Humanitarian Engagements

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ABOUT THE INDEPENDENT COMMISSION ON MULTILATERALISM

The Independent Commission on Multilateralism (ICM) is a project of the International Peace Institute (IPI). It asks: How can the UN-based multilateral system be made more "fit for purpose"?

In answering that question, the ICM has analyzed fifteen topics. These include armed conflict, humanitarian engagements, sustainable development, and global public health, among others (see complete list in Annex 2). The goal of the ICM is to make specific recommendations on how the UN and its member states can improve responses to current challenges and opportunities.

The ICM undertook simultaneous tracks of research and consultation for each issue area on its agenda. The Commission initially launched in New York in September 2014, followed by subsequent launches in Vienna, Geneva, and Ottawa. In February 2015, the ICM briefed delegates from the five UN Regional Groups in New York. The Commission also convened meetings with Ambassadorial and Ministerial Boards in New York, Vienna, and Geneva. Global outreach included briefings to officials in Addis Ababa, Berlin, Brasilia, Copenhagen, New Delhi, London, Madrid, Montevideo, and Rome. Civil society and private sector outreach and engagement also constituted an important component of the ICM's consultative process, including a briefing specifically for civil society in June 2015.

The research process began with a short "issue paper" highlighting core debates and questions on each of the fifteen topics. Each issue paper was discussed at a retreat bringing together thirty to thirty-five member state representatives, UN officials, experts, academics, and representatives from civil society and the private sector. Based on the inputs gathered at the retreats, each issue paper was then revised and expanded into a "discussion paper." Each of these was uploaded to the ICM website for comment and feedback, revised accordingly, and presented at a public consultation. The public consultations were webcast live on the ICM's website to allow a broader audience to take part in the discussions.

This paper is one of the fifteen final "policy papers" that emerged from this consultative process. An overview of participation in consultations on this specific issue area is included in Annex 3. The recommendations from all the policy papers are summarized in the ICM's September 2016 report "Pulling Together: The Multilateral System and Its Future."

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Executive Summary

The preservation of human dignity and the desire to reduce human suffering are at the core of the contemporary international order and underpin all three pillars of the multilateral system anchored in the UN: peace and security, human rights, and development. Yet never before has the world witnessed humanitarian needs on such an epic scale and in so many simultaneous crises around the world. And never before has the gap between those needs and the international community's capacity to deliver an adequate response appeared greater than it does today.

This paper aims to identify the main reasons for this reality and put forth a set of ideas and recommendations as to how the multilateral system anchored in the UN can better prevent and respond to humanitarian crises in the twenty-first century.

Contemporary challenges to humanitarian action relate to the international community's capacity to: (1) stem the needs arising from humanitarian crises, (2) reach the victims of these crises and deliver relief, and (3) provide for adequate, timely, effective, efficient, and sustainable responses to humanitarian needs. Many, if not most, of these challenges are far from new and cannot be easily overcome. Yet the inability of the multilateral system to adjust adequately to them contributes to the protracted and recurrent nature of many humanitarian crises and further strains the international humanitarian response system. These challenges pose dilemmas and tensions that are inherent to the humanitarian landscape and need to be navigated according to the opportunities, risks, and constraints of each specific context. To address them, the UN, its member states, donors, and civil society need to take action in a number of areas:

1. **Prevent conflict, reduce disaster risk, and ensure compliance with international law:** Investment in conflict prevention, disaster risk reduction, and compliance with international humanitarian law is not only the most humane course of action; it is also the most efficient and cost-effective way to stem humanitarian needs, relieve the strain on the humanitarian sector, bridge the humanitarian financing gap, and mitigate the long-term impact of crises on lasting peace and sustainable development.

2. **Facilitate access and delivery of humanitarian responses to people in need:** Member states should embrace the concept of sovereignty as responsibility. They should underline and respect the primary responsibility of states to ensure respect for international law, protect their citizens, and ensure access to essential goods and services. At the same time, they should recognize that the international community cannot stand by when states are unwilling or unable to discharge these responsibilities. The UN, its member states, and humanitarian actors need to take measures to overcome legal, political, logistical, and security obstacles to accessing people in need and delivering an impartial and adequate humanitarian response.

3. **Facilitate adequate, timely, effective, efficient, and sustainable humanitarian responses:** There is a clear need to make humanitarian action people-centered rather than process- or status-centered, to bridge the humanitarian-development divide, and to reform humanitarian financing. The multilateral system also needs to adapt to the reality of protracted and complex humanitarian crises and the diversity of humanitarian actors on the ground.

Introduction

The preservation of human dignity and the desire to reduce human suffering are at the core of the contemporary international order. As such, they also underpin all three pillars of the multilateral system anchored in the United Nations: peace and security, human rights, and development. It is therefore not surprising that conflict prevention and resolution, as well as "international cooperation in solving international problems of… [a] humanitarian character," are among the main purposes of the UN system.[1] Nor is it surprising that international treaties aimed at preserving human dignity and preventing human suffering, including in war, are among the most widely ratified international legal instruments.[2]

Yet never before has the international community witnessed humanitarian needs on such an epic scale and in so many simultaneous crises around the world. And never before—in spite of record levels of humanitarian financing—has the gap between needs and the capacity for international response appeared greater than it does today.[3]

Contemporary challenges to humanitarian action— and possible ways to address them—relate to the international community's capacity to: (1) stem the needs arising from humanitarian crises; (2) reach the victims of these crises and deliver relief; and (3) provide for adequate, timely, effective, efficient, and sustainable responses to humanitarian needs.[4]

Many, if not most, of the challenges are far from new and have affected the international community's capacity to respond to humanitarian crises for quite some time.[5] Yet the inability of the multilateral system to adjust adequately to these challenges— both old and new—has more likely than not contributed to the protracted and recurrent nature of many humanitarian crises and further strained the international humanitarian sector's capacity to respond.

Based on extensive consultations with representatives of states, relevant UN entities, other humanitarian actors, and civil society, this paper sets forth

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1 Charter of the United Nations, Art. 1.

2 See, for example, the 1948 Universal Declaration of Human Rights (adopted by consensus by the UN General Assembly), the 1951 Convention and 1967 Protocol Relating to the Status of Refugees (ratified by 145 and 146 states, respectively), the 1966 International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights (ratified by 168 and 164 states, respectively), the 1949 Geneva Conventions (universally ratified) and their 1977 Additional Protocols (ratified by 174 and 168 states, respectively), and the Rome Statute of the International Criminal Court (ratified by 124 states).

3 Global Humanitarian Assistance, *Global Humanitarian Assistance Report 2015* and *Global Humanitarian Assistance Report 2016*, both available at www.globalhumanitarianassistance.org/reports/ ; ALNAP (Active Learning Network for Accountability and Performance), *The State of the Humanitarian System 2015*, available at www.alnap.org/pool/files/alnap-sohs-2015-web.pdf ; UN Office for the Coordination of Humanitarian Affairs (OCHA), *World Humanitarian Data and Trends 2015*, available at https://docs.unocha.org/sites/dms/Documents/WHDT2015_2Dec.pdf ; OCHA, *Global Humanitarian Overview 2016*, available at https://docs.unocha.org/sites/dms/Documents/GHO-2016.pdf ; OCHA, *Global Humanitarian Overview 2017*, available at www.unocha.org/stateofaid/ ; International Committee of the Red Cross (ICRC), "ICRC Presents Record Budget for 2015 to Meet Vastly Expanding Needs," November 27, 2014, available at www.icrc.org/en/document/icrc-presents-record-budget-2015-meet-vastly-expanding-needs ; ICRC, "ICRC Appeals 2016: Key Data," December 2, 2015, available at www.icrc.org/en/document/icrc-appeals-2016 ; ICRC, "ICRC Appeals 2017: Overview," November 28, 2016, available at www.icrc.org/en/document/icrc-appeals-2017 . See also the annual reports of the UN secretary-general to the General Assembly on *Strengthening of the Coordination of Emergency Humanitarian Assistance of the United Nations*, available at www.unocha.org/what-we-do/policy/thematic-areas/OCHAs-work-with-governments .

4 In light of the ICM's mandate, this paper focuses on the international community's humanitarian response capacity. Forthcoming ICM policy papers address specific challenges related to "Forced Displacement, Refugees, and Migration" and "Global Pandemics and Global Public Health."

5 Many of the challenges—and some of the obvious answers to those challenges—are already reflected in General Assembly Resolution 46/182 of 1991, the founding document of the international humanitarian system anchored in the United Nations. They were also high on the agenda of the World Humanitarian Summit in May 2016. See the UN secretary-general's report *One Humanity: Shared Responsibility* and the program for the summit, both available at www.humanitariansummit.org .

a set of ideas and recommendations to address the main challenges that arise (see Annex 3 for an overview of the consultative process). It aims to contribute to continued debates on how the multilateral system anchored in the UN—and other relevant actors—can better prevent and respond to humanitarian crises in the twenty-first century. It also echoes the UN secretary-general's call to recommit, both individually and collectively, to our shared humanity and—even more importantly—to put that commitment into practice by stepping up efforts to prevent and adequately respond to humanitarian needs around the world.

Stemming Humanitarian Needs

It has been demonstrated over and over again that preventive action is more efficient and less expensive than reactive responses to a crisis. Preventing disasters and armed conflicts is not only the more humane course of action, and as such a moral imperative, but also remains the most efficient and cost-effective way to stem humanitarian needs when crises inevitably break out. Moreover, investment in disaster and conflict prevention and in operational capacity for emergency response significantly reduces the long-term and often devastating impact of humanitarian crises on efforts to achieve lasting peace and sustainable development.

