

European Humanitarian Forum

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European Humanitarian Forum ASIA Regional Field Consultation

SAFEGUARDING HUMANITARIAN SPACE - PROTECTION OF HUMANITARIAN AND MEDICAL WORKERS AND ENGAGING WITH ANSAs

*9 November 2021 – 13h00-17h00 BKK time
Virtual format only*

On 9 November, ECHO Regional Office in collaboration with ECHO country offices organised an **Asia-Pacific regional level field consultation**, in the lead up to the European Humanitarian Forum (EHF) on “Safeguarding humanitarian space – Protection of humanitarian and medical workers and engaging with armed non-state actors (ANSAs)”.

The well-attended event brought together 59 humanitarian and other key stakeholders (21 DG ECHO and 38 external) from UN, IOs, INGOs and national NGOs in the region to discuss the topic; hence to **inform the upcoming EHF scheduled to take place in Brussels on 24-26 January 2022**, with the aim to serve as a new and innovative platform for strategic, high-level open debate between EU political decision-makers and the wider international humanitarian community.

The twofold objective of this regional consultation was to explore priorities for stepping up protection of humanitarian and medical workers and assets in armed conflicts, and how states/donors can maintain space for engagement with ANSAs to better protect civilian populations impacted by conflicts - both topics being implicit **pre-conditions for safeguarding humanitarian space and access, the file rouge topic of the consultation** for which key recommendations needed to be formulated.

Welcome and Introduction

After welcoming the participants, ECHO Head of Regional Office (HoRO) for Asia and the Pacific informed about the EHF, i.e., background, purpose of the regional consultations ongoing in various contexts, and the **strategic momentum** to continue engagement and reinforce the voices from the field to bring policy recommendations to the forum.

The consultation was structured around two sub-sessions with specific questions to generate key asks and recommendations:

Sub-session 1 – Which are the priorities for stepping up on the protection of humanitarian and medical workers and assets in armed conflicts?

Sub-session 2 – How can states/donors maintain space for engagement with ANSAs?

The second sub-topic was conducted as a plenary discussion based around open-ended inputs from all participants in Mentimeter, whilst the first sub-session was conducted in a mixture of plenary and group work. The groups were structured around the 4 sub-topics that were the focus of the Discussion Series hosted by the EU together with France, Germany, Mexico, Niger, Norway, and

Switzerland in New York from March-June 2021. The work on each of these sub-topics was animated by presentations from external facilitators: Data collection and analysis (Insecurity Insight); Security risk management (INSO); Countering criminalisation of humanitarian aid (NRC); and Strengthening accountability (OHCHR).

Given the nature of the subject, the consultation was conducted strictly under Chatham House rules; none of the following recommendations are attributable to any individuals or organisations.

Key asks and recommendations

Sub-session 1 – Which are the priorities for stepping up on the protection of humanitarian and medical workers and assets in armed conflicts?

Data collection and analysis on attacks against humanitarian workers

- EU/MS should promote the use of existing data sets while recognising that there are different purposes of data collection (advocacy vs. operations) and that different mechanisms/tools serve different purposes and cannot/should not be harmonised just for the sake of harmonisation. Collection of qualitative narrative data should be strengthened by promoting further engagement with local actors and affected people. EU/MS should use the EHF as an opportunity to find a way to share data for common analysis across the nexus.
- Data and advocacy: EU/MS should prioritise collection of data for accountability purposes as high as data collection for operational purposes and ECHO should increase engagement with the political side of the EU to fulfil its advocacy role. EU/MS should use data better – not only for public advocacy, but also for private advocacy, e.g., with ANSAs.
- The EHF should be used to initiate and spearhead avenues in pursuing IHL awareness and humanitarian access to higher level of policy advocacy, such as where frameworks and other policy instruments can be developed and called to action. EU/MS should fulfil their legal mandate and public advocacy role in using these data and analyses in promoting IHL.

