advance. These funds could then be accessed by a number of different NGOs immediately when a disaster occurred, hence enabling a prompt start to their activities. The Japan Platform comprises 35 Japanese NGOs, the Ministry of Foreign Affairs and Nippon Keidanren. The NGOs include local and international NGOs, including Save the Children Japan and the Japanese Red Cross, as well as religious organisations such as the Buddhist NGO Shanti, and the Christian NGO World Vision. The Japan Platform has now completed a number of projects worldwide and continues to work in northeast Japan, Afghanistan, Haiti, Iran, Pakistan, the Philippines, South Sudan, Sri Lanka, West Africa and the Horn of Africa (as of August 2012).

THE CHALLENGES OF POLITICAL ENGAGEMENT

Despite the success of the Japan Platform, Japanese humanitarian NGOs still face a number of challenges. Humanitarian crises come in two forms – natural and man-made. Japanese society has a great deal of empathy with other countries when facing natural disasters, due in no small part to Japan's own experiences of tsunamis and earthquakes. As a result, the business community is very keen to donate money to humanitarian assistance missions which deal with natural disasters. However, the private sector is much less forthcoming with funds to provide assistance to people who have been victims of conflict, such as in Afghanistan or Pakistan. The reluctance of the private sector to become involved in assistance in conflict situations is mainly due to the political sensitivity surrounding such conflicts and the concern of businesses with being perceived as political entities pursuing a specific political agenda. As a result, almost 100 per cent of the funding for these missions undertaken by the Japan Platform comes directly from the Japanese government. Further, the Japan Platform's dependence on Japanese government funds exposes it to criticism by Japanese analysts and non-Japan Platform member NGOs. They argue that the Japan Platform should not provide assistance in conflicts or humanitarian crises which, for political reasons, the Japanese government does not wish to fund directly (one example is North Korea). This endangers the humanitarian principles of the Japan Platform.

This issue of the degree to which the activities of humanitarian NGOs can be shaped by the political context within which they work can be couched in a broader discussion about the different traditions from which humanitarian NGOs draw. These relate to the identities, missions, values and history of the various NGOs. Abby Stoddard divides humanitarian NGOs into two traditional approaches – the minimal-

ist or Dunantist approach and maximalist or Wilsonian approach – based on their perception of the humanitarian space, independence and operational policies.[1] The minimalist or Dunantist approach has its roots in the Red Cross movement and is based upon the commitment to four key principles: humanity, impartiality, neutrality and independence. According to Stoddard, this tradition is demonstrated by organisations such as Médecins Sans Frontières, Oxfam and Save the Children and is stronger amongst European organisations. On the other hand, the maximalist or Wilsonian approach is one that is more willing to engage with governments. Maximalist NGOs see a basic compatibility between humanitarian goals and the pursuit of government foreign policy. The term 'Wilsonian' echoes the ambitions of President Woodrow Wilson to project American values and influence into post-conflict situations. Stoddard argues that this approach is more prevalent amongst US-based humanitarian NGOs.

However, a third traditional approach needs to be added to these groupings – the pragmatist approach. Many smaller NGOs fall between the traditions of Dunantists and Wilsonians and seek to decide their operational policies on a case-by-case basis determined by their particular mission and vision. It is into this third pragmatist group that most Japanese NGOs fall.

THE CHALLENGES OF ENGAGEMENT WITH THE MILITARY

The three approaches outlined above influence the way in which NGOs engage with other political actors, in particular the government. They also influence the way in which humanitarian NGOs engage with another increasingly important actor in humanitarian emergencies: the military. The traditional approaches affect the ways in which NGOs cooperate with the military both at the level of policy and on-the-ground. Whilst Dunantist NGOs never cooperate with military actors beyond contact for necessary coordination, Wilsonian NGOs focus on the logistical tasks of aid and more easily cooperate with the military. The majority of Japanese humanitarian NGOs follow a more pragmatic route and decide whether to negotiate with the military based upon the local situation. Important factors in this decision-making process include the nature of the mission of the military forces (peaceful, peace-keeping, peace enforcement or combat), the impartiality of the forces,

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[1] Abby Stoddard, 'Humanitarian NGOs: Challenges and trends', in Joanna Macrae and Adele Harmer (eds), 'Humanitarian action and the "global war on terror": A review of trends and issues', Humanitarian Policy Group Report 14 (London: Overseas Development Institute, 2003).

the political context and how the forces are perceived by the local population.

