

European Humanitarian Forum

Forum humanitaire européen



24-26 JAN, 2022



European Humanitarian Forum – Field Consultation

“ENHANCING HUMANITARIAN SPACE: ACCESS AND PROTECTION OF HUMANITARIAN WORKERS”

ECHO Regional Office for East, Southern Africa and the Great Lakes - Nairobi
17 November 2021 – 13h00-17h00 EAT
Virtual format only

On 17 November 2021, the Nairobi Regional Office conducted the first of two regional consultations in the run up of the European Humanitarian Forum (EHF), due to take place in Brussels from 24-26 January 2022. This consultation was on the IHL theme “Enhancing Humanitarian Space: Access and Protection of Humanitarian Workers”.

The consultation was led by the DG ECHO Regional Office for Eastern and Southern Africa and the Great Lakes, with the support of ICVA and an external consultant as the main moderator.

ECHO Country Offices across Africa identified Humanitarian Access and Protection of Humanitarian Workers as priority themes in DRC, Ethiopia, Mozambique, Nigeria, Somalia, South Sudan and Sudan; the regional consultation consequently focused on these countries. The event itself was preceded by an online questionnaire sent to over 70 selected stakeholders in the focal countries as well as relevant Regional Offices, in order to receive first feedback on the topics and identify the main issues to be discussed in the consultation. 39 replies were received, several of which consolidated the input of in-country inter-agency coordination fora.

The consultation event was very well attended, with representation from UN, IOs, INGOs, and national NGOs as well as France, co-hosting the EHF. Due to the political sensitivity of the themes under discussion, national/local authorities were not invited. A total of 67 people participated (50 external participants and 17 ECHO colleagues from the RO and the relevant COs). Despite repeated efforts by ECHO’s Regional and Country Offices, participation from national NGOs was limited to 2.

The regional consultation event was opened by the Head of ECHO’s Regional Office who provided background on the process leading up to the EHF in January, and the main objective of the regional consultations (bringing the voices from the field). This was followed by a rapid summary analysis of the results of the online questionnaire, followed in turn by a panel discussion, then a series of focused discussions in a World Cafe format¹, and a final presentation of recommendations in plenary.

¹ All participants had the possibility to participate in the three working groups, as the groups rotated per specific thematic working group.

The panel discussion was led by 4 key stakeholders, representative of the UN (OCHA), INGOs (DRC), LINGOs (GREDO, Somalia) and think-tanks (Frontline Negotiations). The discussion allowed an introduction to the evolving challenges to access and protection of humanitarian workers, and existing good practices and further recommendations on enhancing humanitarian space and protection of humanitarian workers.

Each participant then attended each of three sub-topic discussions in the World Café: Data Collection and Advocacy; Security Risk Management; and the Criminalization of Aid.

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 Recommendations

Key recommendations to ECHO as well as to the wider EU and its Member States (MS) were formulated around each of these sub-themes and presented in plenary. These included:

- **Joint high-level advocacy** from the EU (Brussels, Special Representatives and Delegations) and its MS capitals and embassies towards national authorities and Non-State Armed Groups, on:
 - conflict resolution
 - reducing bureaucratic obstacles to access
 - understanding and acceptance of principled humanitarian aid
 - risk and avoidance of criminalization of aid, and implementation of measures to better protect humanitarian workers
- The EU and its MS need to do their share of advocacy, and **not leave it to the “frontliners”, whose operations might be compromised as a result**. Advocacy should not be diluted by generic language but should be **tailored and targeted to the specific context, with actionable requests**;
- Donors should additionally undertake, or invest in, **“silent humanitarian diplomacy”** at national, regional or global level, including through intermediaries such as Human Rights organisations, media groups or other non-humanitarian actors, to avoid public advocacy being perceived negatively as “overly-instructive” and damaging. **Humanitarian diplomacy can be particularly effective at regional level**, where the EU already has Special Representatives; the EU can play a key role in leveraging their relations with these regional bodies (AU, IGAD, ECOWAS), notably towards acceptance of aid organisations’ engagement with NSAGs.
- **Systematic and reliable data is key to building robust and evidence-based advocacy**, and to building the trust of other stakeholders. **Donors should therefore support the work of global organisations that are specialised in data collection and analysis** (among them OCHA HDX, ACLED, INSO, Safeguarding Health in Conflict Coalition, the Global Coalition to Protect Education from Attack, Aid Worker Security Database, Insecurity Insight etc.) and encourage humanitarian actors to contribute information to such initiatives as much as possible. The potential of the

nascent independent IHL Observatory was also noted in this regard. **Donors should also financially support the development, capacity and functioning of national-level advocacy working groups and the development of joint advocacy strategies on access.**

- One caveat on data and advocacy: the “recipient” states and the NSAGs are increasingly assertive in their positioning towards advocacy; donors and aid organisations should therefore ensure appropriate balancing of data collection and advocacy due to its potential negative impact on acceptance (ie by either side to a conflict) and thus on access, security of frontline humanitarian workers and, ultimately, operations.
- Donors should allow a **specific focus on humanitarian access and advocacy, and also security risk mitigation measures** (see below), in their funding strategies and partners’ funding proposals, so that they can be included as key for the implementation of programmes (instead of being seen as additional support costs).
- **Donors should promote accountability of the humanitarian leadership in advocating** for enhanced humanitarian space on behalf of the broader humanitarian aid community in-country, as and when requested. This could include sub-national HCs deployment to focus on specific contexts, and to help improve access and protection of aid workers with local authorities, including NSAGs according to a principled approach.
- **Member States should ensure that the humanitarian, stabilisation and development branches of their government are aligned in their advocacy on the preservation of humanitarian space.** At country level, donors should promote the engagement of stabilization and development stakeholders in the conversation on access, in order to have a common understanding on specific access issues and to agree on common messages.
- National / local NGOs have better access to beneficiaries but most often do not benefit from the same level of security protection as International NGOs (this also applies to a certain extent to national versus international staff); this is little less than double standards. While the EU and its MS should better promote genuine localisation, in line with their 2016 Grand Bargain commitments, **they should at the same time take measures to mitigate the potential transfer of security risk.** National staff are more exposed, and already bear the brunt of serious incidents, accounting for 96%, 91% and 98% of humanitarian NGO workers killed, injured and abducted respectively. **Such measures would include increased funding for security risk management capacities (equipment, staff, training, procedures, humanitarian air transport), particularly for national and local NGOs,** to allow them to approach the same level of security protection as is provided for international NGOs, as well as inclusion in existing coordination mechanisms and protocols such as on information flows, evacuation procedures and CMCoord. At the same time, participants in the regional consultation stressed that security is not only about equipment (“hard security”) but also about local acceptance - from communities, state security agencies and non-state armed groups; this links directly back to the points on enhanced advocacy.

- The EU and its MS should allow **greater flexibility of geographic programming and security budgeting**, given the volatile dynamics in many conflict areas, with threat and risk levels changing very rapidly.
- There was a clear recommendation for **wider humanitarian guarantees and exemptions from EU and MS counter-terrorist legislation and EU/MS/UN sanctions regimes**, and for the development of specific legislation protecting humanitarian workers vulnerable to such legislation. **This applies to legislation enacted by both donor and recipient countries.** In the case of the latter, MS should also negotiate (and eventually condition) into their bilateral agreements guarantees of humanitarian access to areas outside government control. Guidance and awareness-training to implementing organisations, on engagement with authorities and armed groups, and the implications of CT legislation, should also be funded.