Security risk management practices of humanitarian organisations

- Risk appetite: EU/MS should have realistic expectations considering security environments and there should be informed consent between donors and partners on having projects in high-risk areas. There is a need for a structured approach to ensure feasibility and avoid NGOs feeling they are pushed to work in some areas.
- EU/MS should ensure proportionality and equity in: risk management for international staff versus national staff; security budgets overall, including respectively a) for local organisations and b) for contexts considered less at risk but where teams still need to operate in high-risk areas.
- EU/MS should ensure that all their partners share security risk analysis with relevant coordinating bodies.
- EU/MS should understand that remote security management/trainings do not work and that there is a need to find alternative ways.

Countering the criminalisation of humanitarian aid

- EU/MS and the humanitarian sector must accept the limits of risk transfer: as ‘zero-tolerance to risk’ approaches in the humanitarian sector are leading to further remote management and reliance on local actors in high-risk areas, with local staff facing greater risk exposure, the sector needs to understand/accept/ manage/share those risks to achieve localisation commitments whilst retaining duty-of-care responsibilities.
- EU/MS should acknowledge the particular risks faced by local staff and actors in criminalisation of humanitarian aid, e.g., extrajudicial impact if being associated to some organisations.
- EU/MS must ensure clarity on counterterrorism measures and risks entailed with the localisation of aid; demystify the impact of counterterrorism measures to avoid over-compliance and non-

action; ensure that the subtleties and legal language around exemptions are detailed as much as possible.

Strengthening accountability in the fight against impunity for attacks against humanitarian workers in armed conflicts.

- EU/MS should recognise that evidence documentation is critical for accountability and ultimately for behaviour change promotion and should further encourage collaborative relationships between humanitarian protection and human rights actors to work together on risk analysis and identification of mitigation measures.
- EU/MS should encourage and support the establishment of a platform for discussion on accountability amongst humanitarian community: this is particularly needed with the HCT and humanitarian coordinators.
- RCs/HCs bear a responsibility for both access and protection of humanitarian workers, but often access is highest on the agenda. EU/MS should play a role in facilitating these conversations and ensuring red lines to avoid that it becomes a trade-off between access and safety.

Sub-session 2 – How can states/donors maintain space for engagement with ANSAs?

The EU and its MS should ensure that humanitarian actors have space to openly engage with ANSAs. Engagement is a pre-condition for behaviour change and thus long-term engagement is an opportunity for enhancing protection of civilians. Engagement should be understood widely to encompass not only access negotiation, dissemination of principles and IHL, but also changing ANSAs openness and willingness to engage and their perception of humanitarian actors as representatives of western values. This entails:

- Engaging diplomatically with relevant regional and national government actors through EU and MS advocacy on promotion of humanitarian norms as a pathway for acceptance of engagement. Humanitarian diplomacy vis-a-vis regional actors/powers should be strengthened and there should be more attention to acting fast in shifting political contexts, which provide openings for engagement.
- Recognising that engagement with ANSAs is not a quick fix, it requires long-term engagement, specialised organisations, and dedicated staff. More should be done to operationalise the HDP nexus on engagement with ANSAs, and specifically for ECHO to engage more with the political side of EU services around this.
- Counteracting risk-adversity and self-censorship by ensuring that EU and MS language around exemptions is sufficiently detailed and clear, and that risks are not transferred downwards but accepted, shared, and managed between all actors.

Details from the discussions

Sub-session 1 – Which are the priorities for stepping up on the protection of humanitarian and medical workers and assets in armed conflicts?

A quick exercise allowed to launch the topic, asking participants to rank the four below aspects in improving the protection of humanitarian and medical workers and assets in armed conflicts (1 being most important, 4 being least important). The results came out as follows, with **1st *Countering the criminalisation of humanitarian aid*; **2nd** *Security risk management practices of humanitarian organisations*; **3rd** *Strengthening accountability in the fight against impunity for attacks against humanitarian workers in armed conflicts*; **4th** *Data collection and analysis on attacks against humanitarian workers*. Ref menti.com:**



A plenary discussion followed to exchange on this ranking and other possible aspects to consider in improving the protection of humanitarian and medical workers/assets in armed conflicts. Here, it was highlighted that although not a poll per se, aspects related to *Countering the criminalisation of humanitarian aid* and to *Security risk management practices*, respectively, were dominating the agenda.

