Exploring the political agency of humanitarian NGOs: Médecins Sans Frontières during the European Refugee Crisis

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Due to the recent high influx of refugees, migration has become one of the most politicised issues within the European Union (EU). To explore the political agency of humanitarian NGOs, this article analyses the behaviour of Médecins Sans Frontières (MSF) during the peak of the influx from April 2015 to June 2016. Outrage about the EU’s response to the refugee crisis triggered confrontational and politicised strategies from MSF that aimed to enhance contestation and mobilise public opinion. The proximity of the crisis and the organisation’s independence and decentralised structure facilitated this political agency. Furthermore, neither MSF’s strong commitment to the humanitarian principles of neutrality, impartiality and independence, nor its cooperative ties to national and international political elites, hindered its political actions in this situation. This paper therefore refutes the common perspective that humanitarian NGOs are generally cooperative and, ultimately, depoliticising agents in global governance. Under certain conditions, humanitarian NGOs can decide to become highly political and confrontational in opposing national and EU policies.
Introduction

Humanitarian NGOs seek to provide immediate and short-term life-saving assistance to people suffering from natural disasters or war and conflict.

Humanitarian principles ought to ensure that aid workers, in performing such a difficult task, can access the most vulnerable and are able to distribute aid solely according to needs, without political interference. Particularly important are the principles of neutrality (not taking sides in hostilities nor engaging in political controversies), impartiality (allocating aid based on needs alone) and independence (acting autonomous from political, economic, military or other objectives).

Nevertheless, over the past few decades, practitioners and scholars of humanitarian action have discussed whether it is possible or desirable to adhere to these principles and keep politics at bay.\(^1\) The lines between humanitarian aid and the political sphere have become increasingly blurred: humanitarian NGOs must walk this fine line between remaining neutral, impartial and independent while, at the same time, being prepared to take on a more active political role if necessary.

Given this background, this article describes how humanitarian NGOs exert political agency and suggests some conditions that enable this agency. It thus sheds light on their potential politicisation of global humanitarian governance.

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This article contributes to an increasingly rich body of literature on the politics of humanitarian aid and the role of humanitarian NGOs, which spans the disciplines of humanitarianism, international relations and anthropology. This body of literature emphasises two points regarding the agency of humanitarian NGOs. The first is the need for these NGOs to respect humanitarian principles to keep them from becoming active, political agents. However, despite of—or even due to—these principles, their actions may have unintended negative political consequences, particularly in zones of conflict. The second point is that humanitarian NGOs’ ties to states are mainly cooperative. They thus run the risk of being instrumentalised by states or acting as their accomplices in pursuing the political and security agendas of states and international institutions—for example, through ‘humanitarian interventionism’. These dominant perceptions of the role of humanitarian NGOs in politicised environments suggest that their political agency is highly restricted and that they mainly act as cooperative and depoliticising agents in global governance.

However, I argue below that MSF exercised political agency during the heyday of the ‘European refugee crisis’: It took on a more active, political role by

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5 ‘European refugee crisis’ is a misleading term. The crisis did not occur in or affect only Europe, nor has Europe hosted the largest share of refugees worldwide. In addition, it was not the refugees who triggered
adopting outspokenly confrontational strategies aimed at societal mobilisation and increased public contestation. MSF thus increasingly confronted rather than cooperated with governments and the EU.

Some might object that becoming involved in political discussions is not unusual for MSF. Indeed, MSF is known for becoming politically involved by witnessing (témoignage) and speaking out. These have been central characteristics of MSF from the beginning. A group of outraged and agitated French doctors and journalists founded the organisation in 1971 in opposition to the International Red Cross, which had required them to remain silent in the face of war crimes during the war in Biafra. Throughout its history, MSF has consistently had periods of high political involvement. During the 1990s, in particular, it called for military intervention during the genocide in Rwanda, criticised Russia’s use of violence in the war in Chechnya, and denounced ethnic violence in Bosnia. At the same time, it sought to defend its independence from states, as well as its specific relief orientation. Michael Barnett therefore concludes that, “...the more political humanitarianism became, the more MSF wanted to defend a ‘pure’ humanitarianism.” It still counts as one of the few traditional, single-mandate humanitarian organisations committed to saving people, based solely on needs.

the crisis but developments in their home countries or the response of European member states and EU institutions. It has, nonetheless, become a common term and I use it in the remainder of this article.


Therefore, while political action is not unprecedented for MSF, it is always contested within the organisation.

