



Conflict Sensitivity Consortium

Do Conflict Sensitive Approaches Help Us Negotiate the Dilemmas Confronting Us in Rapid-Onset Emergencies?

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Introduction

Earlier this year, in mid-March 2011, International Alert hosted an event, as part of the DFID-funded Conflict Sensitivity Consortium, which brought together a range of practitioners and policy-makers to consider how those leading responses to rapid-onset emergencies understand and apply conflict sensitive approaches to their work.

The morning session comprised of two presentations from DFID; Mark Segal, Senior Conflict Advisor discussed, *The utility of Conflict-Sensitive Approaches to Humanitarian Action: A DFID Perspective* and Neil Barry OBE, Senior Humanitarian Advisor, presented, *Aid and Conflict-Sensitivity in Sri Lanka: Working Through Operational Dilemmas*. This was followed in the afternoon by a number of discussions on specific dilemmas and concluded with a number of conclusions. This short note is a summary of the event.

Background to the Meeting

The DFID-funded initiative *"The practice of conflict sensitivity – concept to impact"* is intended to strengthen the practice of conflict sensitivity throughout and beyond a consortium of 35 humanitarian, peace-building and multi-mandate development agencies in the UK, Kenya, Sierra Leone and Sri Lanka. The project aims to ensure greater impact of development and humanitarian assistance through improved and more widespread mainstreaming of conflict sensitive approaches. The UK consortium is formed from 10 International NGOs: ActionAid; CAFOD; CARE International UK; International Alert; Plan International UK; Responding to Conflict; Saferworld; Save the Children UK; Skillshare International, and World Vision.

The UK Consortium is leading a process of research and reflection into the application of conflict-sensitive approaches (CSA) in rapid onset emergencies and humanitarian action more broadly. Examples of questions being currently explored by the Consortium include:

- What kind of conflict-sensitive approaches are being applied in emergency situations, explicitly or implicitly, and what benefits do those approaches bring?
- What else needs to be done to improve the quality and effectiveness of emergency interventions in terms of conflict sensitivity?
- How can we document best practices in conflict sensitivity in ways that are relevant and practical for those who plan and implement humanitarian and emergency interventions?

As part of this work, International Alert organized a one-day event on behalf of the Conflict Sensitivity Consortium. The key purpose of the event was to identify whether CSA enabled more effective responses to the multiple dilemmas faced by agencies in sudden-onset emergencies, including around the politicisation and militarisation of aid, the tension between principles and pragmatism, and the multifarious accountability issues faced in rapid onset emergencies. The meeting was attended by 28 participants from various backgrounds, including academia, government, humanitarian and multi-mandate organisations.

The morning session comprised of the following two presentations:

'The utility of Conflict-Sensitive Approaches to Humanitarian Action': A DFID Perspective

Presentation by Mark Segal, Senior Conflict Advisor, DFID

Mark framed his presentation on the basis of his experience with DFID in Nepal and began by providing an overview of the key challenges this particular context posed in terms of adopting conflict sensitive approaches.

Nepal Case Study

High levels of political and social exclusion, the prominence of caste, ethnic and religious hierarchies and pronounced differences in levels of equality were seen as drivers of conflict in Nepal. These presented a number of challenges for adopting a conflict-sensitive approach. DFID needed to both address drivers of poverty and conflict whilst avoiding the reinforcement of structural inequalities. It became clear that certain development modalities were failing. This became more apparent when Maoist groups demanded that foreign NGOs leave the country. This position had considerable popular backing. DFID, in response, was able to avoid a humanitarian crisis through following processes and actions:

- Recognising that working only with the government and other donors would lead to isolation and a forced early departure.
- Re-focusing efforts to target poor areas more effectively via a poverty-mapping exercise.
- Ensuring that all staff and partners underwent CS and DNH training.
- Setting DFID Basic Operating Guidelines that were endorsed by the Government and the Maoists.
- Committing to monitoring their work by regularly visiting people/projects first hand.
- Establishing a Risk Management Office to ensure work was both safe and conflict sensitive.

As a result of this new approach, it was possible to improve basic services and create more livelihood opportunities in rural areas. This, in turn, prevented mass displacement as people had no reason to move for work or fear of staying.