Participants however insisted that *data collection and analysis* was equally important, in the sense it was difficult to address and/or make informed planning and decisions on any of the other issues without having proper information. How to define security risk management practices without collecting/analysing risks first? But at the same time, how to assess/access this information without proper security risk management? The conclusion on this ‘chicken and egg question’ was that all factors were important and in the search for the right equation, security risk management practices shall not systematically prevail over operational considerations. The inter-linkages were reiterated.

It was also underlined that if detailed/informed analysis of situations at stake were key, *strengthening accountability in the fight against impunity* was crucial, e.g., in Myanmar, where the legal situation (arbitrary arrests, conditions in/lack of access to detention places, attacks against healthcare workers, etc.) continues to be alarming and should be on the top of all stakeholders’ agenda.

This latter point led to the discussion on other aspects that could/should be addressed to improve the protection of humanitarian and medical workers and assets in armed conflicts, e.g.:

- Further consideration: of intimidations and threats against medical workers and other responders, of multiple issues faced by local organisations; and first and foremost, of the transfer of risks to those organisations and how to mitigate those risks? Strengthening coordination was also raised with the key question asked on how to maximise collective partnerships with local networks. This was also discussed at length during the ‘localisation’ consultation field consultation which took place on 8 November (see also the separate report).
- Broadening of the scope of what is meant by ‘humanitarian access’ which, rather than focusing on access that INGOs/RCRC movement/UN agencies have, could consider civilian access/services more inclusively (as gaps can be filled there): in the end, is it about having access or people having access to what they need? Suggestions were also made for more appropriate form of engagement with armed duty bearers.
- Strategies for humanitarian calls for action, based on those precise data/analysis/recommendations, to go beyond hashtags and expressions of concerns: as the international community is powerless in front of the UNSC failure, how to reach the ICC or other strategic levels to get those points across?
- Enhanced representation of local actors in strategic dialogues and/or coordination mechanisms (when caution is often justified by the ‘sensitive nature of the discussions’).

- Equal treatment for local actors to access trainings or other opportunities that international representatives have.

Breakout sessions followed on the four topics to delve deeper into challenges and opportunities for each specific section and allow participants to come up with specific asks and recommendations to be taken further to the EHF. Participants were asked to reflect on recommendations the humanitarian community could bring collectively, thinking also of how ECHO could further uphold its role on the respect of IHL bringing it to the attention of EU Member States, including in the frame of the triple nexus, taking account of tools that MS have at their disposal for preventive diplomacy at large, with IHL responsibilities in particular.

Group 1: Data Collection and Analysis - How to further develop information collection and analysis that can be used for advocacy? Brief overview of the systems in place and reflections on whether the systems are fit for purpose. Presenter: Insecurity Insight

Data collection and analysis is needed to understand key humanitarian space issues such as security risk management, accountability, and impact on humanitarian and other actors. It is recognised that contradictions persist between different objectives. For example, whilst there is a need to show what the data say, the outcome or consequence of making these known may also imply further challenges on the ground in claiming humanitarian space. It is therefore important to be aware of these contradictions and be able to appropriately deal with these issues.

The impact of data gathering and analysis on humanitarian space in several countries shows why it is important and in fact the first step toward several other considerations for humanitarian access. It can lead to adequate trust amongst stakeholders. Data should not be limited to figures and quantitative records of what have occurred and continues to happen especially in terms of IHL violations. Data gathering should encompass both quantitative and qualitative data and use the analysis to talk about principles beyond mere statistics. Data gathering and analysis can inform advocacy messages on IHL compliance to armed actors, encouraging behavioural change and thus safer grounds for aid works and civilians. It can be an effective means for public advocacy as well as for private advocacy. It is also recognised that different mechanisms for data collection and analysis exist, these are distinct for good reasons and there is no need to reinvent these methodologies. In doing so, it is important to start the analysis on the ground, keep it close to the context, field-focused, and based hereon contribute to broader, including global analysis of the situation.