For instance, some Japanese NGOs find it unethical to cooperate with the Bangladeshi military, irrespective of whether they work inside Bangladesh or internationally as UN peacekeepers. This is because, for the NGOs, the Bangladeshi military represents 'organised violence' which oppresses minority populations in Bangladesh. As of December 2011, Bangladesh is the biggest troop contributor to UN peacekeeping operations, dispatching more than 10,000 personnel. Although Bangladeshi peacekeepers are merely 'peacekeepers' in the international context, in the domestic context they commit atrocities by infringing human rights of local minorities in order to 'maintain security'. For those Japanese NGOs who have witnessed such atrocities in Bangladesh, it is not acceptable to cooperate with Bangladeshi troops even when they work as UN peacekeepers outside their territory.

In the Japanese domestic context, engagement with the military – in this case the Self-Defense Force (SDF) – also presents Japanese NGOs with challenges and tensions. As one of its new duties, in 2006, Japan revised the SDF Law to include provision of humanitarian assistance overseas. The challenge for humanitarian NGOs is to find a balance in cooperation with the SDF, especially given that its very existence is a political issue for some Japanese people.

Despite these challenges at the policy level, on-the-ground cooperation is beginning to occur between Japanese humanitarian NGOs and humanitarian SDF missions. NGO representatives have been invited to the SDF school and university to lecture on humanitarian assistance and provide recommendations on how the SDF can improve working relations with NGOs. One of the early results came to fruition in Haiti in 2010, when Japanese NGOs rebuilt an institution for the disabled and the SDF assisted in the removal of debris.

CONCLUSION

Japanese humanitarianism is evolving, as humanitarian activities have expanded with a wider range of actors today than at the end of the Cold War period, and as humanitarian actors encounter increasing challenges. Although the challenges are historically embedded and will not be surmounted overnight, experience on the ground is certainly a key to moving forward in the future.

Challenges and hopes for humanitarian operations in Indonesia

Sigit Riyanto

In order to understand humanitarianism from an Indonesian perspective, three key issues need to be examined: the philosophical, institutional and legal frameworks of humanitarianism; the challenges faced in implementation of humanitarianism; and the sources of hope for the future. This essay argues that, despite a low level of political will to enhance the quality of engagement in humanitarian activities, Indonesian society has witnessed an increase in genuine popular solidarity in humanitarian activities. This gives hopes that a wide range of challenges faced by the humanitarian sector will be overcome in the future.

PHILOSOPHICAL, INSTITUTIONAL AND LEGAL FRAMEWORKS OF HUMANITARIANISM

The philosophical foundation of the Indonesian state, the *Pancasila*, is embodied in all Indonesian traditions. It encompasses five principles which encourage all members of Indonesian society to act as good people. One of these five principles is that of a 'just and civilised humanity' (*Kemanusiaan yang Adil dan Beradab*). This principle requires that human beings be treated with due regard for their dignity as one of God's creatures. It resonates with the religious teachings of all Indonesian people as well as all traditions within Indonesian society. This principle provides the direct philosophical grounding for humanitarianism in Indonesia.

The *Pancasila* is also central to the political institutions of Indonesia. It is a central element of the Indonesian Constitution, and all legislation must encompass references to it. In addition following the end of the Suharto era in 1998, amendments were made to Article 28 of the Constitution, which focuses upon human rights and their protection, to further entrench human rights law. In addition, in the last ten years a number of national humanitarian institutions have been created. These institutions include the National Human Rights Institution, the Red Cross and the Commission for the Protection of Witnesses and Victims. In the last five years there has also been progressive development of the field within university institutions with the establishment of a number of centres for the study of disaster management and the systematic incorporation of the study of humanitarianism into teaching and research programmes. These normative, institutional and legal frameworks are critical to the ongoing evolution of humanitarianism in Indonesia as both a concept and a set of practices. They provide a positive sign of the increasing impact of humanitarian issues on Indonesian society in general.

CHALLENGES: INTERNATIONAL AND DOMESTIC

However, humanitarianism in Indonesia also faces a number of obstacles. Some of these reflect challenges that those who participate in humanitarian assistance face across the international spectrum, whilst some pertain more specifically to the challenges Indonesia faces in addressing humanitarian needs. This section sketches the main challenges faced in the international humanitarian sector, followed by a description of challenges specific to the Indonesian political landscape.

