

Humanitarian Action , Resilience and the SDGs: Implications for International Humanitarian Law.

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Outline of Presentation

- Foundational concepts
- Case studies of Yemen, Iraq and Syria : humanitarian situation and violations of IHL.
- Implications of/for International Humanitarian Law
- Resilience Building : why it is important and how to do it?
- Conclusions: Implications for the SDGs.

Humanitarian Aid vs Development Aid

- Humanitarian aid is material or logistical assistance provided for humanitarian purposes, typically in response to humanitarian crises including natural disasters and man-made disaster; including conflicts. The primary objective of humanitarian aid is to save lives, alleviate suffering, and maintain human dignity.
- Development Aid is financial aid given by governments and other agencies to support the economic, environmental, social, and political development of developing countries.
- Humanitarian aid is intended for emergencies, **short term relief** and needs to be disbursed rapidly. Development aid is for chronic **longer term development** challenges needing careful planning and longer term interventions.

Global Humanitarian Crises

- Humanitarian crises are increasing in number and in duration. Between 2005 and 2017, the average length of major crises rose from four to seven years, while the number almost doubled from 16 to 30. The majority of people targeted receive assistance for five years or more (nearly 60 per cent). Is this short or long term?
- Protracted crises, often driven by intractable conflict, have consequences that affect entire communities and put basic services in jeopardy.
- These trends emphasize the need for closer collaboration between humanitarian and development actors.
- About 100M people require humanitarian assistance (about \$25B annually of which just half was actually received in 2018)

International Humanitarian Law (IHL)

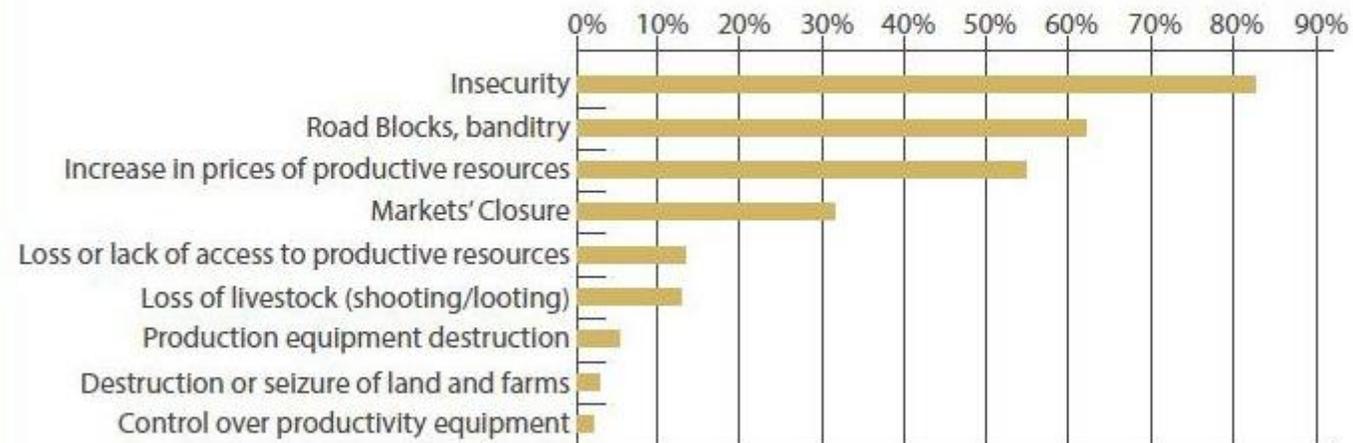
- For humanitarian reasons, IHL seeks to limit the effects of armed conflict. It protects persons who are not or are no longer participating in the hostilities and restricts the means and methods of warfare. (Geneva and Hague conventions , protocols and agreements)
- Most of today's conflicts are internal. (only limited aspects apply).
- IHL as a subset of IHRL debated.
- Serious violations of international humanitarian law are called [war crimes](#).