As data collection and analysis provides the foundation toward ensuring humanitarian space, it is imperative to recognise and address the challenges in using this information. Data overlap exists in multiple sets of information due to lack of coordination amongst different actions on data collection. Different multiple networks gather and use similar data within their local activities, with limited exchange of information and joint analysis. It is also a challenge to ensure that donors and other resource institutions both at the field and headquarter levels are aware of the importance of data collection and analysis.

The group recommends that the European Humanitarian Forum initiates and spearheads avenues in pursuing IHL awareness and humanitarian access to higher level of policy advocacy, such as where frameworks and other policy instruments can be developed and called to action. EU political entities including member states should fulfil their legal mandate and public advocacy role in using the data and analyses in promoting IHL.

Humanitarian agencies are encouraged to facilitate continuous discussion and more integrated and qualitative analyses through nexus and other platforms. Joint analysis is encouraged whilst respecting the specific needs for each different methodology and purpose. Data gathering and analysis should support humanitarian workers in pursuing private advocacy especially toward ANSAs including recognition of IHL compliance. Data should not be confined only for public advocacy use. Opportunity for NGOs and other local actors to participate is also vital.

In all this, DG ECHO is encouraged to take active role in adopting these recommendations through EHF and beyond. Discussions on IHL, humanitarian space through data collection and analysis should continue and include more issues such as linking data collection to local actors and the realities of affected population. It is also relevant to see ECHO taking an important role in facilitating coordinated, continuing discussions both at the field and headquarters level.

Group 2: Security Risk Management - How can the humanitarian system better develop security risk management policies, tools and skill sets that help all partners? As it is now, security risk management is extremely individual per agency and depending on resources, which puts smaller partners or local partners at a higher risk: is there any way to remedy this? Presenter: INSO Afghanistan

The Afghanistan situation was used as an example to illustrate the application of different security management approaches which could be perceived based on individual choices or resources (funding depending on the size of the organisation), as well as gaps in terms of security training for staff, safe rooms within compounds, etc. While major analysis from large organisation such as UNDSS exist, there is a need to look at how NGOs can actually integrate recommendations into to their own risk management (including trainings on how to follow the recommendations); i.e. more consistent monitoring of NGOs' implementation of certain security measures, tailored assistance to NGOs to adapt a particular security context, etc.

During the discussion that ensued, the following issues were raised on:

- Informed consent between donors and partners on having projects in high-risk areas: there is a need for a structured approach as there is sometimes a tendency to overlook what is feasible - leading some NGOs to feel like being pushed to work in certain areas where there is no or insufficient security assessment.
- Proportionality of the security budget to the level of risk in order to ensure staff safety: security budgets should not be compromised for the proposal to be competitive; it should fall under direct costs; and should also be considered for local organisations.
- Proportionality of security needs/management for international versus national staff (bearing in mind differences in terms of risk profiles): a telling example is that currently in Afghanistan, while there is reluctance to send expatriates back, there is a push for local staff to resume project activities.
- Security budgets for low-risk countries with *de facto* high-risk regions (namely Philippines/Mindanao and Thailand/Southern provinces) and/or disaster-prone areas: it is extremely difficult for these contexts to have their budgets earmarked for decent security measures.
- Practical challenges related to the implementation of security measures in high-risk areas during the pandemic: this has demonstrated the importance of having a person in-country for security risk management; as well the failure of online/remote trainings (e.g., HEAT), therefore the need to explore alternative mechanisms.
- Organisations (particularly larger ones) being reluctant to share information for a variety of reasons: here, donors could encourage their implementing partners to share security/risk analysis with a coordination body like the INSO, which can play an important role in terms of information sharing.

