



Centre of Competence on Humanitarian Negotiation

Second Annual Meeting of Frontline Humanitarian Negotiators

5-6 December 2017, Geneva, Switzerland

FINAL REPORT



JANUARY 2018

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Executive Summary

Over 180 professionals engaged in humanitarian action have met in Geneva on 5 – 6 December 2017 to review and discuss the challenges and dilemmas of frontline humanitarian negotiation in current conflicts. Organized by the Centre of Competence on Humanitarian Negotiation (CCHN), the second Annual Meeting of Frontline Humanitarian Negotiators sought to deepen the dialogue and relationships among frontline humanitarian negotiators, providing an informal space to facilitate professional interactions and peer support while building a community of practice around humanitarian negotiation across operational contexts and agencies. Participants further contributed to the design of CCHN activities in 2018 by expanding conversations among field practitioners on specific challenges and articulating expectations of support activities for the next year.

Oriented around a series of contextual and thematic panels as well as group discussions, the agenda of the Annual Meeting had been designed by field practitioners organized in informal working groups in key contexts. These conversations provided opportunities over 2017 to gather experienced humanitarian negotiators to share their perspectives and best practices in an informal manner, culminating in the Annual Meeting in Geneva. The Annual Meeting was made possible thanks to the generous support of the Swiss Federal Department of Foreign Affairs and the support and guidance of the Strategic Partners of the CCHN: the International Committee of the Red Cross (ICRC), the World Food Programme (WFP), the UN High-Commissioner for Refugees (UNHCR), Médecins Sans Frontières (MSF-Switzerland), and the Centre for Humanitarian Dialogue (HD).

Key observations include the need to build the capacity of frontline humanitarian negotiators to address the politicization of humanitarian access and assistance across contexts, the importance of elaborating practical tools, case studies and guidelines to enhance the relevance of humanitarian principles in frontline negotiations, as well as the need to build a strong community of practice to support the sharing of experience and lessons learned among peers. The High-Level Segment further allowed for a thorough dialogue on the interplay between political mediators and humanitarian negotiators in specific, as well as across, contexts, featuring the contributions of leading professionals from both fields.

Finally, the Annual Meeting offered a unique opportunity to consult with dedicated humanitarian professionals on the orientation of the activities of the CCHN. The CCHN, together with its Strategic Partners, donors, and members of the community of practice, will review these expectations carefully as it plans its second year of activities.

Introduction

The purpose of this report is to summarize the deliberations of the second Annual Meeting of Frontline Humanitarian Negotiators that took place from 5-6 December 2017 in Geneva, Switzerland.

The second Annual Meeting served as a platform for informal dialogue among humanitarian practitioners on the challenges and dilemmas of frontline negotiations.

The event was made possible thanks to the support and guidance of the Swiss Federal Department of Foreign Affairs (FDFA) as well as the Strategic Partners of the CCHN: the International Committee of the Red Cross (ICRC), the World Food Programme (WFP), the UN High-Commissioner for Refugees (UNHCR), Médecins Sans Frontières (MSF-Switzerland), and the Centre for Humanitarian Dialogue (HD).

Part I of the report presents summaries of the context-specific panel discussions prepared by CCHN Informal Working Groups. Created in Dubai in July 2017, these working groups have propelled the Centre's work in five operational contexts: Myanmar, South Sudan, Lake Chad Basin, the Middle East region and Colombia. For each of these contexts, CCHN has organized a series of field activities including workshops, regional peer discussions as well as case studies (with the exception of Colombia where such activities are planned for early 2018). By drawing attention to debates and discussions in their respective region, the working groups played a key role in the preparation of the panels.

Part II summarizes thematic panel discussions organized as a follow-up on discussions held during first Annual Meeting of Frontline Humanitarian Negotiators in October 2016. Three themes were retained: negotiating rights in a crowded field, developing the capacity to negotiate on the frontlines, as well as gender, diversity and humanitarian access. The last panel was organized in close collaboration with UN Women with the support of the German Ministry of Foreign Affairs.

Part III presents the deliberations of the High-Level Segment of the Annual Meeting organized on the evening of December 5 at the United Nations headquarters in Geneva, in close collaboration with the UN Department of Political Affairs and hosted by the Director General of the United Nations Organization in Geneva, Mr. Michael Møller.

The focus of the High-Level Segment was on the interplay between political mediation and humanitarian negotiation. It comprised two parts: a high-level panel discussion between distinguished professionals and heads of agencies, followed by a

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series of thematic circles during which political mediators and humanitarian negotiators exchanged their views on how to strengthen the interactions between these distinct professional activities.

