

## Humanitarian Engagement with Non-State Armed groups: Enhancing the Protection of Civilians in Armed Conflict.

Most of today's conflicts involve one or more non-State armed Groups fighting government forces or each other. Efforts to assist and protect victims of armed conflict, in particular civilian populations, must therefore not only address the conduct of States, but equally that of non-State armed groups. In his 2009 report to the Security Council on the protection of civilians in armed conflict, the UN Secretary-General encouraged the development of a more comprehensive approach to increasing the compliance of non-State armed groups with international law. To this end, OCHA, Geneva Call and IPI gathered UN and non-governmental humanitarian actors to share their experience on how such engagement can achieve better protection of civilians and what role UN Member States can play. Approximately 90 participants (representatives of States, UN Secretariat and agencies, ICRC, NGOs, and the broader policy community) attended.

Sir John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, opened the discussion. The first panel addressed the rationale and strategies of humanitarian engagement with non-State armed groups, incentives for their increased compliance with international law and achievements and challenges in this regard. The second panel explored different thematic and context-specific examples in greater depth.

The panelists consistently made the case for continuous and increased humanitarian dialogue with non-State armed groups, as these groups often control territory and/or have influence over civilians. Concrete examples were given where engagement resulted in increased protection of civilians, such as removal of landmines, immunization of children, and release of hostages. To achieve positive and lasting changes in terms of how wars are fought, humanitarian norms must be integrated into military policies and codes of conduct by all parties to conflict. Experience also shows that non-State armed groups are willing to make and abide by commitments to not only respect specific humanitarian norms, but also to cooperate in the monitoring of their compliance. An inclusive approach providing participatory accountability mechanisms to non-State armed groups has proven to be effective.

The fragmentation of groups, unclear or decentralized command structures, shifting control over territory, and lack of cooperation of affected States may pose serious challenges for effective dialogue with non-State armed groups and demands a certain degree of pragmatism and flexibility from humanitarian actors. Effective outcomes require a wide range of possible interventions.

Mistrust between warring factions, and also towards humanitarian organizations is an unavoidable consequence of armed conflict. Humanitarian actors need to demonstrate their neutral, impartial, independent and purely humanitarian agenda through their actions and must be prepared to invest in long term relationship building processes. This may include taking calculated physical and political risks. Local actors with sound knowledge of the social, cultural and historic context are also often indispensable for building successful relations with non-State armed groups.

Affected States were urged to support, or at least not obstruct, humanitarian engagement efforts. The panelists emphasized that humanitarian engagement is neutral and impartial in character. It does not impact the legal or political status of non-State armed groups, nor does it undermine the State's capacity to fight these groups. It is critical that humanitarian engagement in itself is not criminalized. Furthermore, terrorist listing often fuels radical behavior instead of encouraging moderation within non-State armed groups.

UN agencies, international NGOs and local NGOs each have comparative advantages allowing them to best work in different situations or under different circumstances. These efforts should be complementary, and where relevant, coordinated.

**The panel discussion made clear that humanitarian engagement with non-State armed groups is an effective approach towards better protection of civilians. Non-State armed groups are not just part of the problem, but also part of the solution.**

This roundtable discussion was the first of a series of events, organized by Geneva Call with the financial support of the Swiss Federal Department of Foreign Affairs, on the issue of humanitarian engagement with non-State armed groups.