Strengthening Disaster Risk Reduction and Preparedness

Over the past thirty years, a series of multilateral initiatives have aimed to strengthen disaster risk reduction and preparedness, kicked off by the International Decade for Natural Disaster Reduction in the 1990s and the appointment of a disaster relief coordinator in the UN Secretariat.[6] Subsequent efforts have included the adoption of a chapter on disaster risk reduction in the International Conference of the Red Cross and Red Crescent's Agenda for Humanitarian Action (2003), the adoption (and the UN General Assembly's endorsement) of the 2005–2015 Hyogo Framework for Action (2006), the International Disaster Response Law Guidelines (2007), and the UN System Chief Executives Board for Coordination's Plan of Action on Disaster Risk Reduction for Resilience (2013).[7] Building on that work, the UN General Assembly endorsed the 2015–2030 Sendai Framework for Disaster Risk Reduction, and the thirty-second International Conference of the Red Cross and Red Crescent adopted a new resolution aiming to facilitate and improve the regulation of international disaster response.[8] Important efforts are also underway to establish useful synergies between the implementation of these instruments and that of the 2030 Agenda for Sustainable Development.[9]

These and other important initiatives demonstrate that continued investment in this area remains

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6 A significant part of UN General Assembly Resolution 46/182 (1991) is dedicated to disaster risk reduction and preparedness, while conflict prevention and management are entirely absent from the resolution.

7 28th International Conference of the Red Cross and Red Crescent, *Resolution 1: Agenda for Humanitarian Action*, Chapter 3, "Reducing the Risk and Impact of Disasters," 2003, available at www.icrc.org/eng/assets/files/other/icrc_002_1103.pdf ; United Nations, *Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters*, 2005, available at www.unisdr.org/we/inform/publications/1037 ; UN General Assembly Resolution 60/195 (March 2, 2006), UN Doc. A/RES/60/195; 30th International Conference of the Red Cross and Red Crescent, *Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance*, 2007, available at www.ifrc.org/PageFiles/102485/Resolution%204.pdf ; International Federation of Red Cross and Red Crescent Societies, "International Disaster Response Laws, Rules and Principles," available at www.ifrc.org/what-we-do/disaster-law/about-disaster-law/international-disaster-response-laws-rules-and-principles/ ; UN System Chief Executives Board for Coordination, *United Nations Plan of Action on Disaster Risk Reduction for Resilience,* 2013, available at www.preventionweb.net/publications/view/33703 .

8 United Nations, *Sendai Framework for Disaster Risk Reduction 2015–2030*, 2015, available at www.unisdr.org/we/inform/publications/43291 , endorsed in UN General Assembly Resolution 69/283 (June 3, 2015), UN Doc. A/RES/69/283; 32nd International Conference of the Red Cross and Red Crescent, *Resolution 6: Strengthening Legal Frameworks for Disaster Response, Risk Reduction and First Aid*, 2015, available at http://rcrcconference.org/wp-content/uploads/sites/3/2015/04/32IC-Res6-legal-frameworks-for-disaster_EN.pdf .

9 See, for example, Ana Maria Lebada, "Experts Discuss Aligning Indicators for SDGs and Sendai Framework for DDR," International Institute for Sustainable Development, June 14, 2016, available at http://sd.iisd.org/news/experts-discuss-aligning-indicators-for-sdgs-and-sendai-framework-for-drr/ .

essential—particularly as climate change is likely to increase the frequency and severity of disasters. They also demonstrate that the international community as a whole is committed to disaster risk reduction and preparedness.[10] Effective implementation of the above-mentioned frameworks and plans of action will be key to preventing and stemming humanitarian needs arising from disasters.

Strengthening Compliance with International Humanitarian Law

Armed conflict remains a major driver of humanitarian crises and needs. Eighty percent of humanitarian work takes place in countries and regions affected by conflict, many of which are also affected by recurring natural disasters and climate change. Many of the challenges for humanitarian action are the same, or at least similar, in conflicts and disasters. However, the inherently political nature of conflicts, the violence and atrocities they cause, and the significant role played by non-state armed actors present specific challenges for humanitarian responses. Moreover, efforts to elaborate and agree upon a comprehensive and meaningful agenda and plan of action to prevent and manage the impact of conflicts are much less advanced than for disaster risk reduction and preparedness.[11] The international community's capacity to prevent and respond to situations of armed conflict will therefore be the main focus of this paper.

Beyond the sheer number, protracted nature, and increasingly complex dynamics of armed conflicts, the scale and nature of violations of international humanitarian law (IHL) committed by both state and non-state parties to these conflicts are extremely worrying. As the president of the International Committee of the Red Cross (ICRC) recently pointed out, "Wars without limits are wars without end. And wars without end mean endless suffering."[12] IHL establishes such limits in war and offers specific protections to populations affected by armed conflict.

The normative framework to minimize human suffering in armed conflict is robust,[13] and under both treaty and customary IHL, states have a legal obligation to both "respect" and "ensure respect for" IHL.[14] Compliance with existing rules makes the world a much better place and prevents and stems many of the immediate and longer-term humanitarian needs arising from armed conflict. A recent survey showed that people living in conflict-affected countries—and thus facing the realities of war on a day-to-day basis—continue to find existing rules highly relevant and believe that IHL "prevents wars from getting worse."[15] Moreover, experience has shown that respect for IHL contributes to an environment more conducive to building durable peace and facilitating post-conflict recovery.

Thus, despite the lack of a geopolitical environment conducive to doing so, strengthening compliance with IHL is crucial to preventing and reducing humanitarian needs. Important efforts to establish a new IHL-compliance mechanism are underway within the framework of the International Conference

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10 The number of climate-related disasters in the last decade is nearly twice that recorded in the 1980s, and extreme weather and climate-related events account for over 90 percent of natural hazards with the potential to trigger disasters.

11 Natural disaster response is perhaps also where many of the most interesting developments in the humanitarian sector can be found. However, not all such innovations are easily "transferable" to humanitarian crises sparked or marked by conflict, which trigger a number of different needs and risks and present different opportunities and constraints than natural disasters.

12 Peter Maurer "Respect the Laws of War," statement, Geneva, October 31, 2015, available at www.icrc.org/en/document/peter-maurer-respect-laws-of-war .

13 The 1949 Geneva Conventions and their Additional Protocols are the cornerstone of that normative framework, but they are complemented by a significant number of other treaties regulating the conduct of hostilities, means and methods of warfare, and the investigation and prosecution of war crimes, crimes against humanity, and genocide. For a comprehensive overview, as well as up-to-date lists of states parties, see ICRC, *Database of Treaties, States Parties and Commentaries*, available at www.icrc.org/ihl .

14 See Common Article 1 of the 1949 Geneva Conventions and Article 1 of Additional Protocol (I); and ICRC, *Customary IHL Database*, Rule 139 ("Each party to the conflict must respect and ensure respect for international humanitarian law by its armed forces and other persons or groups acting in fact on its instructions, or under its direction or control") and Rule 144 ("States may not encourage violations of international humanitarian law by parties to an armed conflict. They must exert their influence, to the degree possible, to stop violations of international humanitarian law"), available at www.icrc.org/customary-ihl/eng/docs/home .

15 ICRC, *People on War 2016*, December 5, 2016, available at www.icrc.org/en/document/people-on-war .

of the Red Cross and Red Crescent.[16] But the multilateral system anchored in the UN—both through its member states and the Secretariat—can and should also play a significant role in increasing respect for IHL by parties to armed conflicts.

Preventing and Resolving Conflicts

While respect for IHL and effective humanitarian action may stem the needs, alleviate the suffering, and mitigate the damage caused by conflicts, they cannot offer a sustainable solution to any of these problems. Only political courage, commitment, and action to prevent and resolve conflicts can prevent or stem their humanitarian consequences. As the UN under-secretary-general for humanitarian affairs recently stated, "The first and best way of tackling humanitarian needs is for there to be no conflict.... With 80 percent of humanitarian need now in conflict...the first thing is to demand peace. That means that political structures and political solutions have to come first."[17]

Prevention of conflicts and disasters and compliance with international law are the two areas of work with the greatest potential to reduce human suffering and humanitarian needs. Reducing these needs would, in turn, relieve the strain on the world's capacity for humanitarian response and contribute to closing the humanitarian financing gap. But prevention and compliance are also the most difficult areas of work, as they require a long-term vision and a sincere and sustained commitment of both political capital and adequate resources.

In many contexts the "sovereignty argument" remains a formidable obstacle to preventing and resolving conflicts and to preventing and addressing humanitarian needs. This is particularly true in an era when non-international armed conflicts are the predominant type of conflict. Efforts to prevent or resolve conflicts and to ensure the basic needs of people affected by conflict are met—either by the state or by humanitarian actors—are at times perceived as undue interference in domestic affairs.[18] But denial of access often leads to the deepening of humanitarian crises and to massive displacement, at which point the UN and humanitarian actors are asked or allowed to step in. They should be able to step in earlier, as needs arise and remain unmet, to work with states to prevent and resolve conflicts and to prevent and address humanitarian needs.

While it is undoubtedly important for humanitarian responders to understand the direct and indirect causes of the humanitarian crises they face, they do not have the capacity or responsibility to address these causes. The responsibility to maintain international peace and security, prevent and settle conflicts, and build and keep the peace lies with the inherently political part of the UN system. This political sphere is where the multilateral system anchored in the UN—individual member states, the Security Council, the General Assembly, and the Secretariat—has a strong comparative advantage over humanitarian actors.

But unfortunately this is where the multilateral system anchored in the UN has most spectacularly failed and where it may need to turn its attention most urgently. Member states and the Secretariat need to look into innovative ways to defuse current

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16 See 31st International Conference of the Red Cross and Red Crescent, *Resolution 1: Strengthening Legal Protection for Victims of Armed Conflict*, 2011, available at www.icrc.org/eng/assets/files/publications/icrc-002-1129.pdf ; 32nd International Conference of the Red Cross and Red Crescent, *Resolution 2: Strengthening Compliance with International Humanitarian Law*, 2015, available at www.icrc.org/en/document/outcomes-32nd-international-conference-red-cross-and-red-crescent . On the process and next steps, see also ICRC, "Strengthening Compliance with International Humanitarian Law: The Work of the ICRC and the Swiss Government," July 22, 2016, available at www.icrc.org/en/document/strengthening-compliance-international-humanitarian-law-ihl-work-icrc-and-swiss-government .