Yemen Vulnerability Context (2013)

- 70 % of population under 25 years : 71 % in rural areas
- 50 to 60 % are poor; 18% severely food insecure and 60% do have enough to eat (2013)
- 91 % make their livelihoods in the informal sector (including the 2/3 of the wealthiest)
- People earn their livelihoods from agriculture, livestock, fisheries , and as wage laborers, petty traders, , government workers, construction workers.
- Conflicts impact livelihoods through insecurity, road and market closures, banditry , shooting and looting of livestock, deaths and disability, displacement. Public services : education, health, electricity, water and fuel supply severely disrupted.
- Non-conflict shocks and stresses from floods and droughts ; resource scarcity, seasonal changes, closure of Saudi border.

Relative Impacts of Various Shocks and Stresses. Yemen 2013.

Fig 2: Relative impacts if various shocks and stresses



Harmful Coping Strategies (Yemen, 2013.)

- Reduced meals and quality of intake
- Distress sales of household assets
- Loans to pay for medicine, food, rent
- Shift to traditional healers, home delivery of babies, dilution of milk powder for infant feed
- Living in damaged shelters with poor sanitation
- Joining armed groups, smugglers, drug dealers
- Forced early marriage of girls to armed men
- Children dropping out of school to earn or avoid harassment

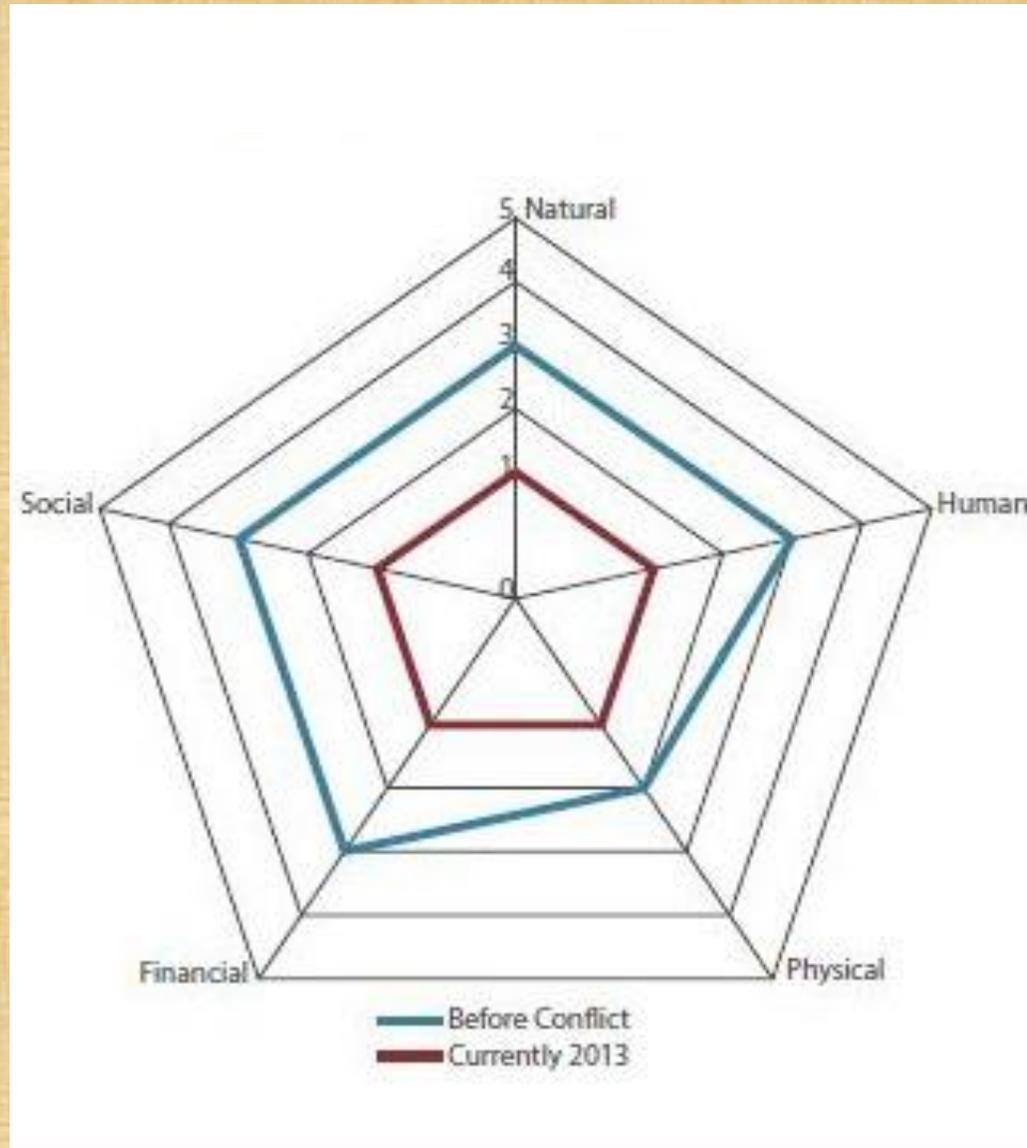
More positive (adaptive) strategies (Yemen, 2013.)