Group 3: Countering Criminalisation - Criminalisation of humanitarian workers has been on the rise; legislation that potentially designates humanitarian workers and assets as supporting terrorist organisations have been rolled out across several countries. How can the humanitarian system better support humanitarian workers and assets? Do we currently have the rights tools and skill sets available to counter these trends? Systemic approaches to ensuring humanitarian workers are

not criminalised. Initial findings from ERC project and a couple of good practices. Presenter: NRC Bangladesh

The discussion covered trends in counterterrorism (CT) in the last 10 years and the evolution of legal frameworks; with elements not only found under UNSC and related frameworks but also, increasingly, under domestic laws against humanitarian workers and CSOs space. Measures taken by INGOs/CSOs are numerous and tool kits do exist (ref. NRC). But questions are many. Essentially, access to victims requires to talk to armed groups *de facto* in charge of territories/population and humanitarian organisations should be seen as neutral, but are they/we under CT frameworks? Besides, 'zero-risk tolerance' approaches drive to remote management being described as localisation via "local actors" (not to name ANSAs), but in this case how to acknowledge the capacity building of non-state actors and to ensure further protection? Also, how to navigate as donors increase assistance to or through non-state actors while domestic laws criminalise humanitarian workers? Before 'criminalisation' trends, there had always been a will of politicising assistance, but today there is a need to further adapt tools to these new hurdles.

It was discussed that protection of humanitarian workers does fall under IHL and other relevant norms; therefore, restrictions/exemption systems shall be well defined – taking account of the particularities of local NGOs which can be partial/politicised. Positive examples around access/results could influence donors and pave the way forward, incl. trust and acceptance throughout the project cycle via localisation. There are also systematic bureaucratic hurdles and impediments which could be better addressed through advocacy and efforts. It is necessary to 1) document the impact of such restrictions and legal interdictions on populations that humanitarians could not reach as a result of those measures; and 2) advocate for and monitor the legal protection of humanitarian workers in domestic laws (e.g., Ethiopia).

Group 4: Strengthening Accountability - What accountability mechanisms are necessary to ensure compliance? IHL exceptionalism being high currently, are there any strategies specifically that humanitarian partners could develop to ensure further accountability by parties to the conflict? Presenter: OHCHR Myanmar Team

In setting the scene, it was highlighted that accountability is critical whether it concerns limiting access at large incl. the distribution of aid or attacking health workers/humanitarian workers or other civilians: these are violations of IHL, human rights law and ultimately of international criminal law. While noting that accountability may mean different things for different people, but from a human rights fact-finding perspective, accountability means criminal accountability for the perpetrators of these crimes to be held accountable. This also includes entities/units the perpetrators belong to (their command structures, policies, etc.) and more broadly the international community which has collective responsibility to protect through necessary political actions or specific mechanisms of (particular) member states such as to acknowledge the gravity of the violations and take all possible measures to remedy the situation. **The need for a collaborative relationship between humanitarian protection and human rights stakeholders and exploration on existing mechanisms between the two was emphasised.**

Data collection is noted to the first step to ensure accountability, which not only require interactions on legal obligations with all parties to the conflict but also protection mechanisms in place to track and monitor complaints, as well as political courage for those data to be made public. Repeated engagement and intervention must be made through different means to hold people accountable. **Data collection and protected information sharing could be an inroad to access to justice mechanisms.** This includes international mechanisms such as the ICC or ICJ or third-party mechanisms based on universal jurisdiction which requires hard evidence and primary source data - in full confidentiality. It was further elaborated that human rights related bodies and instruments can be part of the solutions i.e., Human Rights Council (HRC) and UN General Assembly, UN special procedures mandate-holders including Special Rapporteurs, and independent fact-finding missions

in collaboration with humanitarian actors and instruments such as early warning and rapid response mechanisms and WHO's Attack on Healthcare Initiative. The collaborative relationship between human rights and humanitarian actors can build a net and web for accountability, by making it harder for accountability – not to be discussed – at both domestic and universal jurisdiction. However, this must be done on a confidential basis and in accordance with international standards.

Key challenges, asks and opportunities were discussed and highlighted below.