17 Heba Aly, "Q&A: 'UN Doesn't Have to Change,' Says Relief Chief," IRIN, October 16, 2015, available at www.irinnews.org/report/102119/qa-%E2%80%98un-doesn%E2%80%99t-have-change%E2%80%99-says-relief-chief .

18 To be noted that Common Article 3 of the Geneva Conventions allows impartial humanitarian organizations to offer their services "to the Parties to the conflict." An offer of services on this basis may not be considered as interference in the armed conflict and "shall not affect the legal status of the Parties to the conflict." ICRC, *Commentary of 2016—Article 3: Conflicts Not of an International Character*, para. 825, available at https://ihldatabases.icrc.org/applic/ihl/ihl.nsf/Comment.xsp?action=openDocument&documentId=59F6CDFA490736C1C1257F7D004BA0EC#_Toc465169934 .

tensions and stalemates that hamper their capacity to engage in or support genuine negotiation processes and mediation efforts that seek to settle ongoing conflicts and prevent others from arising or resuming. They must also avoid humanitarian action becoming a substitute for political solutions that are difficult to achieve. While there should be no silos, there is a need to establish and respect clearly distinct operational spaces for political and humanitarian action.

Addressing Root Causes

In order to prevent humanitarian crises and their devastating impact on peace, security, and development, the international community must step up to address the root causes of both conflicts and disasters. Ambitious agendas have been adopted, including the 2015–2030 Sendai Framework for Disaster Risk Reduction, the 2030 Agenda for Sustainable Development, and the Paris Agreement on climate change. It will be crucial that states, the UN, regional organizations, civil society, and the private sector make rapid and significant progress in implementing those agendas, as they are key to preventing humanitarian crises and stemming humanitarian needs.[19]

Moreover, efforts to ensure full respect for human rights and the rule of law need to be stepped up. Failure to uphold or ensure enjoyment of basic human rights for all—be they civil, political, economic, social, or cultural rights—is among the root causes of many conflicts. Long before the outbreak of conflict, respect for human rights needs to be taken more seriously. Investment in the rule of law and human rights significantly contributes to preventing conflicts and promoting lasting peace and sustainable development.[20]

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19 On challenges and concrete recommendations to deliver on the 2030 Agenda and the Paris Agreement, see the forthcoming ICM policy paper on "Climate Change and the 2030 Agenda for Sustainable Development."
20 See also forthcoming ICM policy paper on "Justice and Human Rights."

Facilitating and Ensuring Safe Humanitarian Access

In many situations, states are unable or unwilling to fully live up to their primary responsibility and legal obligation to ensure that the basic needs of populations under their control are met. In such situations, the role of impartial humanitarian relief organizations becomes all the more essential. Their access to affected populations and their operations should not be hindered by host states, transit states, parties to armed conflicts, or donors.

Physical access to people in need is critical both to comprehensively and independently evaluate their needs and to develop and deliver timely, adequate, needs-based, and impartial responses. Proximity to affected populations, if coupled with a needs-based response, also increases levels of trust, acceptance, and accountability. Yet in many contexts, it is becoming increasingly difficult for humanitarian actors to reach all affected people; in some places it has become close to impossible.

A number of obstacles and constraints render humanitarian access and action slow, difficult, exceedingly dangerous, or simply impossible. In some cases, these can be overcome by relying more on national and local actors. But many of the obstacles and constraints affect both international humanitarian actors and national and local responders (albeit sometimes in different ways).

Inevitable Obstacles and Constraints

Some challenges are largely inevitable, and innovative approaches are needed to manage them and mitigate their impact on access. These typically include geographical, topographical, and natural constraints or obstacles, such as remoteness, lack of transportation and communication infrastructure, or weather conditions. Some of these obstacles can be overcome through innovation, technology, adequate funding, and adequate logistical capacities.[21]

Restrictions and Denial of Access

Other obstacles, however, depend more on a clear commitment—translated into action—to allow, enable, and facilitate humanitarian action. In some contexts, national or local authorities or non-state parties to armed conflicts explicitly deny access to certain areas or populations. In other places, the ability to reach all people in need and deliver a meaningful response is hampered more indirectly. State or non-state parties to armed conflicts may impose unacceptable restrictions on humanitarian actors (e.g., limiting access to certain populations or imposing armed escorts or bribes) or place various legal, administrative, or technical obstacles in their way (e.g., excessive administrative/financial burdens or failure to provide/allow means of communica-

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21 See, for example, Conflict Dynamics International, "Humanitarian Access and Technology: Opportunities and Applications," January 2016, available at http://cdint.org/documents/CDI_AccessBrief_Technology_19012016.pdf .

tions, effectively rendering operations impossible, inefficient, inadequate, or unsafe).

In recent years, political controversies surrounding the question of humanitarian access—and the interpretation of related obligations under IHL—have dominated much of the debate.[22] At the same time, the politics of denying access have somewhat overshadowed the need to also address legal, administrative, and technical barriers to humanitarian action. The IHL obligation to facilitate rapid and unhindered humanitarian relief also requires decisive action to lower these barriers, which would have a significant impact on humanitarian actors' capacity to reach people in need and deliver a timely, adequate, and impartial response.

The specific impact of certain counterterrorism policies and regulations on humanitarian actors' capacity to secure access and carry out operations in an efficient and effective manner deserves particular mention. While both the international community and member states have a legitimate need to take action to prevent and counter terrorist acts, some of the measures taken may have a negative impact on humanitarian action. That impact can be felt in terms of access to areas controlled by non-state armed actors, operations (in particular protection activities and efforts to improve respect for IHL), and funding.[23]

In order to avoid this negative impact, member states need to align their policies and legal obligations in the humanitarian and antiterrorism realms—at both the international and domestic levels—to enable them to achieve the aims of both. Evaluating and responding to humanitarian needs in insecure and unstable environments is a formidable task in itself. In such environments, counterterrorism policies and regulations often add an additional layer of fiduciary risk to humanitarian actors engaging with affected populations and with certain parties to the conflict on access and humanitarian concerns.

Moreover, restrictions on access and operations under counterterrorism policies and regulations often skew the picture of humanitarian needs and the coverage of these needs—whether the restrictions are imposed by states or self-imposed by humanitarian actors uncertain of whether or not a certain activity may subject them to criminal liability or denial of funding. In a number of contexts, information about needs and/or the humanitarian response are far greater in areas controlled by governments aligned with donor governments than in opposition-controlled areas. This undermines the impartiality of the response and risks politicizing humanitarian action.

Safety and Security in Conflict Situations

In many cases, humanitarian actors are prevented from doing their work by the lack of sufficient security. This insecurity can result from the intensity

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22 Parties to armed conflicts do not have unrestricted discretion when it comes to granting or denying access to humanitarian actors. While IHL provides that relief activities require the consent of the parties concerned, states and other parties to armed conflicts may only refuse access to relief for valid reasons under IHL, such as imperative considerations of military necessity, if the relief being offered is not considered to be humanitarian or impartial, or if the relief being offered is not needed or is already being provided by others. If the circumstances were such that refusing an offer of humanitarian assistance would lead to people's needs for protection and assistance being unmet, denial or hindrance of humanitarian access would violate the law. Denial or restriction of access based on the concept of exclusive domestic jurisdiction, the theory of belligerent reprisals, or the absence of reciprocity would also violate the law. See, for example, Common Article 9/9/9/10 of the 1949 Geneva Conventions; Article 59 of the Fourth Geneva Convention; Articles 54, 70–71, and 81 of the First Additional Protocol to the Conventions; Articles 14 and 18 of the Second Additional Protocol to the Conventions; and Article 8(2)(b)(xxv) of the 1998 Statute of the International Criminal Court. See also ICRC, *Customary IHL Database*, Rules 53, 55, and 56, available at https://ihl-databases.icrc.org/customary-ihl/eng/docs/home .

23 For an overview and more detailed research, see 31st International Conference of the Red Cross and Red Crescent, *International Humanitarian Law and the Challenges of Contemporary Armed Conflicts*, October 2011, pp. 45-53, available at www.icrc.org/eng/assets/files/red-cross-crescent-movement/31st-international-conference/31-int-conference-ihl-challenges-report-11-5-1-2-en.pdf ; Harvard Law School Program on International Law and Armed Conflict, *Counterterrorism and Humanitarian Engagement Project*, available at https://pilac.law.harvard.edu/counterterrorism-and-humanitarian-engagement-project ; Humanitarian Policy Group, "Counter-Terrorism and Humanitarian Action: Tensions, Impact and Ways Forward," October 2011, available at www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/7347.pdf ; and Kate Mackintosh and Patrick Duplat, "Study on the Impact of Donor Counter-Terrorism Measures on Principled Humanitarian Action," July 2013, available at https://docs.unocha.org/sites/dms/documents/ct_study_full_report.pdf .

of the conflict, the way in which hostilities are conducted, and, most worryingly, direct attacks or threats against humanitarian aid workers.

Here again, the normative framework to safeguard humanitarian actors and infrastructure against attacks and against the effects of hostilities is largely in place but faces worrying levels of disregard.[24] This is perhaps most grippingly illustrated by the recent spate of attacks on healthcare facilities and personnel in contexts such as Afghanistan, South Sudan, Syria, and Yemen.[25] Condemnations of violations of IHL and discussion of the need and ways to take action to protect humanitarian workers have made their way onto the UN's agenda, both in the General Assembly (through the annual resolution and the secretary-general's accompanying reports on the safety and security of humanitarian personnel) and in the Security Council (through the biannual report and debate on the protection of civilians agenda and the adoption of the first resolution on attacks on healthcare workers and facilities in May 2016).[26] Implementation of these resolutions and the concrete recommendations put forth by the UN Secretariat and others is key to ensuring humanitarian access and enabling an adequate response to the short- and long-term needs of victims of armed conflicts and disasters.

