

Phase II – Theme I: Conflict

Introduction

This guidance document focuses on the first of the four themes identified by the Irish Consultative Process: ‘Serving the needs of people living in conflict affected environments’. It should be read in conjunction with the ‘Overview of Phase II – Irish Consultative Process to the WHS’ document. It summarises the key findings from Phase I of the Irish Process plus the update on thematic work by the global WHS process to date. It also suggests key questions developed from the work already conducted (at both an Irish and global level) which will be used to guide further study in Phase II.

Background to Theme Area

Humanitarian action in conflict is becoming more challenging due to the rise in need, the protracted nature of contemporary conflict, and shrinking humanitarian space. There are continuing violations of international humanitarian law in many conflict situations, political solutions seem distant in many protracted conflicts and civilians continue to suffer direct and indirect effects of conflicts. Humanitarian organizations are also confronted by continuous access challenges in many conflict zones, heightened insecurity for aid workers and a rise in attempts to politicise humanitarian action, notably as a result of the deficit of political solutions. In many contexts, this leads to a sharp deterioration in the ability of humanitarian organisations to provide assistance.

There is a growing call for the WHS to communicate the significant challenges faced, and to discuss and seek commitment for all parties to take responsibility for implementing normative frameworks and instruments. All parties to a conflict have the duty to respect and ensure respect of international humanitarian law. There have also been calls to refrain from using humanitarian action for political purposes.

Reinforcing humanitarian action in conflicts requires emphasising the importance of respecting the humanitarian principles by all humanitarian actors. It also requires finding new ways to get parties to a conflict to ensure that people in need of humanitarian assistance and protection have access to them, including by facilitating access of humanitarian organisations. To achieve this, there is a need for sustained dialogue between humanitarian actors and the parties to a conflict. There seem to be no easy solutions to the challenges of humanitarian action in conflict-affected areas: the quality of staff and programmes or the acceptance of their action by affected communities and parties to a conflict can only be the result of systematic engagement. There is also a call for donors to ensure their finance is adequate and flexible to allow humanitarian actors to operate in high-risk environments in order to have greater proximity to affected populations through satellite offices or mobile teams.

Findings from Phase I of the Irish Consultative Process and the Global WHS Working Groups

The Phase I consultations in Ireland and the Global WHS working groups yielded the following suggestions concerning the reinforcement of humanitarian action in conflict environments. The five Irish stakeholders groups were: Public Sector Group (PG); Private Sector Group (PvS); NGO Group (NGO); Diaspora Group (DG); and Education Group (EG).

- There is a need to use all means of communication to conduct ongoing dialogue with affected populations required in order to, inter alia, reassure affected people about the motivations of humanitarian actors (DG);

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- Diaspora are key in sensitising humanitarian actors (including donors and western NGOs) to the crisis environment (DG);
- Further awareness raising ought to be conducted concerning the principles and their implementation – programming and reporting should address the principles (and incentives should be provided for raising awareness concerning the principles among other actors, particularly non-traditional/new actors) (NGOs, PG);
- Funding ought to be provided to local actors in a more systematic manner (NGOs; PG; DG);
- Adherence to IHL ought to be promoted (NGOs);
- Gender-based violence prevention and response ought to be further promoted (PG);
- Pre-positioning of supplies ought to be further promoted (PG);
- The mapping of agency presence ought to be further promoted (PG);
- Agreement on land issues ought to be further promoted (PG);
- The establishment of safe zones ought to be further promoted (PG);
- Support for national and regional early warning systems for conflict ought to be promoted (PG)
- Examine the opportunities for discussing and seeking action by states to respect IHL and refrain from politicizing humanitarian aid (EC);
- Develop measures to support reaching and delivering agreements between parties to a conflict to facilitate access to affected populations.
- Explore with donors ways to cover additional costs required for allowing greater proximity to affected populations.
- Propose measures or protocols for improved interaction between humanitarians, mediators and the peacebuilding community.
- Identify concrete measures for strengthening the contribution of humanitarian actors to the protection of affected people.

Suggested Guidance Questions for the Focus Group Discussion meeting:

A paragraph¹ will be prepared on each suggestion bulleted indicating the ‘problem/ issue’ under review as identified in phase 1 and the WHS documentation. Then the focus groups will be asked the following questions:

- What needs to be done to address the issue/ problem?
- What should Ireland’s position be on this issue?
- What can the different stakeholders in Ireland do to address the issue? (public sector/ private sector/ NGOs/ diaspora/ education)
- Are there examples of how this issue has been addressed that can be documented as models/ case studies?

¹ These paragraphs will be developed in the coming days and may result in slight changes/ the merging of some of the above suggested bullet points.