- Associated risks and mitigation measures that may arise during the collaboration between human rights and humanitarian mechanisms - What would be possible ways for humanitarian actors to communicate and/or collaborate without being suspected or clearly associated, with the risk to increasingly lose access and be put at risks.
- How to build trust between human rights and humanitarian actors. The superficiality of the humanitarian-human rights distinction was also noted. Political willingness as a pre-condition – what can be done? Even if based on IHL monitoring systems, to trigger a willingness from Member States is one of the major challenges. The increasing depression within the international community and public spheres seeing political agendas systematically overlooking accountability efforts even in the light of grave at violations; limited motivation for humanitarian actors to make compromise and put themselves at risk for zero results.
- The absence of successful examples for many years on the accountability and justice system was noted. Accountability as punitive concept does not seem to work which further raise another legitimate question as to whether the sequence between data, accountability and behaviour change actually works. The example of Syria was discussed as the breaking point for accountability. The core fundamental principles were disregarded. There has been clear evidence of systematic attacks against medical workers, repeated sieges without any respect for IHL, other repeated and large-scale war crimes and crimes against humanity, showing the urgent need for a whole new criminal body/system.
- Some opportunities for potential punitive measures were discussed. Germany showed there is room for precedents (ref. international jurisdiction). An important conclusion was that humanitarian actors need to have frank discussions amongst themselves and subsequently the humanitarian coordinator and the HCT must be held accountable at one point, under the UN's role, for elaborating those red lines. Accountability emanating from the political sphere is key here; however humanitarian actors need to be comfortable with the methodology being used.

Sub-session 2 – How can states/donors maintain space for engagement with ANSAs

A quick open-ended MENTIMETER exercise on challenges and opportunities for engagement with ANSAs allowed to set the scene. The participants listed the following elements when asked about the:

1. *Challenges of engaging with ANSAs to better protect civilian populations impacted by conflicts and crisis?*

Lack of understanding of humanitarian principles; Lack of understanding of protection and gender by ANSAs; Adherence to IHL not always understood and civilians not always seen as 'off limits' if targeting them can fall within the ANSA strategy; Lack of knowledge of IHL and therefore of the laws and principles regulating it; Confusion and misunderstanding of humanitarian action (often perceived as politicised or promoting human rights); Remaining neutral and being part of the triple nexus; Criminalisation of humanitarian engagement; Protection actors needing to be proactive and accountable to each other and populations affected; Their need to raise funds; Counterterrorism and sanction laws; CT policies forbidding to engage; Financial channel more difficult with banking system; Difficulty to formally engage; Difficulty to get approval to provide support in the area; Dangers of

engaging; Need for dedicated staff for engagement; Negotiations that cannot be left to notice staff / humanitarian organisations having to fully understand the consequences of access negotiations; Engaging ANSAs being a long-term endeavour suffering from short-term funding cycles as well as HR turnover; Willingness on their side; Lack of understanding of ANSAs policies and perceptions; Perceptions regarding ANSAs in national/political dynamics; ANSAs perceptions of and practices around neutrality (to note that humanitarian organisations compromise more when dealing with states); Need at all levels to accept that humanitarian aid is complex and not all organisations are independent and neutral; Operational interferences (beneficiary lists, recruitment processes, etc.) and security considerations; Safety and security at large; Advocacy for change and capacity-building on IHL with ANSAs needing to be more clearly embedded in HCT mandates; Authorities and/or military labelling you as sympathising with the enemy of the nation, leading to harassment, interrogation or extrajudicial killing in extreme cases; Risk of being made complicit of human rights violations if ANSAs are manipulative and use humanitarian engagement for their own ends and for the purpose of protecting civilians; Perception from ANSAs of international organisations being western therefore not sharing the same values and not interesting to speak to; Suspicions from ANSAs on motives (PVE/CVE frameworks); Myth that human rights are western.