Moreover, while the international humanitarian sector has undertaken important efforts to manage security risks inherent to its operating environment,[27] there has been insufficient implementation of and, to some extent, financial support for these efforts, limiting their impact.

Dilemmas in Principled Humanitarian Action

Some of the obstacles to appropriate humanitarian access are induced by a lack of trust in or acceptance of all or specific humanitarian actors. This is partly because in practice not all humanitarian actors respect, or are even truly able to respect, the guiding principles of humanitarian action laid out by UN General Assembly Resolution 46/182 of 1991 (humanity, impartiality, and neutrality).

Moreover, many actors lack or are perceived to lack the political independence required to allow for truly neutral humanitarian action.[28] Practice shows that in order to be perceived as neutral, humanitarian actors need to remain clearly independent and distinct from political interventions and agendas—or interventions and agendas perceived as political (e.g., UN political and peacekeeping missions or institutions and programs in the areas of development, human rights, or international criminal justice). That is why "whole-of-government" comprehensive and integrated approaches—at least at the operational programmatic level—contribute to doubts about humanitarian actors' genuine aims and may complicate their ability to gain access despite upholding a distinct and strictly humanitarian identity.

There have been many calls for the international community to reaffirm the principles of humanity,

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24 Humanitarian relief personnel, as well as objects used for humanitarian relief operations, must be respected and protected. See, for example, Article 59 of the Fourth Geneva Convention; Article 71 of the First Additional Protocol to the Conventions; and Articles 8(2)(b)(iii) and (e)(iii) of the 1998 Statute of the International Criminal Court. See also ICRC, *Customary IHL Database*, Rules 31 and 32, available at https://ihl-databases.icrc.org/customary-ihl/eng/docs/home .

25 For an analytical overview and global compilation of reports on major security incidents involving deliberate acts of violence affecting aid workers, see Humanitarian Outcomes, *The Aid Workers Security Database*, available at https://aidworkersecurity.org/ . For recent numbers and trends in attacks on healthcare facilities and personnel, see World Health Organization, "Attacks on Health-care," 2016, available at www.who.int/hac/techguidance/attacks_on_health_care/en/ ; and ICRC, "Health Care in Danger: A Sixteen-Country Study," July 2011, available at www.icrc.org/eng/resources/documents/report/hcid-report-2011-08-10.htm .

26 See, for example, General Assembly Resolution 69/133 (January 19, 2015), UN Doc. A/RES/69/133; and Security Council Resolution 2286 (May 3, 2016), UN Doc. S/RES/2286. See also Security Council Report, "UN Documents for Protection of Civilians," available at www.securitycouncilreport.org/un-documents/protection-of-civilians/ .

27 See, for example, OCHA, *To Stay and Deliver: Good Practice for Humanitarians in Complex Security Environments*, 2011, available at https://docs.unocha.org/sites/dms/Documents/Stay_and_Deliver.pdf ; ICRC, "Safer Access for All National Societies," available at www.icrc.org/en/what-we-do/cooperating-national-societies/safer-access-all-national-societies .

28 In this regard, strictly independent organizations such as the ICRC or Médecins Sans Frontières (MSF) often have a clear operational advantage over certain components of the humanitarian system anchored in the UN and many of their implementing partners on the ground.

impartiality, and neutrality and, even more so, to translate them into concrete action.[29] Yet in some contexts, it remains unclear whether and how this can be achieved in practice.

A number of questions also arise with regard to the feasibility and need for all humanitarian actors to respect all of the principles. The principles of humanity and impartiality are and must be at the heart of any humanitarian response.[30] But adherence—real and perceived—to the principles of neutrality and independence may not be realistic to expect from many actors on the ground, including various components of the UN system and many local actors. Some argue that neutrality or independence may not even always be necessary to gain access and deliver a meaningful response to important needs.[31] The issue could then become how to determine the division of labor—depending on the specific context or needs—between those actors that can be truly independent and neutral and those that are not in a position to be or are not perceived as such.[32]

However, because perception and credibility are crucial in the often complex and volatile environments in which humanitarian actors operate, they must be transparent about their intention and capacity to implement all or some of the core humanitarian principles. Too often these principles are rhetorically invoked without the willingness or capacity to translate them into action on the ground. In some places, this discrepancy can have harmful consequences for humanitarian actors and affected populations alike. Where humanitarian actors cannot be impartial due to external constraints such as limited access, funding, or political pressure, they should be transparent and call on states, as well as

relevant UN organs, to address these constraints.

Finally, it is important to note that principled action is no silver bullet to solve all questions of access and security. Needs-based, adequate, and efficient humanitarian action (discussed below) also goes a long way in securing the trust and acceptance required to obtain full, safe, and unimpeded access. And strict compliance with international law (discussed above) remains key to both access and security.

Managing Humanitarian Action in a Political Environment

A related challenge humanitarian actors face in reaching people in need and delivering an appropriate response is the politicization of humanitarian action. The past few years have seen this phenomenon reach new peaks, in particular in complex and intractable contexts such as Syria. Without a doubt, the environment in which humanitarian crises arise and humanitarian actors respond to needs is intrinsically political. Especially in conflict situations, most of the key actors and dynamics that influence humanitarian needs and the capacity to respond to these needs are inherently political. The humanitarian system therefore needs to understand the political dynamics of the environments in which it operates and to engage with political actors in order to deliver adequate protection and assistance.

But while politics and political agendas can and should enable an environment conducive to successful humanitarian action, they should not interfere with the humanitarian response itself.[33] As long as political engagement and support are geared directly toward fulfilling strictly humanitarian

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29 The need to do so also emerged from the consultations leading up to the World Humanitarian Summit and from the commitments made at and following the summit itself. See United Nations, *Restoring Humanity: Global Voices Calling for Action*; and UN General Assembly, *Outcome of the World Humanitarian Summit: Report of the Secretary-General*, UN Doc. A/71/353, August 23, 2016.

30 Impartiality of humanitarian relief (i.e., the requirement of non-discrimination other than on the basis of the reality and urgency of needs) is not only a moral imperative; it is also a precondition in the rules regulating humanitarian access.

31 While they remain crucial in some high-risk and politically delicate contexts, in other contexts, independence and actual or perceived neutrality are less relevant for humanitarian actors to be able to respond to needs.

32 Typical examples of actors that can be truly impartial and neutral include components of the International Red Cross and Red Crescent Movement (ICRC, International Federation of Red Cross and Red Crescent Societies, and National Red Cross and Red Crescent Societies) and organizations like MSF.

33 See also Humanitarian Policy Group, "Humanitarian Space: A Review of Trends and Issues," 2012, available at www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/7643.pdf .

objectives, there should be no problem. But where political action is geared toward stabilization, security, or development objectives, it is likely to compromise the work of humanitarian actors and may impede their operations.

It is widely recognized and agreed that all components of the multilateral system—member states, the UN, and civil society—must act responsibly not to subject humanitarian objectives to other transformative agendas in the areas of peace, stabilization, counterterrorism, justice, or sustainable develop-

ment.[34] Achieving humanitarian, security, and development objectives requires distinct approaches, which work best in clearly distinct operational spaces. Acknowledging and respecting this diversity of objectives and approaches will contribute to maintaining operational capacity. It will also allow for a meaningful exchange on how these different but equally valid and legitimate objectives and approaches can reinforce each other and collectively contribute to the shared goal of preserving human dignity and well-being.

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34 See, for example, General Assembly Resolution 58/114 (February 5, 2004), UN Doc. A/RES/58/114: "Recognizing that independence, meaning the autonomy of humanitarian objectives from the political, economic, military or other objectives that any actor may hold with regard to areas where humanitarian action is being implemented, is also an important guiding principle for the provision of humanitarian assistance"; and General Assembly Resolution 59/141 (February 25, 2005), UN Doc. A/RES/59/141, which calls upon the secretary-general "to ensure that the design and implementation of United Nations integrated missions take into account the principles of humanity, neutrality and impartiality as well as independence for the provision of humanitarian assistance."

Addressing Systemic Challenges to Humanitarian Responses

Over the past thirty years, the international humanitarian sector—largely, but not exclusively, anchored in the UN—has gone through a number of important reforms that have significantly improved the quality and efficiency of its crisis responses.[35] Humanitarian action has saved and continues to save lives and reduce human suffering every day, all over the world.

Nonetheless, over the past few years the need to respond to large-scale, often protracted crises occurring simultaneously across the globe has put the sector under enormous stress. The scale and nature of these crises, combined with the global political, social, and economic environment in which they occur and the impact of climate change, have overstretched the resources and operational capacity of the international humanitarian sector. The sector is likely to experience additional pressure in the coming years and decades.

As discussed above, some of the key actions needed to reduce stress on the sector—effectively preventing and resolving conflict, increasing compliance with international law, and tackling the root causes of conflicts and disasters—are not within the power of the international humanitarian sector itself. Moreover, most of the access and security constraints discussed above that have a direct impact on the humanitarian sector's response capacity need to be addressed primarily by states and other parties to armed conflicts.

That said, there are a number of systemic challenges the international humanitarian sector must address to ensure it has the financial and operational capacity to deliver adequate, timely, effective, efficient, and sustainable responses. Many of the major systemic challenges have been and continue to be debated within the international humanitarian community and the multilateral system anchored in the UN.[36] This paper does not purport to cover them all, but focuses on five major issues that need to be addressed.

Ensuring People-Centered Humanitarian Action

First, in order to make humanitarian action adequate, effective, efficient, and sustainable, further efforts are required to ensure it is people-centered (i.e., strictly needs-based and needs-driven, rather than driven by supply, status, or strategic interests of donors and agencies). This may require further empowering independent leadership, in particular at the national and local levels.

