



# AFGHANISTAN

## Joint Operating Principles

*Ensuring the Delivery of Principled Humanitarian Assistance*

The Joint Operating Principles (JOPs) were endorsed by the HCT in December 2019 and revised in August 2021, and in December 2022.

**Purpose and scope:** Humanitarian staff and organizations engaged in the response to the crisis in Afghanistan agree that these JOPs reflect accepted policies and standards for interaction and engagement with duty-bearers, and other stakeholders in humanitarian action. Humanitarian actors agree to hold themselves and their sub-contractors, suppliers and those otherwise involved in the humanitarian operation and programmes, to these shared principles and core operating standards. These JOPs form the framework for engagement in bi-lateral and joint negotiations with the De-facto Authorities (DfA).

### A. Principles

Humanitarian operations and actors are guided by the core Humanitarian Principles: humanity, neutrality, impartiality, and independence. These principles are derived from International Humanitarian Law, Human Rights Law and other normative documents<sup>1</sup>, and in accordance with the Humanitarian Charter and Minimum Standards in Disaster Response:

1. **Humanity:** Human suffering must be addressed wherever it is found, with particular attention to the most vulnerable populations, such as children, women, people with disabilities and the elderly. The dignity and rights of survivors must be respected and protected.
2. **Neutrality:** Humanitarian actors will not participate individually or organizationally in hostilities or taking sides in controversies of a political, religious, or ideological nature.
3. **Impartiality:** Assistance is provided without discrimination based on ethnic origin, political opinion, gender, nationality, race or religion. The provision of humanitarian assistance is guided solely by needs, and priority is given to the most vulnerable cases.

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<sup>1</sup> Including the Geneva Conventions (1949), the Fundamental Principles of the Red Cross (1965), the Code of Conduct for International Red Cross and Red Crescent Movement and NGOs in Disaster Relief (1992), UN General Assembly Resolutions (1991 and 2003), the Sphere Standards (1999), and the Core Humanitarian Standard (2015).

4. **Independence:** Humanitarian action must be autonomous from the political, economic, military or non-humanitarian objectives.

In addition, humanitarian actors agree to the principles of:

1. **Do no harm:** Humanitarian actors must strive to 'do no harm' and to minimize any potential harm and to ensure avoiding exposing people to additional risks through humanitarian action. And to ensure taking a step back from an intervention to look at the broader context and mitigate potential negative effects on the social fabric, the economy and the environment.
2. **Dignity:** People in need shall be respected as equal partners in action in all activities and their dignity as human beings will be maintained in all communications and service-delivery processes.
3. **Transparency and accountability:** Humanitarian actors act in a transparent manner with all parties and are accountable to those whom they assist.
4. **Cultural Sensitivity:** Humanitarian actors aim to ensure that local customs, cultures, and religions are respected while simultaneously adhering to international humanitarian standards around gender and equality.
5. **Prevention of Sexual Exploitation and Abuse (PSEA):** Humanitarian actors commit – individually and organizationally – to creating and maintaining an environment in which sexual harassment, violence or exploitation is not tolerated but prohibited in all interactions. PSEA and accountability measures should be put in place and to ensure it applies at all engagement levels.

## **B. Core Commitments:**

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

1. Seek safe, timely, principled and unimpeded access to all affected people.
2. Engage with the DfA and relevant actors for the purpose of coordinating the humanitarian response.
3. Advocate with DfA and relevant actors to respect and promote humanitarian principles and ensure the protection of aid workers and civilians.
4. Coordinate and complement their activities with other humanitarian partners operating in the same locations to share lessons learnt, ensure transparency, and avoid duplication.
5. Make available and use clearly outlined vulnerability criteria to ensure impartial delivery of humanitarian assistance based on the use of clearly outlined criteria.

6. Conduct independent needs assessments and identify beneficiaries for humanitarian assistance based on established criteria that account for specific vulnerabilities, including gender, age and disability.
7. Inform and make sure that the people receiving assistance are fully aware that the provided assistance fully belongs to them without any obligation to share it with third parties, including the DfA, other community members and other actors.
8. Ensure a meaningful engagement of beneficiaries in needs assessment, prioritization, planning, implementation, and monitoring of humanitarian activities under a coordinated framework of accountability to affected people.
9. Ensure regular monitoring and evaluation of activities to ensure that the affected people have meaningful access to aid and services.
10. Establish and raise awareness about available complaints and feedback mechanisms to ensure accountability to communities by enabling them to share grievances and suggestions on their needs and the assistance provided.
11. Support other humanitarian partners in operating in line with the JOPs and ensure timely and transparent reporting on access challenges and subsequent lessons learnt.
12. Advocate with donors to adopt a flexible and conflict sensitive approach to enable principled access for humanitarian programming in line with the engagement strategy.
13. Report the access constraints limiting principled humanitarian action to the Access Working Group via clearly established mechanisms.
14. Abide by the international and national legal frameworks that govern the humanitarian response, as well as the Humanitarian Country Team endorsed guidance and policies (e.g *May 2022, MOU HCT endorsed guidance*).
15. Humanitarian organizations will ensure the full participation of women in implementing of humanitarian activities. If women staff are prevented from performing their duties, the humanitarian community will use means at its disposal to tackle this issue and ensure participation.

**Humanitarian actors will not accede to requests to:**

1. Submit to programming demands from the DfA or any alteration of programming not justified by independent humanitarian needs assessments.
2. Allow interference in the recruitment of staff, selection partners and vendors, or selection of beneficiaries.
3. Share confidential (personal) information about staff, partners, vendors and beneficiaries. Any request for staff details will be handled in compliance with humanitarian principles and

data sharing protocols<sup>2</sup> and information will only be shared with the line Ministry as per existing legal framework.

4. Pay informal taxes, duties or other licenses on humanitarian projects, services to beneficiaries or aid deliveries, unless they are supported by a legal framework or official policy<sup>3</sup>.
5. Allow the DfA or any other unauthorized individuals/groups, to take control of humanitarian facilities - including warehouses, vehicles, offices, commodities, and any other humanitarian assets - or permit armed actors to enter or control access to humanitarian facilities or vehicles.
6. Limit access of humanitarian actors to affected people based on demographic characteristics, including gender, age and ethnicity, or other imposed criteria.
7. Humanitarian organizations will not respond to needs that have not been verified in-person/on-site by organizational staff members.
8. Provide payment or personal information identifying beneficiaries of humanitarian assistance to any external actors in exchange for access.
9. To allow influence over the content or findings of needs assessments or other such questionnaires.
10. Enable coercive or other unsafe returns, relocations, or resettlements of affected population.

### **C. Monitoring**

The Access Working Groups across Afghanistan are tasked to roll out the JOPs and use the OCHA Access, Monitoring and Reporting Framework to monitor the JOPs and flag any challenges to the humanitarian leadership through the Humanitarian Country Team forum.

### **D. Accountability Framework**

All humanitarian actors agree to hold themselves and their sub-contractors, suppliers and contractors accountable to the above shared obligations and principles. They will adopt policies and strategies that bear a clear commitment to coordination with others, including national and local DfA, without compromising humanitarian principles.

Humanitarian leadership and donor community holds humanitarian partners to account to any violation to the agreed upon principles, through the coordination and funding mechanism.

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<sup>2</sup> <https://www.humanitarianresponse.info/en/operations/afghanistan/document/afghanistan-data-sharing-protocol>

<sup>3</sup> This includes the intentional sub-contracting of local/national humanitarian actors and suppliers to circumvent this issue.