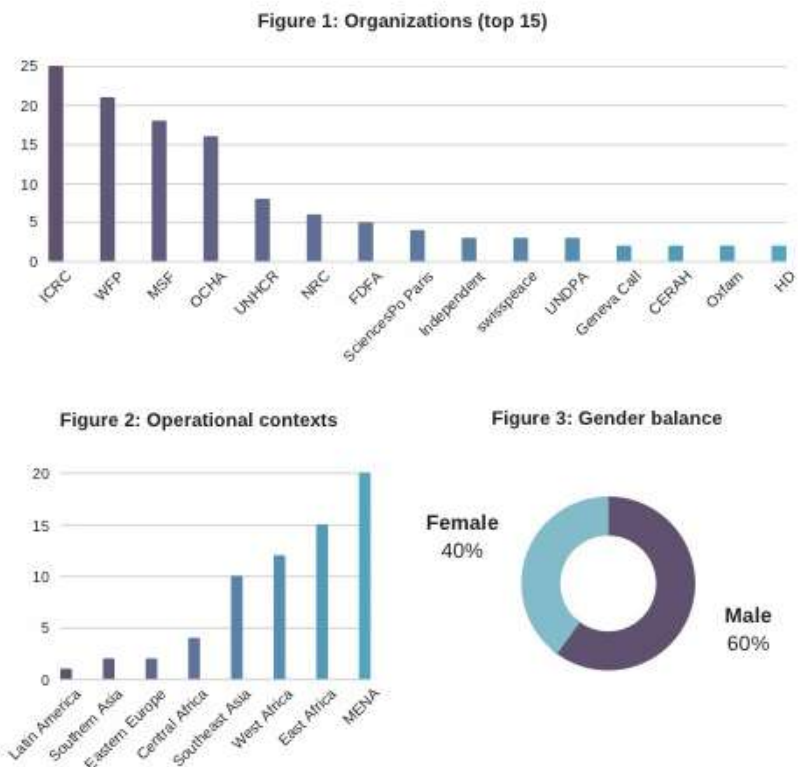
Part IV features a review of the main activities in the Centre's first year of activities, presented by the Director of the Centre, Claude Bruderlein. This presentation was followed by group discussions on expectations of participants for support activities in specific areas or regions.

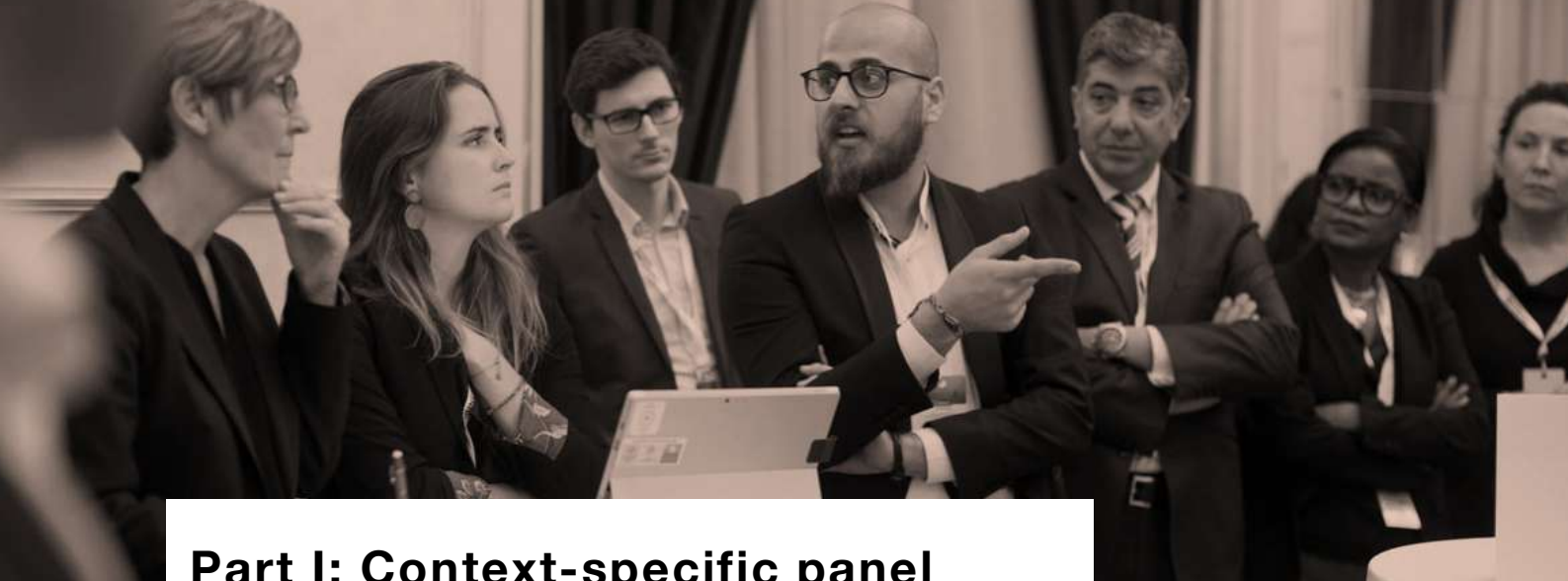
Part V concludes this report with a series of observations and recommendations as next steps in this collective effort to build the capacity of frontline humanitarian professionals to negotiate safe access to populations in need, as well as address the recurring challenges and dilemmas in this important domain of humanitarian diplomacy.