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35 Milestones in the ongoing reform process include General Assembly Resolution 46/182 in 1991, the humanitarian reform process initiated by the UN's emergency relief coordinator in 2005, and the Transformative Agenda adopted by the Inter-Agency Standing Committee in 2012. See also the annual reports of the UN secretary-general to the General Assembly and the General Assembly's resolutions on strengthening the coordination of UN emergency humanitarian assistance and the annual humanitarian affairs segment of the Economic and Social Council.

36 See, for example, the recurrent debates in the Economic and Social Council and the General Assembly on the coordination of humanitarian assistance, discussions in the lead-up to and at the World Humanitarian Summit, the framework of the secretary-general's High-Level Panel on Humanitarian Financing, and ALNAP's annual reports on the *State of the Humanitarian System*.

In spite of some improvements,[37] it also requires better collection of accurate, comparable, disaggregated, and up-to-date data on actual humanitarian needs. This would help humanitarian actors design needs-driven responses and monitor their impact and success.

Greater involvement of the people and communities directly affected by a crisis is key not only to collecting quality data but also to changing the mindset of humanitarian actors from supply- or status-based thinking to needs-based thinking. For a response to be adequate and effective, it is crucial to involve affected populations and communities, both in evaluating and prioritizing their needs and in designing the response to these needs. While all agree in theory,[38] there is still a long way to go for this to become a default attitude and systematically implemented in practice.

Involving affected populations and communities also helps contextualize humanitarian responses, which is key to making them more needs-based and effective. Diverse and flexible humanitarian business models and funding mechanisms would further strengthen humanitarian actors' capacity to adapt their responses to different and evolving contexts and needs.

Turning needs-based and needs-driven humanitarian action into reality on the ground should also prevent shortcomings in international humanitarian responses to crises, populations, or needs that suffer a chronic lack of interest or prioritization because they are less visible or harder to address. There is an urgent need for humanitarian actors—with backup from donors—to ensure no crisis or population group is overlooked or gradually forgotten as the world's

attention shifts to new or politically sensitive crises, major emergencies, or contexts that are of global or national strategic interest.

The sector must also significantly step up efforts to fully and systematically integrate protection needs and gender considerations into its crisis evaluation and response. As importantly, in order to keep protection at the heart of humanitarian action, protection strategies and activities should be adequately funded, even if, compared to assistance-based work, they are more difficult to carry out and their impact is more difficult to assess.[39]

Finally, sufficient attention must be paid to supporting the neighbors of countries affected by humanitarian crises, which are often forced to absorb a significant part of the humanitarian response.

Adapting to Protracted and Chronic Crises

Second, the multilateral system must find ways to adapt to the reality of protracted and chronic crises. Many of today's armed conflicts have been going on for many years and even decades, natural disasters are increasingly chronic in nature, and the average duration of displacement is at a record-high seventeen years.

This general trend toward protracted and chronic crises has led to calls for putting more emphasis on building the resilience of affected populations and communities and on increasing national and local actors' ownership and capacity to respond. The need to strengthen resilience and reduce vulnerability is now generally recognized and has found expression both in the Sustainable Development Goals and in

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37 See initiatives such as the Digital Humanitarian Network, available at http://digitalhumanitarians.com/ ; the Humanitarian Data Exchange, available at https://data.humdata.org/ ; and increased use of satellite images, social media, and remote telephone polling of affected populations.

38 Putting affected people at the heart of humanitarian action is a key recommendation that came out of global consultations for the World Humanitarian Summit, but so far there are few concrete proposals on how to translate this into practice. See United Nations, *Restoring Humanity: Global Voices Calling for Action*.

39 At a time when protection concerns are predominant in most, if not all, humanitarian crises, protection remains the most poorly funded activity, with overall funding at 30 percent of stated requirements, partly due to donors' perception of low-quality performance in this area of work. See ALNAP, *The State of the Humanitarian System 2015*, pp. 44–45. Similarly, efforts to address the specific needs of women and girls and increase their role in prevention and response remain insufficient. The Security Council recently emphasized "the importance of integrating gender considerations across humanitarian programming" and urged the secretary-general to "strengthen leadership, political will...[and accountability] at all levels on this issue. Security Council Resolution 2242 (October 13, 2015), UN Doc. S/RES/2242, para. 16.

the secretary-general's Agenda for Humanity. Implementation of these commitments will be key to having impact on the ground.

At the same time, it is important to be aware that much of the thinking and expertise on resilience comes from the development and disaster relief sectors and should be nuanced when applied to humanitarian responses to crises driven by conflict and violence. While there may be scope for building resilience from a purely assistance perspective, the idea of making people "able to cope" with violations of IHL and other abuses clearly contradicts the principle of humanity at the core of humanitarian action. Moreover, resilience is unlikely to resolve all the shortcomings of humanitarian action, and there remains controversy over whether humanitarian actors have a role to play in building resilience and, if so, what that role is.[40]

There is growing consensus that one of the most effective ways to adapt to protracted and chronic crises and to relieve the international humanitarian response system is to reinforce and prioritize national and local humanitarian responses. Rather than being seen as purely implementing partners, local actors should be involved in and, where possible, lead a coordinated response. They should also receive more direct funding..

However, after having made significant progress in moving away from a default international response, the international community should be wary of moving toward a default local response. As for other issues, contextualization is key. There will be contexts where national and local authorities are willing and able to deliver an adequate response and others where they are not. Similarly, there will be situations where local humanitarian actors have a strong operational capacity and others where they

do not. Finally, especially in complex situations of armed conflict, it may be more feasible for international humanitarian actors to be, and to be perceived as, radically principled—not just impartial, but also neutral and independent. This can be key to gaining meaningful access to all in need and engaging with different stakeholders in the conflict.

Rather than opting for a default international or default national/local response, it is important to assess existing operational capacity and determine the best combination of international, regional, national, and local actors to achieve the common goal of delivering an adequate and effective humanitarian response to actual needs. Each situation will be different, and within each context the ideal combination may shift over time and differ from one area of work to another.

As the number of protracted and chronic crises grows, the debate about the relationship between the humanitarian and development sectors has become more complex and controversial, but also more necessary than ever. In such crises, it is paramount that humanitarian action and development work be carried out from early on, in parallel, and, as much as possible, in a coordinated manner. However, as the specific objectives and modus operandi of both sectors differ significantly, systemic integration is likely to be detrimental to the capacity to achieve objectives in both domains.

Nonetheless, there is an undisputed need for innovative thinking as to how the complex relationship between humanitarian action and development work can better ensure that both short-term and more medium- and long-term needs are fully dealt with.[41] Cross-sector consultations and, where appropriate, cooperation should be stepped up at all levels (e.g., international/national, policy/operational). To be effective,

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40 For example, MSF thinks it is not appropriate for humanitarian actors to play a role in building resilience, while OCHA finds that there may be a limited way in which the humanitarian sector can contribute. See MSF, "Central African Republic: A State of Silent Crisis," November 2011, available at www.doctorswithoutborders.org/news-stories/special-report/central-african-republic-state-silent-crisis ; and OCHA, "Position Paper on Resilience," available at https://docs.unocha.org/sites/dms/CERF/OCHA%20Position%20Paper%20Resilience%20FINAL.pdf www.doctorswithoutborders.org/news-stories/special-report/central-african-republic-state-silent-crisis .

41 The Commitment to Action, signed at the World Humanitarian Summit in May 2016 by eight UN entities and the UN secretary-general and endorsed by the World Bank and International Organization for Migration, consolidates and formalizes a commitment on behalf of the UN family that now needs to be translated into concrete and adequate action. See http://www.agendaforhumanity.org/initiatives/3837 .

consultations and cooperation should be based on and driven exclusively by the needs—short-, medium-, and long-term—of people affected by these protracted crises. Constructive engagement across sectors and innovative thinking—accompanied by adjustments in international financing mechanisms—should allow for adequate operational emergency responses and work addressing medium- and long-term needs at the same time.

Reforming Humanitarian Financing Mechanisms

Third, reform of humanitarian financing mechanisms could play a significant role in addressing some of the systemic challenges to strengthening a strictly needs-based and needs-driven response and adapting to the reality of protracted and chronic crises. Both the quantity and quality of humanitarian funding must be enhanced to address needs and ensure sustainability of the response to those needs.

In spite of record contributions from international donors, the funding gap for UN-coordinated humanitarian action continuously reaches new records, and currently stands at a staggering 52 percent.[42] Possible avenues for increasing humanitarian funding include expanding and diversifying the donor base and funding at least the UN-led humanitarian response through assessed contributions from UN member states.[43]

But high-quality funding—rapidly disbursable, flexible, non-earmarked, and multi-year—is perhaps even more important to addressing some of the systemic challenges of the international humani-

tarian sector discussed above. The secretary-general's High-Level Panel on Humanitarian Financing has made concrete recommendations that have helped frame the international debate on these matters and offers significant avenues for reform and progress.[44]

Strengthening Operational Capacity

Fourth, while some argue that the international humanitarian system anchored in the UN is "financially broke" but not essentially broken,[45] others argue that the UN system—which is at the heart of international humanitarian relief efforts—is itself dysfunctional. Concerns have been voiced that, apart from operational and financial overstretch, the drive to integrate humanitarian efforts into development efforts and the shift toward prevention and local actors have eroded the UN's operational emergency response capacity in complex conflict-related crises.