The European refugee crisis presents a very recent situation in which MSF debated the need for political involvement. Due to the large influx of refugees into the EU and neighbouring countries, migration and refugee rights have become highly politicised issues in Europe during the period under investigation. This presented an opportunity, perhaps a necessity, for humanitarian NGOs to engage in more contentious and outspoken political behaviour. As Tom Scott-Smith argues: “...it is difficult, if not impossible, to take effective humanitarian action in response to migration without also taking a political stand.” ¹⁰ I thus examine MSF in the context of the refugee crisis as a suitable case for studying the political agency of humanitarian NGOs. Even a cursory look at the response of MSF reveals multiple political acts: directly accusing political actors, criticising policies in public, refusing to accept money from the EU and withdrawing from Greece’s so-called hotspots where refugees were detained. This case study of MSF thus shows that it tended to engage in confrontational and outspoken political activities that aimed to increase contestation and mobilise the public.

The contribution of this article is, hence, threefold: Firstly, the article describes how and under what conditions humanitarian NGOs demonstrate political agency. It thus sheds a new light on the political role of humanitarian NGOs in global governance. This challenges the dominant view of NGOs—particularly humanitarian NGOs—as depoliticising actors in global governance. Secondly, it presents a recent empirical case in which MSF turned to political engagement.

While this is not unprecedented for MSF, it is special insofar as this political move occurred due to developments within Europe in a situation of peace rather than in distant zones of conflict. Finally, demonstrating the political agency of humanitarian NGOs has practical implications. In a situation where many scholars and practitioners recognise that humanitarian action has political repercussions, humanitarian NGOs greatly need to reflect on and proactively define their political role. Some voices thus call for an approach by humanitarian NGOs that is more politically “agile”¹¹, “active”¹² and, ultimately, more advocacy-oriented¹³. This study illustrates what such an approach may look like and which factors may facilitate it.

This article is structured as follows. To clarify the relationship between humanitarian NGOs and the politicisation of global governance, it will first introduce the theoretical background of this case study to clarify its contribution. The empirical chapter then demonstrates how MSF exerted political agency through its information politics, by conducting search and rescue missions in the Mediterranean Sea, rejecting EU funds, withdrawing from refugee camps in Greece, and networking with wider sections of civil society. The article concludes by identifying the conditions that enabled such political agency and discusses possible positive and negative effects in the final section.

Humanitarian NGOs and the (De-)Politicisation of Global Governance

The tension between politicisation and depoliticisation is inherent to global governance and scholars debate the role that NGOs play in these processes. Some studies describe NGOs, particularly humanitarian NGOs, as prime agents of depoliticisation. This term here refers to processes that “...remove or displace the option for choice, collective agency, and deliberation around a particular issue.” For example, NGOs can contribute to such depoliticisation in their central role in expert decision-making forums. Their especially close ties to governments put humanitarian NGOs in a premier position to depoliticise issues in global governance, the international humanitarian aid system, and war and conflict. Indeed, many studies emphasise the generally harmonious, non-confrontational and cooperative relations between humanitarian NGOs and the EU.

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18 Fassin and Pandolfi, op cit., p. 13.
Humanitarian NGOs often cooperate closely with EU institutions—particularly with the Directorate General for Civil Protection and Humanitarian Aid Operations in the European Commission (DG ECHO)—as the EU is a major humanitarian donor and is highly committed to humanitarian principles. Many humanitarian NGOs act as partners that implement EU-funded projects worldwide. This close relationship seems to constrain a more confrontational or explicitly political approach by humanitarian NGOs vis-à-vis the EU or individual European governments. For example, Helen Versluys describes NGO advocacy as “...in general […] collegial with ECHO policies rather than directed against them.”20 Studies on the EU’s migration and asylum policies confirm this view on close and cooperative relations.