- Consume less expensive but wholesome foods
- Use of savings and sale of non –essential item like excess animals and weapons
- Reduced expenses like use of motor cycle instead of car
- Use mosques, homes, under trees to continue schooling
- Formation of CSO's to provide education, do advocacy and claims of rights, peace building initiatives etc
- Open new markets (nearby land prices improved)
- Look for work in nearby districts

Impact on assets and systemic degradation, (Yemen 2013)

- *Natural* : loss, reduced access, use reduction, sale difficult, productivity decrease.
- *Human* : schools occupied, health centres destroyed, jobs lost, lives lost, disability..
- *Social* : Family dislocations, IDP's , loss of trust, insecurity , (but new relationships also)
- *Political*: Forced changes in loyalties, weakening of political structures, uncertainties, new political forces linked to armed force
- *Physical* : destruction of infrastructure, closure of roads, loss of electricity
- *Economic and Financial* : Pressure on SWF, bank access difficult, increased prices , higher interest, rates, collateral , remittances received by 25.3% of HH and cover 53.9 % of basic needs. Only fishermen received no remittance. (no major change in levels between 2011 to 2013.

Small Farmers (Mastaba,Hajja. Yemen 2013.



Yemen: IHL violations. (www.adhrb.org/2018/06/violations-of-international-humanitarian-law-in-yemen-by-saudi-arabia-and-its-coalition-allies)

- Many of the Saudi coalition air strikes targeted civilian areas. Among the civilian targets struck by airstrikes were refugee camps, [\[4\]](#) schools including a school for the blind, [\[5\]](#) markets, weddings, [\[6\]](#) and a funeral hall. [\[7\]](#) The coalition has also attacked hospitals around northern Yemen.
- Amnesty International and Human Rights Watch have identified and documented 19 airstrikes in which coalition fighter jets used internationally-banned, British- and Brazilian-manufactured BL755 cluster munitions. [\[9\]](#)
- The coalition has placed Yemen under a crippling naval and aerial blockade. This has had a devastating effect on the lives of millions of Yemenis, as the country imports 90 percent of its goods including food, fuel and water.

Yemen IHL violations contd. (France 24, UN report, 2018)

- Team of [UN](#)-mandated investigators said all parties in [Yemen's](#) bloody conflict have committed a "substantial number of violations of international humanitarian law".
- Many of these violations may amount to "war crimes", the report said, pointing to widespread arbitrary detention, rape, torture and the recruitment of children as young as eight to take part in hostilities.

What needs to happen in Yemen? (ADHRB, ibid, 2018.)

Saudi Arabia and its allies must:

- Ease the blockade to allow aid to flow freely to all areas of the country;
- Re-open Sana'a airport;
- Cooperate fully and transparently with UN-appointed Group of Eminent Experts;
- Halt all airstrikes until an international, independent, and impartial commission can investigate all allegations of attacks on civilians;
- Immediately halt all fighting to work towards a political settlement to end the conflict.