According to case studies carried out by Médecins Sans Frontières, the UN system is not fit for purpose to respond to such crises due to its artificial boundaries. These boundaries have been created by historical mandates and institutional positioning, the triple role of UN agencies as donor, coordinator, and implementer, inherently slow and cumbersome funding mechanisms, and the system's general risk aversion. A deeper-lying reason, according to the study, is that "while it is core business for the humanitarian system, emergency response capacity has been undervalued and under-prioritized."[46] The study's conclusions are largely echoed in the 2015

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42 "So far in 2016, international donors have generously provided $11.4 billion to the current global appeal which, over the year, has risen from $20.1 billion to $22.1 billion. However, this represents only 52 per cent of the requirements and humanitarian organizations approach the end of this year with a funding gap of a record $10.7 billion—the largest gap ever." "Global Humanitarian Appeal for 2017 Requires Record $22.5 Billion in Funding—UN," UN News Centre, December 5, 2016, available at www.un.org/apps/news/story.asp?NewsID=55714#.WEiORdUrKUk .

43 This was proposed by the UN High Commissioner for Refugees to address inherent limitations of the current voluntary financing model and respond to calls for increased burden sharing between states. See also ALNAP, *The State of the Humanitarian System 2015*, p. 114.

44 High-Level Panel on Humanitarian Financing, *Too Important to Fail: Addressing the Humanitarian Financing Gap*, December 2015, available at www.un.org/news/WEB-1521765-E-OCHA-Report-on-Humanitarian-Financing.pdf .

45 António Guterres, opening remarks at the 66th session of the Executive Committee of the High Commissioner's program, Geneva, October 5, 2015, available at www.unhcr.org/print/561227536.html ; Heba Aly, "Q&A: 'UN Doesn't Have to Change,' Says Relief Chief," IRIN, October 16, 2015, available at www.irinnews.org/report/102119/qa-%E2%80%98un-doesn%E2%80%99t-have-change%E2%80%99-says-relief-chief ; World Food Programme, statement at the World Humanitarian Summit Global Consultation, Geneva, October 14, 2015, available at www.wfp.org/news/news-release/wfp-statement-whs-global-consultation-geneva .

46 Sean Healy and Sandrine Tiller, "Where Is Everyone? Responding to Emergencies in the Most Difficult Places," MSF, July 2014, available at www.msf.org/sites/msf.org/files/msf-whereiseveryone_-def-lr_-_july.pdf .

version of ALNAP's *State of the Humanitarian System* report, which found that "agencies have been less than frank in acknowledging that in conflict-affected and logistically challenging settings they face serious operational capacity gaps quite independent of funding [and security impediments]…[with] a decline in technical capacity in key sectors such as health, nutrition and water/sanitation."[47]

Both within and on the margins of the process leading up to the World Humanitarian Summit, civil society has stressed that a fundamental overhaul of the system is key to better meeting global humanitarian needs. But within the UN system and among member states there seems to be little appetite for any radical institutional reform. The UN under-secretary-general for humanitarian affairs even indicated that such an introspective debate would "end up tying us up for ages and postpone the chance of really intensifying and increasing our ability to deliver humanitarian action on the ground." As such, he argued that it would be "the most irresponsible distraction" as it would be "completely irrelevant to the people in need who need us the most."[48]

Regardless of whether radical institutional reform is necessary and feasible, a number of issues do need to be addressed. One of these is institutional gaps or ambiguities that result in inadequate responses to actual needs. For example, the international community's failure to adequately address the needs of internally displaced persons (IDPs) is partly due to a lack of leadership on this issue among humanitarian actors. In light of the poor performance of the system on issues related to protection, it may be helpful to revise the institutional set-up and see where reinforcements or adjustments are necessary.

Such reflections may be part of a broader debate on the UN's operational capacity in conflict-affected and logistically challenging environments. There are many contexts in which the UN system is present and fully functional, especially where national and local government authorities are functional and largely in control of the territory. In other contexts, the UN system may be present but not capable of delivering the required emergency response.[49]

Working with Diverse Humanitarian Actors

Finally, and related to the above, it is important to explore how the UN's system for humanitarian coordination can address the challenges and seize the opportunities that arise from the diversity of actors engaged in humanitarian response on the ground. In shaping and delivering its response, the international humanitarian sector—both within and outside of the UN—engages and works with national and local authorities of affected countries, as well as local communities and nongovernmental organizations (NGOs), albeit with varying levels of effort and success. In recent years, the humanitarian landscape has also seen the arrival of new actors, including national NGOs with international aid programs, religious relief institutions, regional organizations, and the private sector.

Not all of these actors are "in the same business." But even those that are strictly in the "humanitarian business" have different mandates, aims, priorities, capacities, and operating models. While posing obvious coordination challenges, the richness of this wide variety of actors and their combined numeric strength create significant potential for comprehensiveness through complementarity. In 1991 the international community gave the UN an institutional mandate to provide leadership and coordinate international efforts to support countries and populations affected by armed conflicts and disasters.[50] The UN humanitarian architecture should seek to facilitate fluid communication and interaction between all actors on the ground.

47 ALNAP, *The State of the Humanitarian System 2015*, p. 47.

48 Aly, "Q&A: 'UN Doesn't Have to Change,' Says Relief Chief."

49 See ALNAP, *State of the Humanitarian System 2015*; and Abby Stoddard and Shoaib Jillani, "The Effects of Insecurity on Humanitarian Coverage," Humanitarian Outcomes, November 2016, available at www.gppi.net/fileadmin/user_upload/media/pub/2016/SAVE__2016__The_effects_of_insecurity_on_humanitarian_coverage.pdf .

50 UN General Assembly Resolution 46/182 (December 19, 1991), UN Doc. A/RES/46/182, para. 12.

In doing so, it could capitalize on these actors' respective strengths to ensure an adequate collective response to the broad and diverse needs across the world. It could also stimulate innovative and creative thinking about how to respond to current and future challenges for humanitarian action. It is perhaps most important to do so on the ground in order to identify and leverage the specific expertise and operational capacity that different actors can bring to bear in a given context at a given time. Finally, strategic and operational engagements with these different actors may also change the perception that the international humanitarian agenda is set by UN agencies and a limited number of predominantly Western donors and states.

Conclusions and Recommendations

Many contemporary challenges for humanitarian action are far from new. Moreover, many of the questions that arise—both old and new—cannot be easily answered. Rather than looking for simple answers or solutions, the international community and the broader humanitarian response sector must address and navigate the dilemmas and tensions inherent in current and future humanitarian responses. In doing so, they must be guided by the needs and aspirations of the people affected by conflict and disaster.

This will require finding the right balance between equally compelling needs and equally valid and necessary approaches—between relying primarily on international humanitarian actors and local humanitarian actors; between investing in prevention and resilience and sustaining operational capacity for emergency response; between promoting strict adherence to humanitarian principles and finding pragmatic solutions to hard realities; and between ensuring coherence and coordination and embracing the diversity of humanitarian actors. The answer—inescapably contextual—will rarely be either/or but will lie in finding the right balance. Other tensions and dilemmas relate to the role of non-state armed actors, which pose a threat to both states and populations but, when they control significant populations and territories, must be part of a viable solution.

Further delicate balances need to be struck to maintain a distinct operational space for principled humanitarian action in contexts where the international community also, and rightly, pursues inherently transformative agendas (e.g., peace, security, stabilization, political change, sustainable development, and the rule of law). The fundamental principles that underpin international humanitarian action are not always easy or even possible to implement in practice. But experience shows that they provide a robust guiding framework for making difficult choices and for managing the inevitable tensions and dilemmas inherent to addressing contemporary humanitarian crises.

Paradoxically, the most efficient and effective ways to reduce human suffering, relieve the financially and operationally overstretched humanitarian sector, and prevent humanitarian crises from spiraling into long-term and profound fragility are not in the hands of humanitarian actors. Only political courage, commitment, and action to prevent and resolve conflicts, to reduce disaster risk, and to respect and ensure respect for international law can prevent or significantly stem the scale of humanitarian consequences witnessed today. In short, the international community—and in particular the UN, its member states, and donors—must walk the talk on prevention.

While disaster risk reduction and preparedness have benefited from recent successes in establishing a concrete framework and agenda for action, efforts to elaborate a comprehensive agenda to prevent and resolve conflicts are much less advanced. The international community too often tacitly accepts the humanitarian impact of conflicts as a given. Much of the debate and effort is focused on responding to the dire humanitarian and development consequences arising from conflicts, and far too little time and energy is invested in preventing or resolving conflict and violence and in ensuring respect for international law.

But there is hope. States increasingly realize and understand the less visible human, political, and economic costs of conflict and of related violations

of international humanitarian law. These costs include not only unspeakable human suffering but also the skyrocketing expense of humanitarian assistance, the highest number of forcibly displaced people since World War II, and the potential destabilization of political systems around the world. Now more than ever, the international community needs to strongly reaffirm the principle of humanity and renew its collective commitment to upholding the principles and purposes of the UN Charter, as well as international humanitarian and human rights law. Now is the time for the international community to act responsibly by heavily investing in efforts to achieve political solutions to conflict and violence and, pending such achievements, by ensuring that humanitarian principles and law are respected and humanitarian needs are adequately addressed. A failure to commit and, even more so, a failure to act will inevitably lead to millions more victims, as well as profound and long-term damage to lasting peace, security, and development across the globe.

The following recommendations—addressed to the UN, its member states, donors, the broader humanitarian sector, and civil society—should help to address the various challenges and manage the dilemmas and tensions described above.

Prevent Conflict, Reduce Disaster Risk, and Ensure Compliance with International Law

Investment in conflict prevention, disaster risk reduction, and compliance with IHL is not only the most humane course of action; it is also the most efficient and cost-effective way to stem humanitarian needs, relieve the strain on the humanitarian sector, bridge the humanitarian financing gap, and mitigate the long-term impact of crises on lasting peace and sustainable development.