Virginie Guiraudon characterises the field of migration policy at the European level as driven by a “...small elite networks of academics, lawyers, and International Nongovernmental Organization (INGO) activists who use their expertise and present proposals for European action on immigration and asylum.”21 Similarly, Pierre Monforte’s comparative study on the social movement against “Fortress Europe” in the 1990s emphasises that the movement ultimately remained at the respective national levels with no powerful transnational movement emerging. The European level has thus been void of contention on these issues. The absence of humanitarian organisations from the movement might be one reason for this. More particularly, for example, human rights organisations and humanitarian NGOs have sought

“collaborative relations with power-holders”, instead of resorting to more contentious actions, such as protest. Moreover, they would have been only sporadically involved in collaborative networks with different kinds of organisations and would have separated their national from their Europe-wide actions and mobilisations. One can only conclude from these studies that the field of migration remained depoliticised on the European level and that humanitarian organisations were—if they became active at all—agents of depoliticisation in the nascent social movement against “Fortress Europe” in the 1990s. Their close relationships to decision-makers in the EU appears to have restricted their potential for opposition. This article argues that this may have since changed. Based on an analysis of the activities of MSF and its relations to the EU and governments during the European refugee crisis, this study seeks to demonstrate that humanitarian NGOs can become agents of politicisation under certain conditions. They do so by opening issues to public debate, hence contributing to the politicisation of refugee and migration issues in the EU.

EU scholars describe politicisation as the “emergence of contestation” around an issue, opening it up to deliberation and criticism. Similarly, but on a more sophisticated conceptual level, Michael Zürn and others diagnose a general trend of politicising international institutions, encompassing both “growing public awareness” and “increased public mobilization” around the collectively binding decisions of international institutions, which hence become “…a matter or an object of public

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23 Ibid., p. 97.
24 Ibid., p. 98.
25 Ibid., p. 145.
26 Statham and Trenz, op. cit., p. 966.
Among other parties, NGOs, transnational advocacy networks and social movements are thought to contribute to this trend. MSF thus showed political agency and contributed to the politicisation of refugee and migration policies in the EU when their political strategies deliberately contributed to public contestation and aimed at social mobilisation. This is precisely what happened during the heyday of the European refugee crisis.

Case Study: The Political Agency of MSF in the Refugee Crisis

Before going into the details of the case, some preparatory methodological remarks are necessary. During its history, MSF has gone through periods in which it was more or less political. The following does not, therefore, claim that its political agency in the context of the refugee crisis is unprecedented. But neither does it suggest that we are simply observing business as usual. Rather, it shows that, during the recent refugee crisis, the actions of MSF again became more confrontational and outspokenly political. The analysis focuses on describing how it exercised this agency and the specific factors that facilitated it.

Another caveat is that the political strategies I describe in the following should not be understood as levelling MSF’s differences with other civil society actors, such as human rights or advocacy NGOs. As a humanitarian NGO, MSF still has a special kind of political role. It uses several interchangeable terms to describe its political approach: “...témoignage, witnessing (bearing witness),

28 Zürn, op. cit., p. 50.
29 Ibid.
speaking out, campaigning and advocacy.” Nevertheless, this approach is still distinct from those employed by other NGOs. MSF usually emphasises that it does not seek to use its advocacy to gain political influence; its advocacy necessarily emerges from direct observations in the field—“medical data and eyewitness accounts”—and the people speaking out must always balance this strategy against the risk of losing access to vulnerable people, and of being manipulated for political purposes. To guard against such risks, MSF members, its national sections and international board always engage in heated discussion on decisions concerning concrete political action. Indeed, MSF is famous for its uncompromising internal debates. The present study may thus benefit from the data those debates generate.

This case study also uses the political statements MSF published during the period under study: open letters, brochures and reports on the refugee crisis. Moreover, it draws on written documentation recording the discussions within MSF about its approach to the refugee crisis, complemented by documents from other humanitarian NGOs or NGO networks. Some already-published research articles further document the background of the refugee crisis and the response of humanitarian organisations. Analysing the internal discussions of the organisation, its political documents, as well as its networking strategies, the present analysis

31 Florian Westphal, MSF Germany, personal communication, October 15, 2016.
33 Ibid., pp. 13–14.
shows how MSF positioned itself and communicated publicly in reaction to the EU’s handling of the refugee crisis. This analysis is complemented by five semi-structured qualitative interviews that the author conducted with high-level representatives of MSF, located in Germany, the UK and Brussels. The interviews provide more background information on, as well as first-hand assessments of, the distinct features of MSF’s actions during this situation. The interview partners referred to what they considered particularly contentious modes of action in the context of the refugee crisis. They also pointed to particularly controversial issues. MSF members considered, for example, on what their advocacy should focus and to what extent they should address political rather than medical issues. Should their advocacy only relate to refugees fleeing war and persecution, to the broader group of migrants, or all “people on the move”? Should MSF make far-reaching political demands, such as safe passage to Europe, address issues like resettlement, or even question the concept of borders? While extreme positions rarely won majority support, the following will show that, in several instances, MSF indeed used its political agency and contributed to a politicisation of the refugee and migration policies of the EU.