Current government policy issues, UK level

The Strategic Defence Security Review (SDSR) which was undertaken in 2010 outlined 35 key priority areas; one of which will be the Building Stability Overseas (BSOS) policy to be released in June 2011. The government recognises that conflict in developing countries is a factor constraining their development and that the impacts of such conflicts have the potential to pose risks to the UK. As a result, 30% of ODA will be committed to tackling in the drivers of conflict in fragile and conflict-affected states. Whilst there are those that have expressed concerns that aid has now become linked to UK security agendas, DFID remains of the view that UKAID prioritises conflict-affected states as these are most in need of assistance.

In terms of current events, it was noted that although, humanitarian preparation and prevention is taking place in Libya, 'access' is an emerging issue and the situation is causing conflict between political and humanitarian objectives, both for Humanitarian organisations and the UN.

A number of questions emerged from the discussion, namely, the ability of the UK government to leverage change; the tension between the UN's peacekeeping and humanitarian mandates, and concerns around the securitisation of aid.

'Aid and Conflict-Sensitivity in Sri Lanka: Working Through Operational Dilemmas'

Presentation by Neil Barry OBE, Senior Humanitarian Advisor, DFID

This presentation was based on the DFID's experiences in Sri Lanka, especially during the last phase and aftermath of the war (September 2008 – present day) and highlighted the operational dilemmas in a context in which the concerns for 'protection' and 'assistance' were severely threatened by the warring parties.

Humanitarian action comprises assistance and protection and is enshrined in International Humanitarian Law (IHL). Its fundamental principles are not negotiable and its basic legal tenets apply in all places and at all times. Assistance cannot be separated from considerations of protection which aims to ensure that belligerents respect their obligations and protect the rights of individuals affected by armed conflict:



IDP Camp, Sri Lanka

- ICRC / UNHCR are the internationally Mandated Protection Agencies and this involves negotiations with all belligerents in a conflict.
- Protection is usually at the root of man-made crises e.g. Sri Lanka – problem not famine or drought but government and LTTE actions.

THE 1949 GENEVA CONVENTIONS AND ADDITIONAL PROTOCOLS OF 1977

"In contexts of armed conflict, the primary responsibility for the survival of the population lies with the authorities or, in the case of open warfare or occupation, with the fighting forces or occupying power respectively."

"If the responsible authorities cannot fully provide what the civilian population needs for survival then they are legally bound to permit the free passage of relief consignments. Relief action – which is humanitarian and impartial in character and conducted without any adverse distinction may be undertaken."

DFID goes beyond the strictly legal minimum and support humanitarian responses which are neutral and independent as well as impartial. Humanitarian action takes place within humanitarian space. International Humanitarian Law does not request relief action to be exclusively civilian, non-religious, neutral, or independent.

Do conflict-sensitive approaches help us negotiate the dilemmas confronting us in rapid-onset emergencies?

The following concerns prevented the creation of an 'enabling humanitarian environment' in Sri Lanka:

- Alleged violations of IHL. Medical facilities, use of civilians as human shields.
- Indiscriminate and disproportionate action.
- Fundamental restrictions on Humanitarian Access (UN, ICRC, NGOs).
- Extremely limited access to food and basic relief supplies, war surgery and essential supplies, medical evacuations, ICRC denied access to detainees, mass evacuations, closed IDP camps, delays in demining, immediate returns and longer term protection and recovery issues for returnees.
- Specific constraints on UN, ICRC and NGOs (Staff, visas etc.)
- Concerns of humanitarian leadership, coordination, civ-mil, Field and Colombo, fractious fragmented UNCT and PTF-UNCT relationship.
- Effectiveness or resonance of diplomacy (Conflict phase, closed camps, returns).
- Human Rights Council Resolution 27-27 May 2009 (The resolution passed with 29 votes in favour, 12 against, and 6 abstentions)
- Weak civil and military liaison.
- Tension between assistance and protection.
- Working with a government with the intent of 'doing harm'.

