Humanitarian actors' struggle for access, impartiality, and engagement with armed non-state actors

Elena Lucchi

13 January 2014

Military and political strategists are becoming more aware of the role that fragile cities play in low- and medium-intensity violence and humanitarian emergencies, yet the response of humanitarian actors in programmatic terms remains gradual and incremental. This article presents some key issues around humanitarian interventions in contexts of urban violence. Parts draw on “Humanitarian interventions in situations of urban violence,” a lessons paper that I recently researched for ALNAP and forthcoming in January 2014. But more than just summarizing this paper, I would like to like to launch a call for action to humanitarian organizations to get more involved in situations of urban violence.

Humanitarian actors: Cautiously engaging

Humanitarian organizations have worked for decades in cities caught in armed conflicts, such as Beirut, Grozny, Huambo, Jaffna, Kabul, N'Djamena, and Sarajevo. But they have been relatively slow to respond to the specific characteristics and dynamics of violence generated by an urban environment, outside the framework of traditional armed conflicts. In part, this is because it has not always been clear how humanitarian organizations can realistically provide relief or protection in these complex environments, particularly given the traditionally rural orientation of many of them. In addition to poor recognition of the humanitarian consequences of urban violence, organizations have not yet established criteria for engagement in such situations.

A number of humanitarian actors are now cautiously engaging with this issue, including multi-mandate agencies with objectives that extend beyond narrow humanitarian aspirations. Some donors, such as the European Commission General Directorate for Humanitarian Aid and Civil Protection (ECHO), are starting to recognize the humanitarian needs caused by violence linked to non-political armed actors such as drug cartels, street gangs, and organized crime groups, especially in Guatemala, Honduras, El Salvador, and Mexico. In a few settings affected by chronic urban violence, such as Guatemala City, Medellin, Port-au-Prince, and Rio de Janeiro, humanitarian agencies such as the ICRC and Médecins Sans Frontières (MSF) are also seeking ways to respond to the needs generated by criminal and gang-related violence. However, this is still more the exception than the rule, and humanitarian agencies need to better understand and engage with the causes and impacts of urban violence.

Urban-specific challenges

Urbanization creates an enabling environment for violence as a consequence of the rapid social change it promotes. Moreover, cities also lead to a concentration of power and resources (as well as disempowerment and poverty). Violence is sometimes short-lived, but it can also become chronic. The term “fragile cities” has been used to describe chronically violent cities in which public authorities have lost control and are unable to deliver basic public services, security, and representation.
Urban violence creates a particular and challenging context for humanitarian organizations. While each setting is different, urban conflicts often pose humanitarian challenges different from those that occur in rural areas.

- Cities’ dynamism, high levels of mobility, and reliance on markets and logistic hubs that can be disrupted by violence require different assessments and responses from those used in rural settings.
- High population density means that more people are likely to be affected, sometimes overwhelmingly so, by violence within certain areas. Homicide rates can be several times higher in low-income areas than in the rest of a city.
- The diversity of urban populations means that the needs of affected populations will be highly differentiated and targeting approaches need to be adapted accordingly.
- Access to basic services (health, social services, and physical and legal protection) can be a problem in violent urban environments – either because the services are lacking or because restrictions on movement due to insecurity prevent their delivery.
- Endemic urban violence can gradually transform relationships in ways that erode effective collective action, which is essential for enabling predictable exchanges within political, market, and social domains.
- Urban violence can have an impact on child and adolescent learning, undermining current well-being as well as future earning and productive potential.
- Predatory authorities, front-lines, opportunities for criminal gains, alternate forms of urban governance in slums, the need to negotiate access to very localized areas with a number of different actors, urban chaos, and structural dysfunction are all challenges to humanitarian interventions in urban environments.

The patterns of violence typical of urban contexts bring a number of humanitarian consequences, which entail assistance needs within the affected populations. Conditions of relentless, routinized daily violence – such as social cleansing, armed robberies, assaults, beatings, kidnappings, murders, threats, and confrontations with law enforcement agents for the control of territory – generate extreme suffering and vulnerability and often create a vicious cycle that leads to more violence and other hazards. In addition to loss of life, both physical and mental trauma is common. This kind of violence can also cause displacement and the breakdown of social and health services and law and order, as well as the social fabric in general.

Besides its direct physical consequences, violence can create an environment of insecurity with sometimes disabling consequences for vulnerable groups. It can limit mobility and thus access to basic goods and services, livelihoods, markets, and social networks. Vulnerable urban populations, including IDPs, are likely to put an additional strain on existing resources and services with their need for health care, shelter, food, water, income, and safety.