The period under investigation is from April 2015 to June 2016. This includes the summer and fall of 2015, when most refugees arrived across the

35 In chronological order: Florian Westphal, Director of MSF (Germany), face-to-face interview in Berlin, 15 October 2016; Sandrine Tiller, Programmes Advisor for Humanitarian Issues for MSF (UK), telephone interview, 27 October 2016; Ulrike von Pilar, Head of Advocacy MSF (Germany), telephone interview, 4 November 2016; Inma Vazquez, MSF Operational Center Brussels, telephone interview, 21 November 2016; Philipp Frisch, Head of Advocacy MSF (Germany), Email communication, 27 March 2017.

36 F. Westphal, MSF Germany, personal communication, October 15, 2016.

37 S. Tiller, MSF UK, personal communication, October 27, 2016; F. Westphal, MSF Germany, personal communication, October 15, 2016.
Mediterranean Sea, with a peak in October, when more than 220,000 people arrived by sea in one month alone. The period also includes the time after the so-called EU-Turkey deal. In March 2016, EU Council Members and Turkey agreed on a set of initiatives to reduce irregular migration to Europe via Turkey. The deal forced migrants who had crossed the Turkish border into Greece to return to Turkey. For every Syrian returning to Turkey, another Syrian could resettle from Turkey to the EU. Moreover, Turkey committed to stepping up its activities against illegal migration to the EU. In return, the EU provided money—€3 billion in 2016 and 2017 and an announced €3 billion more after 2018—and lifted visa requirements for Turkish citizens. The EU and Turkey thus mutually benefitted from the deal: it significantly reduced irregular migration to the EU and it increased the leverage of the Turkish government on its EU counterparts.

MSF published particularly confrontational statements against EU policies and sought to mobilise the public during this entire period. These advocacy strategies intensified after the EU-Turkey deal, with the rejection of EU funds and MSF’s withdrawal from refugee camps in Greece. Five strategies that MSF used in this situation were:

- information politics;
- search and rescue at the sea;
- rejection of EU funds;


- withdrawing from hotspots; and
- networking with wider civil society.

The final section will discuss the conditions that triggered and facilitated the significant political agency that MSF exerted by pursuing these strategies.

Information Politics: Open Letters, Statements and Brochures

It is striking how much attention MSF devoted to the European refugee crisis in its public statements. Reviewing all publications that are available online at MSF International’s webpage from April to December 2015 (143 publications), nearly half of them dealt with the refugee situation in European countries or with those seeking to reach Europe over the Mediterranean Sea. Only a little more addressed all the other humanitarian crises across the world, including the hot spots in Yemen, Syria, the Central African Republic and Somalia.

Most confrontational are the open letters MSF published during the crisis. The first, EU: Your Fences Kill. Provide Safe and Legal Passage, was sent to Switzerland, Norway, Macedonia, Serbia and leaders of EU institutions in 2015. It was also published in newspapers across Europe and delivered to all EU delegations in Brussels ahead of a major ministerial meeting. The Executive Director of MSF-USA directed a similar letter at then-US President Barack Obama. Like a ‘proper’ NGO campaign, MSF sent some letters along with used life jackets on which


refugees had left written prayers and contact details for their family members. In response to the EU-Turkey deal, MSF wrote another letter, *Europe, don’t turn your back on asylum: Take people in*, to European member states and EU institutions in 2016.\(^{42}\)

In that letter, Joanne Liu, president of MSF International, criticised the EU and member states’ governments in explicit language for falling short of their responsibility to assist and protect refugees (“this is a historic abdication of your moral and legal responsibilities”). She condemns the misuse of humanitarianism to disguise political goals (“anti-humanitarian policy that has the ultimate goal of border control”) and the deal’s violation of international humanitarian law (“the concept of refugee will cease to exist”).\(^{43}\) In addition, national sections strongly criticised their governments for supporting the EU-Turkey deal—most notably the German section, which had up until then been quite content with the German government’s handling of the refugee crisis. Now, with her significant contribution to the formulation of the EU-Turkey deal, Chancellor Angela Merkel had allegedly become a “...pioneer of locking out people seeking refuge in Europe.”\(^{44}\)

These letters and statements are not limited to medical issues but address core political issues. Moreover, they demand certain political actions. However, more than MSF statements on other humanitarian crises, the publications on the European refugee crises clearly locate the responsibility for human suffering


\(^{43}\) Ibid.