Participants were composed of frontline staff as well as HQ-based humanitarian practitioners and experts in humanitarian negotiation. Over 180 professionals from leading humanitarian and other organizations, academia, governments, donors, the private sector as well as policy circles took part in the deliberations.

All participants were taking part in their personal capacity and were not expected to represent their agency or organization.

Figures 1-3: Profile of participants





Part I: Context-specific panel discussions

This year's Annual Meeting explored the challenges and dilemmas of frontline negotiations in a number of operational contexts. Following the recommendation of last year's participants, the Centre has put the insights of field practitioners front and center.

In July 2017, the Centre created five informal working groups composed of field practitioners to reflect on negotiation challenges and dilemmas in Myanmar, South Sudan, Lake Chad Basin, the Middle East and Colombia. While propelling the Centre's support activities in these regions, the working groups took the lead in designing the panels of the 2017 Annual Meeting, drawing attention to debates and discussions about humanitarian negotiation in their respective regions.

The five context-specific panels aimed to trigger a rich discussion among practitioners present in the audience regarding their specific needs, dilemmas and challenges when negotiating in these contexts. The discussions also aimed at reflecting on the possible tools and policy instruments that could be developed in order to support frontline negotiators.

Endgame: Population Movement & Humanitarian Protection in the Middle East

In the current humanitarian context in the Middle East, existing legal, policy, and operational approaches to humanitarian assistance and protection have not been adequately adapted to contend with the staggering patterns of vulnerability in population movements in the Middle East, namely Jordan, Iraq, and Lebanon, as a result of the Syrian conflict.

The objective of this panel discussion was to identify current challenges and dilemmas of humanitarian operations and negotiations in this dynamic and volatile environment, and to explore short and long-term strategies and practical approaches to addressing the vulnerabilities of displacement prompted by armed conflict.

The panel was composed of:

- **Ibrahim Demir**, Humanitarian Affairs Officer – Gaziantep, OCHA
- **Sylvain Groulx**, former Head of Mission – Iraq, MSF-CH
- **Tareq Talahma**, Senior Humanitarian Affairs Officer – Peshawar, OCHA
- **Sebastien Trives**, Head of Mission – Damascus, OCHA
- **Anaïde Nahikian**, Program Manager, ATHA / Harvard University
- **David Welin**, Senior Regional Legal Officer – Amman, UNHCR (Moderator)

The discussants first identified two key questions around the scope of humanitarian work in the Middle East: “How do we define humanitarian work on the ground?”; “Are the humanitarian imperatives still applicable to how we are engaging on the frontlines?”

A panelist argued that the current pragmatism on the frontlines makes it very difficult to maintain any principled humanitarian engagement. In many ways, humanitarian negotiations were not necessarily “humanitarian” anymore. As an example, a

A panelist argued that the current pragmatism on the frontlines makes it very difficult to maintain any principled humanitarian engagement. panelist argued that humanitarian negotiations in the context of de-escalation zones in Syria were affected by the fact that these zones were all but ‘demilitarized,’ questioning the extent to which humanitarian assistance in support of “de-escalation zones” is still neutral and impartial.

The implementation of humanitarian programs in these zones remains to be seen. In the future, some dilemmas may come to play: on the one hand, there is a humanitarian imperative to assist people wherever they find themselves. On the other hand, if we do that, are we condoning issues such as the imposition of closed heavily managed borders? Are we depriving persons from fleeing the country and seeking refuge elsewhere, which is a human right?