The “legal framework” debate

The debate around urban violence and what the criteria for intervention should be for humanitarian organizations often gets hijacked or halted by concerns about the applicability (or lack thereof) of International Humanitarian Law (IHL) in such settings. Some scholars argue for the need of a new or additional legal framework covering such situations. In my opinion, while this debate is important for scholars and legal advisors, it should not affect the operational intent of humanitarian organizations. As IHL most clearly applies to more conventional warfare, violence in urban settings may or may not meet the criteria for IHL to be applicable – but humanitarian action is needed nonetheless.

The added value of humanitarian organizations in such situations is mainly determined by the activities such organizations perform on the ground, rather than by lengthy considerations on the applicable legal framework serving as justification to the intervention in the first place. The International Committee of the Red Cross (ICRC) uses the term “other situations of violence” to refer to situations such as civil
unrest, riots, state repression, violence in the aftermath of elections, gang violence, and demonstrations. In these situations, the authorities often make extensive use of police or military force to maintain or restore law and order. While such situations do not reach the threshold of armed conflict, the humanitarian consequences can be as serious.\textsuperscript{16}

In some cities, violence levels seem to exceed a threshold that would justify their classification as an armed-conflict-like situation. Brazil’s Rio de Janeiro and Mexico’s Ciudad Juárez provide examples of urban violence that could potentially be classified as non-international armed conflict to which IHL would apply.\textsuperscript{17} Such scenarios involve large numbers of people who are killed, injured, raped, kidnapped, tortured, forcibly displaced, or otherwise harmed. They may also involve large-scale arrests; imprisonment of a large number of people for political reasons; inhumane conditions of detention; suspension of fundamental judicial guarantees, either as part of a state of emergency or simply as a matter of fact; or allegations of forced disappearance.\textsuperscript{18} In these cases, protection activities that aim to protect lives and human well-being and secure respect for the individual are of paramount importance. International human rights law as well as national legislation can be the basis for this sort of work.

**Conclusions**

The world theatre of conflict is changing and humanitarian organizations need to adapt to this new reality. Violence in urban settings may or may not meet the criteria for the application of IHL, but the humanitarian consequences can be just as serious. The humanitarian needs caused by violence are arguably more important than considerations whether violence should be characterized as chronic urban violence or urban armed conflict. The humanitarian imperative should move humanitarian organizations to intervene where local authorities are unable or unwilling to support the local population.

Humanitarians need to recognize the gravity of urban violence in its own right, better understand and engage with its causes and impact, and establish criteria for engagement in such situations. Relevant and necessary programs can be developed and justified in urban contexts with a focus on direct and indirect consequences of violence, regardless the nature of violence.

Lessons on how to practically intervene in such settings are emerging, but more is needed. More research and reflection on current practice needs to be carried out and shared in order to improve the performance of the humanitarian sector in urban settings affected by violence.
About “Humanitarian interventions in situations of urban violence” (ALNAP Lessons Paper)

The paper identifies lessons emerging from humanitarian interventions in violent urban settings. It is operationally oriented and intended primarily for field staff involved in program design and evaluation. Lessons are drawn from case studies and evaluations of humanitarian organizations and agencies operating in such settings.

The range of violence in urban settings is broad, from high levels of interpersonal and criminal violence to gang violence to urban warfare conducted by recognized armed actors. Considering that each situation is different, the paper focuses on key lessons that are broad enough to apply to most of these contexts.

Practices referred to in the paper mainly pertain to adapting humanitarian responses so that they can be more successful when undertaken in a context of urban violence (for example, conducting water and sanitation or shelter interventions in cities with high levels of violence) or to conducting humanitarian responses that specifically address the effects of violence (such as health interventions in cities at war).

The lessons contained in the paper cover several intervention areas. These include strategy, needs assessment and targeting, security management, and work in different sectors, such as the protection sector, the medical and public health sector, the shelter sector, and the livelihoods sector. The paper also identifies lessons in transversal areas such as strategy definition, engaging with armed actors, and partnership and relationships.
About the author

Elena Lucchi currently works as an independent consultant on humanitarian affairs. She conducts research and policy analysis on violence in urban settings; present challenges to the principles of humanitarian action; children and violence; forced migration; and minimum protection standards. She is currently specializing in urban settings and urban violence and has published several papers on these topics. Contact

Notes

4 Please check the ALNAP website for updates.
6 Muggah and Savage (2012).
7 Muggah and Savage (2012).
14 Muggah (2012).
18 ICRC (2012).