2. *Opportunities for engaging with ANSAs to better protect civilian populations impacted by conflicts and crisis?*

Dialogue with all parties to the conflict; Further acceptance; Access notably in hard-to-reach areas; Dissemination of IHL and humanitarian principles; Better assessment of needs in the area; Better understanding of ANSAs' rationale that can contribute to identify long-term solutions to address the root causes of a conflict, Gains with ANSAs which can lead to significant impact on the population; Alternatives in state-centric systems; Diversification of both compliance and non-compliance examples; Mobilisation of communities towards engagement efforts; Community representatives' involvement in negotiations with ANSAs; Exchanges on issues related to detention; Seizing of new opportunities depending on changes in the political landscape; Better contextualisation for optimal solutions; Opening for potential cross-border interventions; Diplomatic engagement with regional actors; Online dialogues.

The plenary discussion provided the opportunity to elaborate on the top challenges and opportunities identified in the Word Cloud; notably highlighting main:

Challenges:

- Need for time/resources/dedicated and well-trained staff/institutional memory to build trust first before an effective relationship is in place, which, is not accounted for in the humanitarian funding cycle. Nexus opportunities should be better available and explored, and institutional knowledge management should be supported.
- Donors' adversity to risk-taking sometimes leading to dishonesty from INGO, talking about "dialogue with community leaders" to avoid referring to ANSAs. However, there needs to be space for open exchanges with all concerned actors on principles and relevant norms as this could also help alleviate other problems (e.g., taxes) and lead to operational opportunities in a principled manner.
- Misconception about "access negotiations just being about sitting down and negotiating access to go there". Proactive access negotiations require an understanding/deconflicting of ANSAs' perceptions and motives, flexibility, capacity-building efforts and risk anticipation (incl. in the digital sphere), which not all organisations are able nor need to do, as this should rather be organised amongst the humanitarian community.
- Apart from direct engagement with ANSAs in the field, the engagement with ANSAs via social media needs to be unpacked as a "new way of working". Recent examples, such as Ethiopia/Tigray, were cited in which most updates from ANSAs were shared through social

media. While such engagement occurs to receive information, it may potentially threaten the capacity to remain neutral in the face of what might hitherto have been labelled propaganda. In addition, there are unidentified sources on social media inciting violence and hatred against humanitarian workers. There is a need for guidance and guidelines on this new type of engagement.

Opportunities:

- Acceptance of the fact that ANSAs are parties to the conflict and important stakeholders to engage. Challenging a state-centric international order and reconsidering engagement in a more inclusive way, for longer-term behaviour change rather than short-term access discussions, could have sustainable gains not only for access but also for longer-term Protection of Civilian goals.
- Building relationships and individual engagement is essential. Access negotiation with ANSAs cannot and should not be done by everyone. A well-trained skillset is needed. The engagement should be two ways: Peer-to-peer conversation and dialogue, as well as collective action, but the latter is often missing. Leaving it to the HCT alone is not working. ECHO is well positioned – as one of the few donors in the field operating side by side with humanitarian partners – leadership is there to explore.
- Good responsiveness has been observed when looking at Islamic law or other religious/local standards or traditions, as this allows to demystify the perception that western organisations engage with ANSAs to promote western values.
- Beyond ANSAs, engagement with leaders that are responsible for the communities' behaviour as a whole: complementary approaches can add value.
- Humanitarian diplomacy can be done at strategic and local levels:
 - Strategic level: engagement with duty-bearers provide space and let them understand our mandates
 - Local and practical level: diplomacy at community level as ANSAs more often than not are integrated in communities. These are influential on their behaviour.
- In the same vein, humanitarian diplomacy focusing on regional actors/powers, is important, and less traditional states can also influence situations. Dynamics of regional players should be further understood and strengthened. The diplomatic community can play a role to promote humanitarian norms and open pathways for engagement by using embassies to engage a third party to influence humanitarian work on the ground.
- Possible influence on cross-border support: in some cases, such as along the Thailand-Myanmar border, the support of ANSAs – and their humanitarian/development arms – has allowed humanitarian aid to be provided for decades despite the lack of official greenlight from concerned authorities.

Closing

ECHO HoRO thanked the participants for their commitment and requested them, in the process, to communicate with their own channels. She informed that the ECHO field network based on the different IHL consultations (incl. MENA, Africa, LAC) would consolidate a report to feed into **messages to be taken forward to the EHF in January.**