\(^{44}\) Ibid.
with the EU and European governments. This was also the main message of *Obstacle course to Europe*, an extensive brochure that described the situation of the refugees as “…a policy-made humanitarian crisis at EU borders”. Other statements by MSF—for example on xenophobic violence in South Africa or on Kenya’s infamous Dadaab refugee camp for Somali refugees—focus, rather, on what MSF does to help people. Although MSF also demands some moderate policy changes in these other statements, it does not point a finger as explicitly at those it deems responsible for the crises.

In the refugee crisis, MSF thus used open letters, statements and brochures as a form of information politics. The organisation assembled and disseminated information and accused the EU and individual member states of being responsible for the humanitarian crisis—even of creating it—with the aim of putting pressure on EU institutions and governments to change their policies towards refugees and migrants.

*Search & Rescue at Sea*

After controversial internal discussions, MSF’s Operational Centre Amsterdam decided to operate search and rescue missions at sea and, subsequently, deployed

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three boats in 2015. This was the first time MSF had ever engaged in sea rescue. This decision was contested within MSF precisely because it was not merely an act of charity but also a highly political statement. Having been involved in the process, Hernan del Valle explained why: “The organization was now going to assist people who had not yet arrived in Europe, namely people whom EU States were absolutely not keen on receiving in the first place. In the process of doing so, MSF would be questioning the migration and asylum policies and practices of EU states, which were dragging their feet, setting obstacles, and deliberately neglecting the issue [original emphasis].”48 The opponents of the decision thus considered it too political. The supporters, however, argued that it enabled MSF to bear witness, as doing so required first-hand experiences.

MSF members thus combined search and rescue missions with “…pointing at those who had the power and responsibility to solve the problem.”49 Mostly, however, del Valle emphasised that the boats were “…an important part of the strategy to mobilise empathy and support amongst public opinion.”50 The operations on the boats enabled MSF to make the suffering visible, to tell human stories and to make the human toll of the refugee crisis more tangible for the public. According to UNHRC estimates, 3,771 and 5,096 refugees went dead or missing at sea in 2015 and 2016, respectively.51 The boats were an important piece of infrastructure that allowed MSF to witness the deaths and the suffering of the

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49 Ibid., p. 31.

50 Ibid., p. 32.

people at sea. This, in turn, enabled them to mobilise European societies, and thus put pressure on the EU and governments from below. All of these were the political functions of the vessels, apart from their indubitably life-saving function as rescue boats and floating hospitals.

**Rejecting EU Funds**

Of all of MSF’s activities during the refugee crisis, however, MSF’s decision to reject funds from the EU, including from European member states and Norway, as a reaction to the EU-Turkey deal received most public attention. This decision was also highly contested amongst MSF’s members. In June 2016, MSF International announced that it would no longer accept funds from these sources as a direct reaction to the EU-Turkey deal. It called again for policy change. Jerome Oberreit, Secretary General of MSF International, explained this move: “MSF will not receive funding from institutions and governments whose policies do so much harm. We are calling on European governments to shift priorities—rather than maximising the number of people they can push back, they must maximise the number they welcome and protect”.

Some senior staff of MSF remained against the rejection of funds from the EU, even after MSF made the decision. Fabrice Weissman, for example, rejected the decision as unnecessary and unjustified because accepting EU money would not compromise MSF’s principles. The decision would simply mean renouncing much needed money for opportunistic reasons, with the most

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52 Inma Vazquez, MSF Operational Centre Brussels, personal communication, November 21, 2016.

detrimental effects on those MSF was trying to assist. In other words, he saw the risks of this political act as outweighing the benefits of taking the money. Even Michiel Hofman, one of the proponents of the decision, admitted that refusing EU funds was a decision “...very close to the bone...” that enjoyed “...limited public support in the European home societies”. He therefore feared that the rejection would compromise the private funding base of MSF.

These discussions show that the rejection of funds was a decision taken for strategic reasons and with the awareness that its political message was understood not only by the EU and individual governments but also by national publics. It also attracted much public attention and was a widely perceived signal against EU policies. Media around the world reported on this decision and distributed it by social media channels. Although MSF had rejected money from donors before—such as the US and German governments or in the especially conflict-ridden contexts of Afghanistan, Syria or Somalia—this time MSF rejected money outside of an armed conflict and rejected it from the EU, an international institution that is itself highly committed to humanitarian principles. This underlines that the refusal to accept funds conveys a primarily political message.


