



OHCHR's contribution to the European Commission's
call for evidence for the Communication
"Humanitarian Aid – Moving Forward for Solidarity"

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Human Rights in Humanitarian Action: Protecting lives, preserving dignity

Humanitarian crises almost invariably entail violations of human rights and international humanitarian law; in turn, human rights violations are often the very drivers of humanitarian crises. In such contexts, protection is a central pillar of humanitarian action. Safeguarding human rights ensures that humanitarian efforts achieve their objectives of saving lives, alleviating suffering, and preserving human dignity

1.OHCHR's role in humanitarian action

The Office of the United Nations High Commissioner for Human Rights (OHCHR) is a full member of the Inter-Agency Standing Committee and engages in humanitarian action through its core human rights activities: protection monitoring and analysis to inform and support the humanitarian collective response; awareness raising and advocacy; provision of protection services; early warning and prevention as well as remedial approach. In addition, the Office reinforces the capacity of partners including humanitarian actors through education and training.

OHCHR helps ensure that the centrality of protection and international law are integrated in humanitarian leadership, needs analysis, strategy, programming and service delivery activities, including urgent responsive action to stop violations, mitigate their impacts and prevent their recurrence. Human rights inform remedial action aimed at restoring dignity and adequate living conditions. Also, action aimed at building a protective environment, one conducive to the enjoyment of rights through, for example, changes in legislation, policy and programs; thus actively implementing the humanitarian, peace development Nexus.

OHCHR employs a broad range of advocacy tools, private and public, to promote protection. These include the voice of the High Commissioner/OHCHR, as well as the recommendations of independent Commissions of Inquiry (COIs), the Universal Periodic Review (UPR) and treaty bodies. Furthermore, OHCHR serves as the secretariat for special procedures that provide an independent and authoritative mechanism for raising awareness and addressing human rights concerns

2.Evidence proposed in relation to the EU Communication “Humanitarian Aid – Moving Forward for Solidarity”

OHCHR welcomes the opportunity to contribute to the Commission's Communication. In view of its mandate and role in humanitarian action, OHCHR will focus its evidence on protection. The OHCHR's contribution complements the one jointly submitted by the United Nations Brussels Team.

Protecting affected populations and humanitarian workers

Despite the known reality that most humanitarian crises and related needs are driven by protection risks [1] and that protection is at the center of our shared aims, our collective ability to address these risks and provide life-saving protection for those who need it most is under serious strain.

In such efforts, the recognition that **effective protection only results from the concurrent and complementary application of both international human rights and humanitarian law**, is central and should be promoted as such.

In armed conflict, over-reliance on IHL leads to diminished protection, including in relation to the right to life, to liberty and security; it invisibilizes violations and victims, and generates impunity. Outside armed conflict, such as in situations of generalized violence and insecurity, or natural disasters, international human rights law is the reference framework.

[1] A protection risk is the likelihood that individuals or groups will be subjected to violations or abuses of their rights, or to harm, as a result of threats, vulnerabilities, and insufficient respect for international human rights law, international humanitarian law, or international refugee law.

As the scale of the challenges grow, **concrete protection outcomes** could be advanced through:

- **Consolidate analysis, provide better data**

Despite the centrality of protection to the work of the United Nations, information gathering, analysis, reporting, follow up and other aspects of human rights protection have been scattered across various mandates and entities. The IASC's Humanitarian Reset emphasizes the value of joint analysis, enabling humanitarian actors to design effective interventions that prevent harm, uphold rights, and addresses root causes of vulnerability. OHCHR, through its global presences in over 90 countries and its monitoring and reporting mandate, as well as support to Human Rights Council's investigative and fact finding mechanisms is the leading source of verified information analysis.

- In Ukraine, OHCHR's regular publication of civilian casualty updates have become the go-to statistics for Governments, the media and international agencies and inform the humanitarian response.

At country level, OHCHR delivers core human rights activities and engages in humanitarian mechanisms such as Humanitarian Country Teams (HCT), protection clusters and the humanitarian program cycle.