The first challenge is the complexity, sensitivity and fragility of the contexts within which humanitarian assistance is provided. In recent decades, international agencies have been requested to provide humanitarian assistance, reconstruction programmes and other development programmes in crises due to natural and man-made disasters. This includes many areas which are politically unstable or plagued by civil war and internal and/or international armed conflict. For instance, over the last decade, the number of United Nations (UN) staff deployed in hazardous areas multiplied by four, reaching over 40,000.[1] In the early 1990s, there was a rise in the number of injuries and deaths of UN staff members as a result of malicious acts. Regrettably, the security environment for the United Nations and other international humanitarian agencies has changed and has become more threatening.[2] Partly in response to requests from donor agencies and stakeholders in the concerned states, international humanitarian agencies have expanded their activities and operational programs from traditional humanitarian and relief assistance to 'right-based programming', reconstruction and development, and ultimately conflict prevention activities and even conflict resolutions. This means humanitarian agencies are becoming an integral part of stabilisation efforts in areas plagued by armed conflict and in an insecure environment. They are undertaking activities and programmes that are more politically sensitive which has increased their vulnerability and exposure to insecurity. The deaths of Médecins San Frontières employees Andrias Karel Keiluhu and Philippe Havet in Somalia in December 2011 underscores the risks that humanitarian workers encounter all over the world.

[1] Claude Bruderlein and Pierre Gassmann, 'Managing security risks in hazardous missions: The challenges of securing United Nations access to vulnerable groups', *Harvard Human Rights Journal,* 19, 2006, 63–94; see also United Nations Department of Safety & Security, 'Mission statement', https://dss.un.org/dssweb/AboutUs.aspx (accessed 6 August 2012).

[2] For example, hazardous missions in Africa (Liberia, Sierra Leone, Somalia and Sudan) Central Asia (Afghanistan) and the Middle East (Iraq).

The second challenge faced by humanitarian assistance agencies are those of coordination and negotiation. Issues here include the number of actors involved with any humanitarian assistance negotiations, the opportunity for pre-planning, and the attitude of the host state to the conditions of humanitarian assistance. Humanitarian assistance calls for rapid responses to urgent and dramatic events, often with little opportunity for planning or preparation. Instead, ad hoc preparations have become the norm. Consultations with key stakeholders to create detailed strategies or reach a consensus have been limited due to time and resources. Yet negotiations between actors are vital in order to achieve any humanitarian objective. These include non-governmental organisations (NGOs), government, local people and religious and cultural groups. Negotiations need to take place about programmes of assistance, implementation and how to gain access to beneficiaries. Humanitarian agencies negotiate ostensibly on behalf of their beneficiaries but also for themselves – their principles, their programmes and the interests of their institution. The proliferation of humanitarian organisations involved in responses to crises also means there is a need for negotiation between them. This is the case even for coordination of UN organisations, as illustrated through the number of UN agencies involved in dealing with the issues of internally displaced people.[3] This maze of organisations is then supplemented by non-UN organisations. Whilst it is important to establish mechanisms for coordination amongst international organisations, NGOs and government agencies, the need for external humanitarian actors to include the local community in coordination and negotiation is also crucially important. The role of this community needs to be acknowledged and incorporated into humanitarian negotiation and planning. This means acknowledging the role of all levels of society and their genuine leaders, not only national leaders such as the national government authority but also the youth, religious and socio-cultural leaders. They are also key actors in the promotion of humanitarianism in Indonesian society.

The third challenge relates to the changed environment in which they are operating. Humanitarian agencies are increasingly exposed to situations in which they must negotiate with armed groups, who may be engaged in political violence and even criminal activities. In such contexts, the skill and capacity of the staff of international humanitarian organisations as negotiators to deal with the conflicting parties and persuade them to engage in a dialogue on 'humanitarian issues' is essential to accomplish humanitarian assistance.

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[3] For example, shelter is provided by the UN Refugee Agency, health and medical care by the World Health Organisation, food by the World Food Programme, water and sanitation by UNESCO and education by UNICEF.

Linked to the above is the challenge that must be faced in the conflicts of interest that arise between actors involved in humanitarian actions. This occurs both on a vertical axis, between international, national and central government and local government levels, as well as on a horizontal axis between beneficiaries and humanitarian actors. Some of these conflicts can exacerbate rather than alleviate disaster situations.