56 Ibid.

57 Ulrike von Pilar, MSF Germany, personal communication, November 4, 2016; Weissman, op. cit.
**Withdrawing from ‘Hotspots’**

In another reaction to the EU-Turkey deal, several humanitarian organisations—among them MSF—withdrew their operations from some so-called ‘hotspots’ in Greece, which they denounced as effectually functioning as detention centres, locking away refugees like prisoners. Within a few days, in March 2016, MSF—as well as UNHCR and Oxfam—withdrew from the Moria hotspot in Lesbos. The Norwegian Refugee Council (NRC) withdrew from the Chia hotspot. The NRC withdrew not only because it found the conditions in the camps to be detrimental to an effective aid response but also because it wanted to make a publicly recognised statement against the EU-Turkey deal. MSF justified its move similarly, claiming it would prevent the organisation from being misused “...for a mass expulsion operation...” and becoming an accomplice to an inhumane system. Tom Scott-Smith interprets withdrawals such as this one as “...small-scale acts of defiance...”, as they “...represent a refusal to be complicit in the dynamics of a deplorable situation or an uncomfortable compromise.” Such withdrawals were “...often accompanied by public statements and calls for political action...” and thus convey a political message; here, that the EU response of locking refugees away instead of welcoming them was wrong.

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61 Ibid.
This has certainly not been the first time MSF withdrew from a camp or a conflict zone. Most known and best studied is MSF’s withdrawal from the Rwandan refugee camps in Zaire and Tanzania during the genocide in 1994–1995, after an intense internal struggle. The situation was highly complex but some MSF national sections decided to withdraw mostly out of fear of doing more harm than good by feeding and treating the génocidaires and enabling their coordination and economic foundation.\(^{62}\) Moreover, MSF withdrew from certain missions, or even from a country entirely, due to violence against aid workers and intense security risks, such as in the Democratic Republic of Congo or in Iraq. Nevertheless, the decision to withdraw from the Moria hotspot seems even more to have been an act of protest against concrete national and EU policies. The aid workers were not in particular danger nor did they have to fear that their aid would do as much harm as it did in Rwanda. Instead, through its withdrawal, the organisation sought to criticise the existing policies and practices as the crisis became more severe and to put pressure on the EU and individual governments to change them.

**Networking with Civil Society**

MSF also exercised political agency by networking to a certain extent with broader parts of civil society, although this strategy seems to have the potential for more

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development. MSF UK took its advocacy “a step further” than usual 63 by reaching out to other civil society organisations in a collaborative effort to influence public opinion. Sandrine Tiller, Programmes Advisor to MSF UK, reports that her national section tried to mobilise the public by,

...engaging more with civil society organisations, participating in public events. For example, there was a big march in September [2016], the Refugees Welcome March. So, we mobilised ourselves from the office, but also some people from the MSF associations to be part of it. And we have some university groups called Friends of MSF, so they also participated.64

MSF also broadened its advocacy on issues relating to refugees, pursuing a long-term approach, seeking to change the public view on refugees and migrants, and “…fostering a welcoming and supporting attitude in the public for refugees.”65 Nevertheless, this is not a general trend across all national sections. While MSF Germany had also discussed the possibility of standing up more generally against racism and xenophobic tendencies in German society, it decided that this would go too far beyond its operational approach.66 Moreover, MSF did not cooperate with parallel joint initiatives by humanitarian, development and human rights organisations that equally opposed the EU’s policies towards migrants and refugees.

For example, in the Act Alliance EU 14 network, faith-based development and humanitarian agencies from across Europe sought to influence EU policy makers and decision-making processes. At the UN Summit on Migration and Refugees (New York, Sep 19, 2016), Act Alliance demanded that the EU

63 Sandrine Tiller, MSF UK, personal communication, October 27, 2016.
64 Ibid.
65 Ibid.
66 Florian Westphal, MSF Germany, personal communication, October 15, 2016.
increasingly invest in improving living conditions in countries of refugees’ origin, better protect refugees, and make a commitment to create safe passages for them to Europe. Similarly, VOICE, a network of 85 NGOs active in humanitarian aid, dedicated one of the two annual issues of its magazine *VOICE out loud* to the European refugee crisis and published a General Assembly (GA) resolution concerning this crisis in the same year. It thus made the refugee situation its key topic of 2016 and directly criticised the EU. In the resolution, the network disapproved of the EU’s “...lack of leadership and inadequate response...”, and clearly addressed the negative effects of the EU-Turkey deal that would make it impossible for many VOICE members “...to continue working responsibly”. VOICE President Nicolas Borsinger accused the EU of failing to protect refugees and expressed concerns about the EU-Turkey deal in the *VOICE out loud* foreword. Moreover, 104 “...human rights, humanitarian, medical, migration and development agencies and key implementing partners of development programmes...”, as well as NGO networks, signed and released a joint statement in June 2016. Another 11 humanitarian and human rights organisations signed a statement in October 2016.