Impact of ISIS on Livestock in areas of Iraq

- Livestock related livelihoods and food supply suffered major disruptions.
- Animals were lost or found dead or injured. Up to 80% Sheep and goats and up to 50% cows were lost.
- Chickens suffered the highest mortality rates at about 90%.
- Only 10 to 20% shelters remain intact, the others are damaged or destroyed.
- Access to medicine, vaccines and other veterinarian services previously available from government are no longer because of financial problems.

Recent Violations of IHL in Iraq

- The women, children and men of Mosul have lived through hell on earth, enduring a level of depravity and cruelty that is almost beyond words. (UNHRC)
- Pattern of attacks by Iraqi forces and the US-led military coalition backing them violated international humanitarian law and may amount to war crimes (Amnesty International)
- ISIS deliberately putting civilians in harm's way to shield its fighters and impede the advance of Iraqi and coalition forces violated IHL.

Scale of Syria Crisis (UNHCR 2018)

- Total pre war population 22M.
- At end of 2018 there were 5.6 M registered Syrian refugees.
- More than 560,000 Syrians killed,
- Many more have been paralyzed, disfigured, blinded, traumatized, and uprooted from their homes and communities.
- 6.6 M, including 2.5 M children, displaced within Syria
- 13.1 M people in need
- 2.98 M people in hard to reach areas.

Violations of IHL in Syria; 7 year analysis (F. Ghaddar, et al. *European Journal of Public Health*, Volume 28, Issue suppl_4, 2018.

- Analysis shows a range of IHL violations in 14 categories including:
- attacks against civilians,
- attacks against protected objects,
- use of prohibited weapons, including incendiary and chemical ones,
- intentionality to shut down healthcare.
- Siege practices evolved from ‘surrender or leave’ to ‘surrender or die’ along with obstruction of aid and medical evacuation.
- Syrian pro-government forces are responsible for the majority of violations.
- Review of international efforts shows limited success in enforcing accountability.

Implications of IHL.

- Workers of humanitarian relief organization be afforded specific rights,
- Organizations like RC intervene and try to help families reunite during these trying times.
- IHL guarantee that detainees are treated humanely and that their basic needs are being met, making it an important safeguard against abuses.
- IHL if respected, results in the protection, to the extent practically possible, of non-combatants, as well as the preservation of the symbols of our heritage. (AU)

Implications of IHL in contemporary situations

- IHL obligations bind both States and non-State armed groups (ICRC)
- IHL does not grant any privileges to "terrorism" as a tactic nor allows taking of hostages
- According to the ICRC: "The primary challenge faced today is **not** how to revise IHL rules to make sense in modern wars, but rather how to ensure **adherence** to its norms so that it can fulfill its protective function".
- According to ICJ: International jurisprudence has clarified that international and non-international armed conflicts may co-exist on the same territory. Furthermore, a non-international armed conflict between a State and an organized armed group may become international if a third State exercises overall control over such a group.

Building Resilience in Social Systems

- Assess and reduce conflict drivers using ISCD etc
- Rebuild social capital as necessary (trust between key groups, participation in CBO's, engage schools, sports clubs, other civic groups to mobilise, articulate and act on the new vision
- Address issues of security, rule of law, formal and informal governance including tribal structures, property and related rights,
- Coordinate with disaster preparedness actors

Building Resilience in Economic Systems

- Diversify local economic activities community led
- Build partnerships between local private sector and local government
- Establish appropriate local level insurance schemes with government backing and transparent operating rules
- Promote 3x6 and other entrepreneurial initiatives
- Support availability of affordable credit
- Strengthen market access local, national, international
- Reduce corruption
- See Rebuilding MSME's after disasters (separate ppt. Focus also on restoring jobs and rebuilding asset base)

Building Resilience in Ecological Systems

- Identify critical ecosystems and services in the local area and promote conservation practices linked to local livelihoods
- Establish governorate and national level adaptive capacity for managing critical natural resources + climate change including policies and practices
- Integrate indigenous knowledge and modern science to determine best practice
- Establish indicators, benchmarks and regulations to monitor and manage ecosystem health

Early Recovery to Long Term Development