- In Haiti, OHCHR has developed and consolidated a crucial space for the promotion and protection of human rights. Including through its role as protection sector co-lead, OHCHR is monitoring and reporting the human rights situation, identifying protection needs through the voices of affected people and the engagement of local actors. This includes for example, raising awareness on the situation of victims of sexual violence in gang-controlled areas and provided recommendations to address it. The HRS also developed a referral pathway of functional medical and psychological national/international partners who can provide support to survivors in timely and adequate manner.

- In the Occupied Palestinian Territory, OHCHR has been a member of the HCT and led the Protection Cluster since January 2009. OHCHR has been able to help lead the humanitarian response and direct the interventions of humanitarian actors to foster increased respect for IHL and IHRL and accountability for violations. OHCHR has trained more than 100 partners and at least 500 emergency protection responders in Gaza that identify, mitigate, and respond to protection risks with affected communities on the ground. OHCHR is a key player promoting the centrality of protection across the humanitarian response in the OPT and advocating for enhanced evidence-based protection mainstreaming and integration in humanitarian programming across all clusters and sectors.

- Towards this objective, the EU could step up its investment in institutional protection policies, knowledge, and capacities of humanitarian actors and multi-sectoral approaches to protection outcomes, as well as adapting donor policies and mechanisms to support more outcome-oriented approaches to protection. This could include, in the spirit of the UN80 Initiative and as put forward by the UN Secretary-General, the review of country-based pooled funds. This is an opportunity to ensure they support integration of protection across UN Country Team planning and programming, as a collective priority; that preparedness, including risk reduction, early warning and contingency planning, integrates international human rights, humanitarian law analysis; and supporting localization efforts that include national human rights institutions facilitating their access to humanitarian financing, including OCHA-managed country-based pool funds.

Consistent humanitarian diplomacy

As access is shrinking, and humanitarian principles are under attack, the EU plays a critical role partnering with the UN system in Collaborative Humanitarian Diplomacy initiatives. OHCHR has been identified as one of the entities that will carry over the humanitarian diplomacy portfolio in the context of UN 80 (humanitarian cluster)



Human rights information and analysis, developed by the OHCHR, is at the center of decisions on engagement with parties, positioning and advocacy. OHCHR is the gateway to a wide range of advocacy tools, private and public, to promote protection which include the voice of the High Commissioner/OHCHR, the dissemination of the recommendations of the Universal Periodic Review (UPR), treaty bodies and Commission of Inquiry, which can be advanced in humanitarian settings. Furthermore, OHCHR serves as the secretariat for special procedures that provide an independent and authoritative mechanism for raising awareness and addressing human rights concerns.

- The Special Rapporteur on the rights of persons with disabilities examined the protection of the rights of persons with disabilities in the context of armed conflict ([A/76/146](#)) and during the conduct of hostilities ([A/77/203](#)). The SR advocated for recognizing persons with disabilities as active agents in their own lives, in decision making processes and inclusive policies especially during crises. This perspective influenced key international frameworks, such as the UN Charter on Inclusion of Persons with Disabilities in Humanitarian Action and the Inter-Agency Standing Committee Guidelines, which have been instrumental in integrating disability considerations into humanitarian responses.
- The [UN Independent International Commission of Inquiry on Syria](#) (2011 – ongoing) has significantly supported the humanitarian community by documenting human rights violations, providing reliable data for aid delivery planning, and advocating for unhindered humanitarian access to affected areas. Its reports have highlighted the impact of the conflict on civilians, especially vulnerable groups, helping prioritize humanitarian responses. The Commission's work has also influenced international policies and ensured humanitarian efforts align with human rights standards.

The EU could intensify efforts to make better use of the analysis and advocacy mechanisms generated by the UN human rights system in its humanitarian action, including by ensuring the regular participation of OHCHR in Humanitarian Senior Official Meetings as well as ministerial level discussions. Serious IHL and HRs violations should be consistently denounced as part of a coordinated EU approach. Ensuring respect for IHL as part of the EU's external instruments should be strengthened, including through due diligence. The EU should also leverage its political and economic weight to promote IHL compliance by partner countries, for instance through its political and human rights dialogues, as well as in trade and aid relations with partner countries, where relevant.

For more information, please contact Ms. Emilia Cermak at Emilia.cermak@un.org