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Both statements criticised the EU for its strong focus on migration control and demand policy changes. The first condemned the EU-Turkey deal for leading to “inhumane and degrading conditions” and rejected a new European Commission Communication as being inspired by the EU-Turkey deal, thus further “…increasing human suffering…”.

However, MSF is suspiciously absent from these common efforts. It did not sign any of these joint statements and thus missed the opportunity to join forces in collaboration with other humanitarian, human rights and development NGOs on refugee and migration issues in the EU. As reported by a member of the MSF International Office in Brussels, MSF only occasionally and informally networked with other organisations on the European level. For example, it reached out to children’s and human rights groups for advice concerning asylum rights from a legal perspective. Nevertheless, MSF mostly plays its political agency alone.

**Conditions for the Political Agency of Humanitarian NGOs**

What facilitated the political agency of MSF during the refugee crisis? This section distinguishes between direct triggers that created outrage among MSF members—such as the proximity of the crisis or the EU-Turkey deal—and deeper organisational factors that facilitated the political agency, particularly MSF’s financial independence and de-centralised structure.

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71 104 NGOs, *op. cit.*

72 Inma Vazquez, MSF Operational Centre Brussels, personal communication, November 21, 2016.
The political approach of MSF was triggered because the refugee crisis occurred “...on their own doorstep...”\(^73\). While MSF has a long history of helping refugees in countries usually far-away, this time the disaster happened very close to home. MSF members were present all along the refugee routes: from the different countries of origin, across the Balkans or the Mediterranean, right to the infamous “Calais Jungle”. This proximity and the direct contact with the suffering led to “outrage”—“an important feeling” for MSF members.\(^74\) The EU-Turkey deal also served as a trigger, particularly the refusal to take funds from the EU and the withdrawal from some refugee camps in Greece. Moreover, the fact that much of this crisis happened in Europe and related to EU policies meant that becoming confrontational and outspoken was not risky: it was unlikely to jeopardise access to the victims or even good relations with the donors. This would have been different, for example, in contexts such as Thailand or Malaysia, where such strong criticism of governmental refugee policies could easily have ended the relief mission.\(^75\)

Several organisational characteristics turned out to be the deeper conditions enabling the political agency of MSF. The organisation’s decentralised, ramified structure allowed its different sections to advance their own political position and approach. It was not necessary—and not possible, for that matter—to agree amongst all sections or most members on a certain political strategy. Those proposing and defending a particularly political approach within MSF were mostly people active in the field\(^76\) or refugees from Syria who had previously been local

\(^73\) Sandrine Tiller, MSF UK, personal communication, October 27, 2016; Florian Westphal, MSF Germany, personal communication, October 15, 2016.

\(^74\) Florian Westphal, personal communication, October 15, 2016.

\(^75\) Ibid.

\(^76\) Kotsioni, op. cit., p. 54.
MSF staff.\textsuperscript{77} The Operational Centre in Brussels also brought issues from the operational level to the international or European level.\textsuperscript{78} The decentralised structure thus allows different parts of the organisation, be it MSF International or certain national sections, to engage in particularly political and confrontational modes of action. This suggests that a bottom-up, decentralised structure, rather than a centralised hierarchical structure, generally enables the political agency of humanitarian NGOs.

