

**Under-Secretary-General for Humanitarian Affairs and
Emergency Relief Coordinator John Holmes**

**Opening remarks at
“Humanitarian Engagement with Non-State Armed Groups:
Enhancing the Protection of Civilians in Armed Conflict”**

**A panel discussion co-organised by OCHA, Geneva Call and
the International Peace Institute
Supported by the Government of Switzerland**

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Excellencies, ladies and gentlemen, colleagues,

Let me first thank our co-organisers of this event, the International Peace Institute and Geneva Call. And thank you very much to the Government of Switzerland for its support and for this event. Thank you also to our panelists today who will be sharing their perspectives I hope stimulating vigorous discussions.

I am very glad to see that we have such a wide range of attendees today, including representatives of Permanent Missions to the United Nations, UN agencies, NGOs, think tanks and research institutions. This is an important topic which deserves our collective attention.

Let me try to set the broad context first. In the past few years, the normative advances towards protection of civilians have been significant. The Security Council gives more systematic attention to this than it ever has before. It is, for example, refining mandates given to UN missions in support of protection of civilians, and trying to match resources and expectations. It increasingly demands concrete action on the part of State and non-State armed groups to eliminate recruitment of child soldiers and to cultivate a culture of compliance with regards to the protection of children in armed conflict. Furthermore, the appointment this year of the first Special Representative of the Secretary-General on Sexual Violence in Conflict, Margot Wallström, opened up a new avenue through which strategies to put an end to acts of violence can be developed.

However encouraging these developments, they have not so far been matched by real progress on the ground. In fact, in many places where humanitarians work today, our ability to access people in need of assistance has eroded and the impact on civilians of especially internal conflict, now the norm as opposed to inter-state wars, has grown.

In 2009, there were thousands of civilian conflict deaths, from Gaza to Sri Lanka to DRC to Pakistan, Afghanistan and Somalia, and an untold number of casualties as well as destruction of social, economic and cultural life. In 2009, 6.8 million people were displaced within their own country by conflict, more than at any point since the mid-1990s, bringing the total number of IDPs at year end to 27.1 million. Worryingly, the signs are that 2010 will be no less deadly for civilians. In Somalia in the last three months, just two of the main hospitals in Mogadishu have admitted

over 1,384 war casualties, of whom 328 were children under 15. An upsurge in violence in Darfur has displaced 116,000 more people in the first half of this year. Another 90,000 people fled their homes in South Sudan over the same period as insecurity mounted in the run-up to the referendum in early 2011.

Equally concerning is the increasing trend towards violence against humanitarian personnel working to assist these civilian populations. Over 100 humanitarian workers were killed in both 2008 and 2009 – more than three times the number killed one decade ago and twice the number killed in 2005. 2009 was, statistically and by common consent, the deadliest year yet for humanitarian staff. Afghanistan, Pakistan and Somalia, where humanitarians are too often deliberately targeted, lead the way in the numbers of deaths, kidnappings and attacks, but Sudan, Chad and DRC for example, where banditry is more the problem, are becoming increasingly dangerous, too. So far in 2010, at least 30 humanitarian workers have been killed while carrying out their work. Those kidnapped and injured have numbered well over 200 each year for the past four years. It is the national staff of international and local organisations that bear the brunt of this risk. They are at least some 80% of the casualties.

All of today's conflicts involve one or more non-State actors - groups whose political and military objectives are extensively analyzed but, if we are honest, we do not really know well. At the same time their knowledge of and respect for their obligations under international humanitarian law is too often poor and, at worst, non-existent. That is the challenge for our discussion today – how to engage with these groups. We need to remind them of their obligations and make sure they understand them, and the possible consequences of not abiding by them. We need to assess their capacity to enforce appropriate conduct, and learn what beliefs and motivations drive their behavior towards civilians – both positively and negatively. In other words, if we are serious about reducing the risks for civilians, we need urgently to develop a comprehensive approach towards improving compliance by all these groups with the law. Above all, we need to talk to them. And with this in mind, for example, OCHA and UNICEF are already collaborating on research to understand better the attitudes and motivations driving sexual violence during conflict. I look forward to seeing how the findings of this study can be translated into concrete prevention work.