Tools available to DFID

- Contributions in Cash: £13.5 million for 26 projects over 18 months.
- Protection (e.g ICRC, DRC, UNHCR, UNICEF, IOM).
- Assistance (UNOPS, IOM, ICRC, UNHCR and latterly NGOs).
- Enabling frameworks (WFP and IOM inter agency transport, OCHA IMU and Coordination, IOM Registration, FAO/WFP cluster coordination).
- Some unusual partners for the areas of work (IOM Health Posts and registration, UNOPS protection survey!).
- Unable to fund NGOs for many months.
- Many delays and complications made work challenging for partners.
- Very close relationships with partners in field and Colombo.
- Amended grant agreements many times (9 x being the record).
- Funding within hours.
- Bridge funding with other donors.
- NGO consortium.

In order to address the barriers for an 'enabling humanitarian environment' in Sri Lanka, DFID stressed the need for freedom of movement for all civilians, unfettered access for impartial

humanitarian organisations and that both warring sides respected their obligations under IHL at all times. Furthermore, in order to address the humanitarian needs in Sri Lanka, DFID

- Showed willingness to sacrifice diplomatic capital and relations with the UN.
- Worked with NGOs to present as a consortium for better funding carrying a unified message
- Worked with Diaspora to ensure both discrete and public messages were communicated

After the end of war in May 2009, DFID continued to offer assistance through humanitarian advisors. In addition, the current 'restricted' environment for humanitarian and development actors and the severe military interventions for such tasks and on-going human rights issues remain, hindering the implementation of sustainable development programmes.



IDPs Assisted by DFID, Sri Lanka

Discussion groups

Four themes were identified for further exploration in small break-out groups:

- Political decisions versus humanitarian principles.
- Fundamental challenges to CSA.
- The difficulties in applying CSA in

- humanitarian operations.
- Fragility, insecurity humanitarian aid.

dissemination/access to consortium resources/ learning for other agencies/institutions interested in researching/learning about CSA.

Conclusions

The following areas were identified in which the conflict sensitivity consortium could assist in furthering debates and discussions on the integration of conflict sensitivity in future emergency responses. The conclusions focus on the aspects of consolidation, dissemination and policy influence.

Consolidation:

- Identify a limited number of best practice policies and practices (e.g. tools and methodologies) among consortium members (either at an organizational level or at the in-country consortium level).
- Combine best practice lessons with concise guidance on most effective means for integrating CSA into humanitarian response. Where possible, these need to be link into existing organisational and capacity development strategies and programme guidance documents e.g. CARE's Emergency Toolkit.

Dissemination:

- Ensure that appropriate consortium members are fully aware of guidance and resources developed (at each of the in-country consortium level and organizational level) and that focal points are available within organisations Develop a broad-based dissemination strategy for materials, policies, good practice tools and methodologies and lessons learned) including donors, UN agencies, Red Cross Movement, key NGO coordinating bodies such as InterAction, ICVA, ODI, Relief Web , academic and research institutions.
- Identify existing groups/portals (eg. ELRHA) who may be able to support on-going

Policy Influencing:

- Identify key targets e.g. senior staff, donors, IASC, peacekeeping and civilian monitoring groups etc. and link individual consortium members to individual 'advocacy targets' with whom they already have a relationship or particular interest.
- Develop a shared objective to in influence policy, a 'common approach' to advocacy efforts and a 'light' mechanism for on-going updates and sharing of experience/results.
- Internally, learn from and build on previous organisational experience (or in-country consortiums' experiences) in mainstreaming cross cutting issues and where possible make provision for attention to CSAs in organisational planning, policy and practice through 'champions' etc.
- Map out existing project stakeholders e.g. website users, consortium members and staff, other conflict sensitivity organisations and interest groups.
- Determine which connections need to be maintained and how.
- Determine what existing consortium services/ support/learning needs to be maintained and how.

Overall Conclusion

Overall, participants agreed that the meeting had been insightful and welcomed future opportunities for collaboration. It was agreed that a follow-up event in the Summer 2011 would be useful. This would build on the discussions above and also provide an opportunity to present the research led by the CSC (CARE, World Vision and CAFOD) assessing the degree to which CS was implicitly or explicitly integrated in rapid onset emergencies in Pakistan, Sri Lanka and Pakistan.

The Conflict Sensitivity Consortium is made up by the following organisations.
Find us on the web at www.conflictsensitivity.org