Another enabling condition is MSF’s high degree of financial independence from government donors, which had allowed it to refuse all funds from the EU, its member states and Norway since 2016, as a reaction to the EU-Turkey deal. Indeed, MSF receives 95\% of its budget—annually more than €1 billion—from private donations. This makes the significant loss of more than €40 million of EU funds bearable.\textsuperscript{79} Although some feared that rejecting money from the EU would also negatively affect private donations, this fear proved baseless. Private donations even rose afterwards. According to MSF’s financial report for 2016, their income increased by €101 million that year, “...due mainly to the growth of income from our private donor base of 6.1 million individuals (5.7 million in 2015) which more than offset the 41 million reduction in funding from public institutions.” \textsuperscript{80}

\textsuperscript{77} P. Frisch, MSF Germany, personal communication, March 27, 2017.
\textsuperscript{78} I. Vazquez, MSF Operational Centre Brussels, personal communication, November 21, 2016.
\textsuperscript{79} Florian Westphal, MSF Germany, personal communication, October 15, 2016.
Meanwhile, the factors usually assumed to hamper the political potential of humanitarian NGOs were not real barriers to MSF’s agency. Humanitarian principles remained highly important for MSF and all political strategies were justified in reference to these but they did not hold back the organisation’s actions. The particularly good and harmonious relations with power holders in the EU and national governments were also no hindrance. Although some members of MSF feared that their public and confrontational strategies would damage these good relations, this did not eventuate. Rather, some people working in the European Commission or Parliament even seemed happy that MSF was representing a position that they themselves shared but could not voice so frankly. Finally, MSF did not need to fear losing access to vulnerable people in desperate need of their help. To the contrary, they themselves decided to refrain from accessing people in the detention camps in order to make a political statement.

**Conclusion**

This article’s analysis of MSF’s strategies during the peak of the European refugee crisis of 2015–2016 reveals the significant political agency of humanitarian NGOs; MSF strongly and directly criticised the EU and European governments in open letters and other kinds of publications as being responsible for human suffering. It sought to mobilise European societies by bearing witness from search and rescue vessels in the Mediterranean Sea. In direct opposition to the EU-Turkey deal, MSF withdrew from refugee camps in Greece and rejected significant EU funds. Finally, the NGO reached out to more political organisations within wider civil society, at least partially and on an *ad hoc* basis. This article argues that these strategies were
particularly outspoken and confrontational behaviours by MSF which aimed to increase public awareness and mobilise societies about refugee issues, and to put pressure on national and EU decision-makers to change their policies.

This political approach to stronger confrontation with governments and international institutions, and to increased public debate regarding an issue shows the potential of humanitarian NGOs to politicise the global governance of refugees and migrants. This study further suggests factors that enabled MSF’s political agency in the concrete situation of the refugee crisis. Firstly, the proximity of the crisis triggered MSF’s political involvement: the refugees were drowning in the Mediterranean Sea, they were being beaten and abused in European states, they stayed in prison-like camps in Greece, and they desperately lined up or camped in major European cities. Moreover, individual policies—in particular the EU-Turkey deal—increased this outrage and became a politicising moment. MSF’s political agency was further enabled by certain deeper organisational factors, particularly its decentralised structure and its high degree of independence from government funding.

A political-practical implication of this study is that the desirability of MSF engaging in such outspokenly and confrontational political behaviour may be unclear because its effects are, as yet, understudied. On the one hand, such a political move seems desirable: humanitarian NGOs should use their political agency more to confront the policies and practices of states and international institutions that they deem inhumane. MSF’s strategies during the refugee crisis appear to be one way of adopting a more agile, active and effective advocacy in an attempt to address the contemporary crisis of humanitarian action. On the other hand, this explicitly political approach may have detrimental effects. Its opponents
within the organisation fear that MSF may lose its principle-oriented humanitarian character, at least in the eyes of others. This might result, for example, in reduced credibility, decreased donations, criminalisation and the eventual inability to reach people in need. Thus, when humanitarian NGOs prioritise political protest and advocacy, they have to be aware of the pitfalls and possible unintended negative effects. For example, acting as spokespersons for ‘refugees’ might lead to subjectivising them, categorising them as refugees who need care or simply as victims.\textsuperscript{81} While this depiction might suit the humanitarian narrative, it also downplays and suppresses the refugee’s own agency, perspectives and demands.

This suggests that MSF and other humanitarian NGOs should become more effective in assessing the effects of their political positioning and strategies. As of yet, humanitarian NGOs are often rather unaware of whether their strategies have any tangible political effects. Del Valle specifically noted for MSF during the refugee crisis: “MSF was aware that while this visibility could increase the pressure on governments to act, the extent and nature of responses offered by EU States was beyond its control.” \textsuperscript{82} Nevertheless, taking on a more political role in global governance also entails the responsibility to better assess the implications of one’s actions.

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\textsuperscript{82} Del Valle, \textit{op. cit.}, p. 32.
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