As we consider the purpose and scope of humanitarian engagement with non-State armed groups with a view to influencing how they treat civilians, let us remember that international humanitarian law, our main point of reference on this matter, does not address whether to go to war.

What IHL does do, in part, is to create limits on how hostilities may be conducted, if and when armed conflict does occur. These rules seek to preserve humanity while taking into account military necessity. They apply to non-State armed groups as well as to State forces.

Therefore, through humanitarian engagement with non-State armed groups, what we are seeking is compliance with existing IHL obligations, as well as relevant human rights norms, of the non-State parties to conflict to spare civilian populations from harm – an outcome that is in everyone's interest. These efforts do not provide such armed groups with any form of recognition or legitimacy or respectability.

Whether engagement is sought with the Houthi rebels in Yemen, the Taliban in Afghanistan and Pakistan, various armed groups in Darfur, Somalia, the DRC and elsewhere, through reinforcing their obligations with regard to civilians, more lives can be saved and needless suffering averted. Humanitarian engagement with non-State armed groups can stop landmines being laid and help to ensure that old ones will be cleared; can increase respect for medical facilities; can help to gain safe passage to provide goods and services when and where they are needed to all affected populations, not just to some.

I hope we will be able to learn today from UN and non-governmental humanitarian leaders and experienced practitioners about the approaches used to engage non-State armed groups, including the incentives and means to get them to change their behaviour towards civilians.

But, as we embark on this discussion, let us be clear that what we are speaking about is humanitarian engagement with non-State armed groups by humanitarian actors, for humanitarian purposes alone. By definition, humanitarian action seeks no other outcome than saving lives and easing human suffering.

Of course, without exception, such liaison takes place in politically-charged and sensitive environments, rife with shifting allegiances and suspicions about the motivations of any and all actors present in the conflict arena. Certainly, humanitarian actors must be alert to political considerations in order to ensure that the strictly humanitarian character of this work is not jeopardized or questioned. But if we are to assure all actors of the neutral and impartial character of engagement with non-State armed groups, all aspects of the dialogue must remain strictly humanitarian with no promise or expectation of political dividends. That is the paradoxical challenge of humanitarians in so many contexts: how to stay non-political in an extremely political environment.

This is not to say, of course, that there are not important and relevant humanitarian considerations in the context of political dialogue addressing the armed conflict itself, for example, in ceasefire negotiations and political settlements. Such processes help to address the effects of conflict on civilian populations and bring the conduct of parties to conflict in line with accepted norms.

However, and particularly in the absence of prospects for a sustainable peace, all parties to conflict must be able to trust the neutrality and impartiality of humanitarian actors. For this reason, engagement with non-State armed groups to achieve humanitarian outcomes must be undertaken by humanitarian actors. These humanitarian actors should, of course, have the necessary specialized knowledge and expertise regarding the experience of civilian populations during times of war and what is needed to prevent and alleviate the damage that war inflicts upon them.

Last, but not least, let me remind you that the parties to the Geneva Conventions are obliged not only to respect IHL, but to ensure respect for IHL by others. I urge States – including those affected by or involved armed conflict – to take this obligation fully seriously. This should include, in the first instance, informing non-State armed groups of their obligations. But it also means ensuring that humanitarian actors are not obstructed in their efforts to engage with non-

State armed groups to improve their treatment of civilian populations. This may be difficult and sensitive, but it is also fundamental and crucial.

But this is also a wider responsibility for all. “Ensuring respect” for IHL is a task that falls not only upon parties to the Geneva Conventions presently involved in armed conflict. It is a general obligation upon all Member States to do what is reasonable and necessary to better protect civilian populations in times of conflict. I hope and trust you will use this opportunity to explore the various ways in which we can do so.

Thank you.