The fourth challenge is a lack of a basic policy concerning international humanitarian cooperation, or a standard comprehensive mechanism of response. This is partly due to the ad hoc nature of responding to unprecedented, emergency situations, and partly due to a lack of cooperation about how to come up with a comprehensive mechanism that encompasses mechanisms of individual organisations. This challenge is further complicated when a natural disaster is combined with a man-made disaster as seen in Aceh, Myanmar, Sri Lanka and South Mindanao. In particular, man-made fragmentation often leads central governments to only allow the provision of aid to pro-government populations, or in religious conflicts. For example, in Maluku, some organisations have only been allowed to provide assistance in the Christian zone, whilst other organisations have access only to the Muslim zone of the conflict, because of a partition between Christian and Muslim populations.

All of the above issues are shared by humanitarian actors in Indonesia. Added to these are problems particularly relevant to Indonesia's political landscape. On a practical level, humanitarianism in Indonesia suffers from a low level of political will. Most significantly the narrow interests of the elite have led to a narrow interpretation of sovereignty whereby assistance can only take place with the consent of the government. In addition, Indonesia is experiencing political transition. This places a heavy burden on the state, presenting it with many problems that require attention, such as weaknesses in the political and legal systems and immature political institutions. In this context, humanitarian activities are not always a priority. There is an added complication for Indonesia as a host country. Most of the national authorities lack a basic conceptual understanding of orchestrated international humanitarian cooperation, which is coupled with a narrow interpretation of sovereignty. In addition, the national government may place a low priority on some of the domestic issues that international organisations wish to address, such as internally displaced people, unemployment and poverty. In some instances, humanitarian NGOs have been faced with significant difficulties in obtaining government consent or in generating finance to support their activities.

THE WAY FORWARD

Despite these challenges, there are sources of hope – genuine popular solidarity in Indonesia in regard to humanitarianism. For many, this solidarity has emerged as a result of humanitarian crises Indonesians have faced including armed conflicts and the 2004 tsunami in Aceh, and the 2006 earthquake in Yogyakarta. Furthermore, in such areas as Maluku, Central Sulawesi and Kalimantan, people came from outside of the islands to aid in terms of medical assistance and to encourage conflicting parties to come to the negotiating table and develop a peace agreement.

These crises have played an important role in enhancing this sense of humanitarian solidarity. They have encouraged Indonesian people to think again about humanity and humanitarian issues and have re-awakened concerns of humankind and humanitarianism. Many Indonesian people are increasingly resolved to settle ongoing conflicts that have generated or exacerbated humanitarian crises, as have been shown in Aceh, Maluku, West Kalimantan and Central Sulawesi. There are also moves to reconcile both the vertical and horizontal tensions noted above that have at times inhibited humanitarian assistance, and opportunities for enhanced cooperation at the regional level. For instance, policies could be pursued at the regional level to strengthen the implementation of human rights and humanitarian instruments. The 'victim protection' approach that has been taken in Indonesia, Thailand, Malaysia and the Philippines must be highlighted to certain governments in Southeast Asia in order to convince central governments and national authorities that human rights is a part of governance in the region, not only a concept designed by international actors and institutions. In addition, pressure should be applied so that individual governments take responsibility for respect for human dignity and the fulfilment of human rights and humanitarian needs.

The Association of Southeast Asian Nations (ASEAN) may also be able to play an important role in enhancing solidarity among ASEAN members in relation to humanitarian issues. This could include addressing security-related concerns in order to avoid recurrence of humanitarian problems in the region. The ASEAN Regional Forum could be utilised to encourage international security organisations to design regional mechanisms for protection and to mainstream the issues of humanitarian cooperation within the region. This would include the idea of relative sovereignty and promotion of a positive interpretation of sovereignty that more easily acknowledges and accommodates protection needs.

Furthermore, a comprehensive plan of action must be created to address the issue of humanitarian action in non-ASEAN countries. For example, currently ASEAN members are unable to enter Myanmar due to the narrow interpretation of sovereignty. A comprehensive plan of

action such as that developed to deal with the refugees and asylum seekers from China and Vietnam in the 1960s and 1970s could help to address this situation. Finally, the burden and responsibility must be shared more equitably across the region so that a common framework and trust building can take place across all countries.

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Keynotes