1. **Member states and the UN should strengthen their capacity to implement the Sendai Framework for Disaster Risk Reduction.**

   • Member states, regional organizations, and financial institutions should provide adequate resources, and the UN Office for Disaster Risk Reduction (UNISDR) should provide adequate technical expertise, to enable countries—in

particular those most affected—to carry out and integrate disaster cost and risk analysis into core government planning and budgets.
   • Member states should break down silos in national and local administrations (as has been done at the multilateral level). They should also mainstream national- and local-level disaster risk reduction planning and programming into development and climate change planning and programming, all of which should involve a variety of relevant ministries (e.g., those dealing with the interior, infrastructure, finance, budgeting, and telecommunications). In addition, they should integrate the budget for disaster risk reduction into core government budget planning and keep this budget separate from humanitarian budgets, which should be reserved for crisis response.
   • The UN and member states should develop effective communication strategies to mobilize public opinion, including by incentivizing the media to actively report on the cost-effectiveness of disaster risk reduction and the need for society as a whole to invest in long-term prevention efforts.
   • The UN and member states should incentivize the corporate sector to engage in partnerships that would diversify the funding base for disaster risk reduction (e.g., by demonstrating to insurance companies their stakes and interests). They should also explore innovative approaches such as forecast-based financing and engage in dialogue with the corporate sector on how it could integrate disaster risk reduction into the management of its own operations, research, and development.
   • Member states should adopt or strengthen national legislation and regulations to facilitate and regulate disaster response in line with international guidelines and commitments.

2. **Member states and the UN should strengthen the UN's capacity for conflict prevention and resolution.**

   • Member states and the UN should integrate human rights violations into risk analysis as a risk factor and early warning indicator, which should serve as a trigger for activating or

establishing adequate conflict prevention or resolution mechanisms. The Office of the High Commissioner for Human Rights and the Human Rights Council's relevant special procedures mechanisms should regularly brief the Security Council, General Assembly, and Peacebuilding Commission on ongoing or potential human rights violations.

- Member states and the UN should step up political and financial investment in bilateral, regional, and international mediation and other dispute resolution efforts. They should strengthen the UN architecture and increase the budget for conflict prevention and resolution, in particular for the Peacebuilding Commission. The Security Council should make more efficient use of its powers under Article 34 to take and support initiatives to prevent and resolve conflicts before they evolve into large-scale humanitarian crises.[51]

- Member states and the UN should identify ways to meaningfully engage with non-state actors that are or could become parties to armed conflicts. They should also allow for a distinct operational space for peacebuilding actors or mechanisms to engage such non-state actors as part of efforts to achieve lasting peace.

3. **Member states should deliver on existing commitments to respect and ensure respect for international humanitarian, human rights, and refugee law.**

- Member states, both individually and collectively, should use all available and lawful means (legislative, administrative, diplomatic, economic, financial, coercive, etc.) to enhance compliance with international law. They should make full use of existing compliance mechanisms to ensure respect for international law. They should engage fully and constructively in the process aimed at establishing a complementary mechanism to enhance

respect for IHL facilitated by Switzerland and the ICRC, pursuant to Resolution 2 adopted by the International Conference of the Red Cross and Red Crescent Movement in December 2015.

- They should acknowledge and strictly adhere to the threshold of applicability of IHL in dealing with armed conflicts and other situations of violence.

- They should systematically translate their obligations under international law into operational military and law enforcement practice, including operational guidance and rules of engagement.

- They should implement and submit further concrete pledges and commitments for individual and collective action to increase compliance with IHL to the International Conference of the Red Cross and Red Crescent Movement[52] and to the Platform for Action, Commitments and Transformation (PACT) set up following the World Humanitarian Summit.[53]

4. **Member states and the UN should enable meaningful engagement with non-state parties to armed conflicts on compliance with IHL.**

- Member states should avoid criminalizing humanitarian actors engaging with non-state armed actors for humanitarian purposes and for the purpose of enhancing compliance with IHL, under either international or domestic law.

- Member states should be aware that their own compliance with IHL and accountability for violations of IHL are critical to enhancing the compliance of non-state parties to armed conflicts.

- They should further incentivize non-state armed actors to comply with IHL by ensuring that acts they commit that are lawful under IHL are not labeled as terrorist acts by domestic and international counterterrorism measures, and by committing to grant the amnesties in

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51 On conflict prevention and resolution more generally, see also the broad set of recommendations made in the forthcoming ICM policy paper on "Armed Conflict: Mediation, Peacebuilding, and Peacekeeping."

52 See the conference's pledges portal at http://rcrcconference.org/international-conference/pledges/ .

53 See the PACT platform at http://agendaforhumanity.org/about-us .

accordance with Article 6(5) of Additional Protocol II to the Geneva Conventions.

- They should increase ownership of IHL by considering ways to engage current or former non-state parties to armed conflicts in efforts to clarify or develop IHL.

5. **The UN secretary-general should exert strong leadership on respect for international law.**

- The secretary-general should prioritize compliance with international law, in particular IHL, when engaging with member states, both bilaterally and collectively.
- The secretary-general should play a leading role in bridging the distance between the UN's respective centers of gravity on international humanitarian, human rights, and refugee law (Geneva) and on peace and security (New York).
- The secretary-general should ensure that the UN sets an example in complying with international humanitarian and human rights law. Toward that end, he should implement a zero-tolerance policy for violations by UN personnel and representatives, including but not limited to those involved in peace operations.

Facilitate Access and Delivery of Humanitarian Responses to People in Need

Member states should embrace the concept of sovereignty as responsibility. They should underline and respect the primary responsibility of states to ensure respect for international law, protect their citizens, and secure the access of affected populations to essential goods and services. At the same time, they should recognize that the international community cannot stand by when states are unwilling or unable to discharge these responsibilities.

The UN, its member states, and humanitarian actors need to take measures to overcome legal, political, logistical, and security obstacles to accessing people in need and delivering impartial and adequate humanitarian responses.

6. **Member states should enhance compliance with legal obligations and implementation of recommendations aimed at facilitating and protecting the delivery of principled humanitarian responses.**

- Member states—individually and collectively, including through the Security Council—should take all available measures to respect and ensure respect for existing rules of international law pertaining to humanitarian relief operations. They should particularly do so for laws facilitating humanitarian access to affected populations and protecting humanitarian relief operations in situations of armed conflict.
- Member states and humanitarian actors should implement the concrete policy and operational recommendations put forth by the UN secretary-general and the ICRC in 2016 aimed at enabling safe and adequate delivery of healthcare in situations of armed conflict by enhancing protection of the wounded and sick and of healthcare facilities, personnel, and means of transportation.[54]
- Member states should fully operationalize and implement General Assembly and Security Council resolutions on the safety and security of humanitarian personnel more generally.

7. **Member states, the UN, and humanitarian actors should facilitate principled humanitarian action.**

- Member states and the UN should embrace the diversity of humanitarian relief actors as an opportunity to maximize the delivery and impact of humanitarian response to growing needs. At the same time, they should safeguard a distinct operational space for principled humanitarian action to ensure a comprehensive and impartial response to

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54 UN Security Council, *Letter from the Secretary-General Addressed to the President of the Security Council*, UN Doc. S/2016/722, August 18, 2016; ICRC, "Protecting Healthcare: Key Recommendations," April 2016, available at https://shop.icrc.org/health-care-in-danger/protecting-health-care-key-recommendations.html .

actual needs and allow for meaningful protection activities.

- Humanitarian actors should be transparent about their intentions and capacity to implement all or some of the core humanitarian principles. When they cannot be impartial due to external constraints such as limited access, funding, or political pressure, they should acknowledge these constraints and call on states and relevant UN organs to address them.

- Member states should allow and enable humanitarian actors on the ground to negotiate their access and operations in line with distinct and complementary approaches. They should also ensure that any Security Council action on humanitarian access or operations does not negatively interfere with or impact such efforts or otherwise affect the safety and efficiency of humanitarian personnel and operations on the ground.

8. **Member states and the UN should ensure that international and domestic laws and policies— in particular related to counterterrorism and countering/preventing violent extremism—do not criminalize or otherwise obstruct principled humanitarian assistance and engagement on protection concerns.**

- Member states and the UN should ensure humanitarian actors are able to engage with non-state armed actors to ensure safe access, address humanitarian concerns, and enhance compliance with international law.

- They should obtain better evidence and analysis about the impact of policies on counterterrorism and countering/preventing violent extremism on humanitarian action, in particular on the ability to conduct protection activities.

- They should ensure transparency about international and domestic counterterrorism norms and policies so that humanitarian actors are fully aware of applicable frameworks.

- They should further explore the idea of humanitarian exemptions put forth by the High-Level Panel on Sanctions, including by reviewing opportunities, risks, and challenges

for implementation.

9. **Member states, the UN, and humanitarian actors should strengthen logistical capacity and security risk management for humanitarian operations.**

- Member states and humanitarian actors should take, support, and incentivize innovative approaches and provide adequate resources to overcome logistical obstacles to reaching people in need and delivering humanitarian responses.

- Humanitarian actors, including relevant UN agencies, should continue to review their security risk management systems to ensure proximity to affected populations on the ground and to avoid transferring risk to local partners. Effective security risk management is by nature context-specific. Therefore, while the general framework and guidance can be centralized, they should devolve day-to-day security management and technical details to teams on the ground as much as possible.

- Member states and the UN should better share the risks of operating in insecure environments by adequately funding the security and logistics needed to sustain humanitarian operations in such contexts.

Facilitate Adequate, Timely, Effective, Efficient, and Sustainable Humanitarian Responses

There is a clear need to make humanitarian action people-centered rather than process- or status-centered, to bridge the humanitarian-development divide, and to reform humanitarian financing. The multilateral system also needs to adapt to the reality of protracted and complex humanitarian crises and the diversity of humanitarian actors on the ground.

10. **International humanitarian actors and member states should enable affected populations and local responders to take an active part in, and where possible lead, humanitarian responses.**

- International humanitarian actors should systematically include affected populations in needs assessments, including through remote

telecom surveys or other innovative means in hard-to-reach areas.

- They should step up efforts to collect accurate, disaggregated, and comparable data on populations and needs and to analyze this data. This would enable evidence-based, needs-driven humanitarian action and facilitate monitoring and evaluation of humanitarian responses.
- They should systematically and continuously map existing and lacking local response capacities for each crisis as a starting point for developing and maintaining a comprehensive humanitarian response.
- Member states and donors should support and incentivize such initiatives.

11. **Member states, humanitarian actors, and donors should further strengthen efforts to improve the protection of people affected by armed conflicts and disasters.**

- Member states, humanitarian actors, and donors should fully integrate and fund protection strategies and respect for international law throughout humanitarian planning, programming, budgeting, and financing.
- They should strengthen and fund specialized protection activities, in particular those tailored to the specific needs of vulnerable populations such as women and girls, children, adolescents, the elderly, persons with disabilities, and minorities.

12. **Rather than attempting to overhaul an elusive humanitarian "system," the UN and member states should build on the diversity of humanitarian relief actors, and focus on continuing to transform the formal humanitarian sector to allow it to perform better in responding to humanitarian needs.**

- Where and to the extent possible, UN and other international humanitarian actors should take a step back and support rather than lead the humanitarian response by opening up access to training, technical assistance, and direct funding to local crisis responders (e.g., authorities, communities, NGOs, or the private

sector, depending on the context).
- At the same time, the international humanitarian sector, including the UN, should maintain and strengthen an effective operational capacity to step in where and for as long as there is no or insufficient local capacity to deliver a comprehensive, principled, and adequate humanitarian response.
- Member states—including host countries and donors—should support and incentivize initiatives to implement the above two recommendations.

13. **Member states and the UN should ensure inclusivity in setting a global vision and agenda for humanitarian action.**

- Member states, the UN secretary-general, the UN Office for the Coordination of Humanitarian Affairs (OCHA), and humanitarian actors should step up efforts to ensure all states engage in debates and decision making on humanitarian issues in multilateral fora. For example, they could more actively brief regional groups on humanitarian issues.
- Affected states should participate more actively and, wherever possible, take the lead in debates on humanitarian issues in multilateral fora (as is the case in development debates), rather than leaving those debates to donor states.
- Member states and the UN should adjust humanitarian coordination mechanisms at the global and country levels, including the Inter-Agency Standing Committee and Humanitarian Country Teams—where relevant in light of specific contexts or issues—to allow for better inclusion of the perspectives and ideas of the diverse range of humanitarian actors, including local actors.
- Member states and the UN should strengthen multi-stakeholder engagement (e.g., with civil society, regional organizations, the private sector, and academia) on humanitarian issues to tap into potential innovation and to mobilize funding and respect for international law.

14. **Member states, the UN, and humanitarian and development actors should make further efforts**

to bridge the humanitarian-development divide, in particular in protracted humanitarian crises, while acknowledging the essential role, distinctive approach, and inherent limits of humanitarian action.

- Member states and the UN should revitalize and step up the presence and active involvement of development actors from an early stage to assist national and local authorities in addressing medium- and long-term needs.
- In order to transcend the divide, the UN should further strengthen leadership at the country level to foster in-depth cross-sector consultations and coordination.
- Where appropriate and possible without restricting humanitarian space and principled action, the UN should foster joint analysis and needs assessments and better alignment of humanitarian and development programs and activities, with priority placed on education, health, and urban infrastructure.
- Member states and multilateral development banks should build on and strengthen innovative financing mechanisms, including the international financing platform proposed by the secretary-general in his Agenda for Humanity. These mechanisms would allow humanitarian and development actors to work together to deliver comprehensive responses in protracted humanitarian crises.

15. **Member states should take appropriate action to ensure that global humanitarian appeals are fully funded.**

- They should implement the High-Level Panel on Humanitarian Financing's recommendations to ensure both emergency funding and long-term, flexible, and predictable funding to address the challenges of protracted crises.
- Donors should facilitate access to direct funding for local crisis responders, in particular for disaster response, and prioritize funding for principled humanitarian actors.
- Donors should harmonize and simplify reporting requirements and speed up disbursement of funding.
- Donors should break down silos in national and local administrations that hamper international efforts to bridge the humanitarian-development divide by promoting development finance in protracted humanitarian crises in parallel to funding for principled humanitarian action.
- All relevant actors should engage the private sector to commit resources for in-kind responses (e.g., assets, skills, capabilities).

16. **In order to address challenges and implement the above-mentioned recommendations, humanitarian actors should pursue innovation by tapping into the potential of technology, the corporate sector, and expertise from other sectors in a thoughtful manner so as to tailor that potential to the realities of conflict and disaster and to the principles that guide humanitarian action.**

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Walter Kemp, Senior Vice President, *International Peace Institute*

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(September 2014–March 2016)

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Annex 2: ICM Policy Papers

This is one in a series of fifteen issue-specific policy papers that the Independent Commission on Multilateralism (ICM) is publishing over the course of 2016 and 2017. These papers cover in greater detail issue areas addressed in ICM's September 2016 report "Pulling Together: The Multilateral System and Its Future." The fifteen policy papers (not in order of publication) are as follows:

Armed Conflict: Mediation, Peacebuilding, and Peacekeeping

Climate Change and the 2030 Agenda for Sustainable Development

Communication Strategy for the UN Multilateral System

Engaging, Supporting, and Empowering Global Youth

Forced Displacement, Refugees, and Migration

Fragile States and Fragile Cities

Global Pandemics and Global Public Health

Humanitarian Engagements

Impact of New Technologies on Peace, Security, and Development

Justice and Human Rights

Social Inclusion, Political Participation, and Effective Governance

Terrorism and Organized Crime

The UN, Regional Organizations, Civil Society, and the Private Sector

Weapons of Mass Destruction: Non-proliferation and Disarmament

Women, Peace, and Security

Annex 3: Participation in Consultations

Retreat: January 14–15, 2016 (IPI, New York)

Keynote Speakers

Yves Daccord, *Director General, International Committee of the Red Cross*

David Miliband, *President and Chief Executive, International Rescue Committee*

Participants

Syed Akharuddin, *Permanent Representative, Permanent Mission of India to the United Nations*

Michael Barnett, *Professor of International Affairs and Political Science, George Washington University*

Sarah Case, *Senior Analyst, International Rescue Committee*

Sally Chin, *Head of New York Office, Oxfam International*

Andrew Clapham, *Professor of International Law, Graduate Institute of International and Development Studies*

Jason Cone, *Director General, Médecins Sans Frontières USA*

Clare Dalton, *Professor of Law, Northeastern University School of Law*

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Els Debuf, *Adviser, Independent Commission on Multilateralism*

Ariun Enkhsaikhan, *Development Assistant, International Peace Institute*

Anne Christine Eriksson, *Deputy Director, UN High Commissioner for Refugees*

Elizabeth Ferris, *Research Professor, Georgetown University*

Barbara Gibson, *Deputy Secretary-General, Independent Commission on Multilateralism*

Michael Grant, *Ambassador and Deputy Permanent Representative, Permanent Mission of Canada to the United Nations*

Brian Grogan, *Senior Humanitarian Affairs Officer, UN Office for the Coordination of Humanitarian Affairs*

John Hirsch, *Senior Adviser, International Peace Institute*

Warren Hoge, *Adviser for External Relations, International Peace Institute*

João Honwana, *Director of the Africa II Division, UN Department of Political Affairs*

Marwan Jilani, *Head of Delegation to the UN in New York, International Federation of the Red Cross and Red Crescent*

Debra Jones, *Director of New York Office and UN Representative, Save the Children*

Walter Kemp, *Vice President, International Peace Institute*

Mike Kelleher, *Lead International Affairs Officer, World Bank Group*

Afshan Khan, *Director of Office of Emergency Programs, UNICEF*

Gholamali Khoshroo, *Permanent Representative, Permanent Mission of Iran to the United Nations*

Jimena Leiva Roesch, *Policy Analyst, International Peace Institute*

Adam Lupel, *Director of Research and Publications, International Peace Institute*

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Nadia Mughal, *Digital Content Producer, Independent Commission on Multilateralism*

Nina Nepesova, *UN Representative for Humanitarian Affairs, Global Humanitarian Policy, and Advocacy Adviser, World Vision International*

Yoshifumi Okamura, *Deputy Permanent Representative, Permanent Mission of Japan to the United Nations*

Véronique Pepin-Hallé, *Adviser, Independent Commission on Multilateralism*

Cyril Prissette, *Counsellor and Humanitarian Officer, Permanent Mission of Switzerland to the United Nations*

Martin Shearman, *Ambassador, Permanent Mission of the United Kingdom to the United Nations*

Hardeep Singh Puri, *Secretary-General, Independent Commission on Multilateralism*

Philip Spoerri, *Director for International Law and Cooperation, International Committee of the Red Cross*

Taro Tsutsumi, *Counsellor for Social Affairs, Permanent Mission of Japan to the United Nations*

Maureen Quinn, *Senior Director of Programs, International Peace Institute*

Sigrun Rawet, *Minister Counsellor, Permanent Mission of Sweden to the United Nations*

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Rodrigo Saad, *Special Assistant to the Vice President and the Independent Commission on Multilateralism, International Peace Institute*

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Jill Stoddard, *Web Editor, International Peace Institute*

Hansjoerg Strohmeyer, *Chief of Policy Development and Studies Branch, UN Office for the Coordination of Humanitarian Affairs*

Elisabeth Decrey Warner, *Executive President, Geneva Call*

Peter Wilson, *Deputy Permanent Representative, Permanent Mission of the United Kingdom to the United Nations*

Richard Wright, *Director of New York Office, UN Relief and Works Agency for Palestine Refugees in the Near East*

Public Consultation: June 3, 2016 (IPI, New York)

Discussants

Stephane Ojeda, *Deputy Permanent Representative and Legal Advisor, International Committee of the Red Cross Delegation to the United Nations*

Abby Stoddard, *Partner, Humanitarian Outcomes*

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Els Debuf, *Senior Adviser, Independent Commission on Multilateralism*

Research

Issue Area Lead: Els Debuf

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