Additionally, according to a panelist, protection is still a major challenge for humanitarians in the Middle East. The case of Iraq was mentioned, for example, where there are still important protection issues, such as forced displacement of populations and arbitrary detentions. However, it is hard for a humanitarian organization to be involved in protection when it is not part of its mandate.

The issue of fragmentation of the humanitarian approach was also raised. In the view of many participants, it is a key challenge to identify the person, or group, which is mandated to negotiate access. “We are negotiating the frontlines but most of the decision makers are not on the frontlines”, one panelist said. Matters can become significantly more complicated when there are two separate but concurrent discussions with the same belligerent, one at the field level and the other one in a remote capital. This fragmentation of approach on both sides may cause serious damage and security risk and can lead to reputational damage.

Relatedly, a panelist emphasized the importance of accountability and leadership in terms of frontline negotiation, which is currently very weak because organizations are unable or unwilling to deal with it, i.e. “you are on the frontline, you decide”).

However, in his opinion, humanitarian professionals operating on the frontlines should be able to decide on the tactical aspects of the negotiation - to whom one talks to, how humanitarian organization should engage and why. However, in order to conduct effective negotiations in such complex environments, the decision to engage and the objectives of the negotiation must come from the leadership of the organization and entail a chain of reporting and accountability.

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To illustrate this point, the difficulties that the UN system has in identifying and leveraging its own strength in negotiating better access and protection outcomes were noted. It was mentioned that, even if there had been general guidance, there was still very little specific support from HQ or in the capitals to help country teams make decisions on difficult protection related issues, in particular on a day-to-day basis.

As a result, participants broadly agreed that one of the core dilemmas is the issues of clarity of mandates and accountability. It was acknowledged that, mostly, being perceived to be actively pursuing a UN agenda can undermine one’s neutrality in the field. This example also stressed the politicization of the humanitarian landscape. This is a crowded field in which there are local armed actors and international actors in a highly politicized environment.

Furthermore, several participants raised the question of the identity of the negotiator. To what extent does this identity impact outcomes? If humanitarian negotiators are politicized, or perceived as such, it may create antagonism between the humanitarian community and the parties to the conflict. “Is the problem that we are politicized or that we are westernized? As we are who we are, can we “un-westernize” ourselves?”, a panelist asked.

In the view of many participants, the quality of access remains a central issue. Nonetheless, a panelist argued that the quality of humanitarian access was not enough. Effectiveness of using such access is also important.

Differing views were expressed on the timeliness of access versus actual action. A discussant mentioned the need to question the type of access we are negotiating. “Are we talking about us accessing vulnerable populations, or facilitating the access of the vulnerable populations to our services? Are we protecting humanitarian organizations or working to protect affected populations?” Participants agreed that we need a reasonable assessment of what level of access is required in specific situations and should avoid the “*fetichisation*” of humanitarian access (i.e. access for the sake of access). Some underlined that it is important to remain realistic about what can humanitarian agencies achieve.

Mandates between organizations differ and different organizations

will make different decisions about access depending on their respective mandates. Therefore, there are different levels of engagement and we should be realistic about what can be achieved in this environment for each respective agency.

In sum, engagement with the political process in Syria can lead to positive results on some humanitarian outcomes, although protection remains a major gap. As repeatedly stated, the key is to ensure that

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the humanitarian leader in charge of engaging with the political process has credibility and clout with both political and humanitarian constituencies, including importantly NGOs. A lack of accountability and leadership have been identified, as well as a need for best practices, better guidance and analysis on protection issues, and the economics of conflict and how our intervention is impacting.

Additionally, it was also mentioned that the community should be more involved in the political level discussions regarding access. In that sense, one of the key challenges is not only to find local actors who would like to undertake the field negotiations, but also to find those who have knowledge of humanitarian principles or can be trained.

Finally, it is important to underscore that there is a need for more effective negotiators in general, as well as a willingness to share negotiation experiences and good practices on the frontlines.

Exploring Access Constraints in the Lake Chad Basin: A Humanitarian Perspective

Many humanitarian agencies working in the Lake Chad basin describe an excessive reliance on political and military actors. Examples include the inclusion of humanitarian activities within a ‘stabilization agenda’ and subsequent insistence that these activities take place in communities that serve that agenda.

In other cases, the objective is not overtly political but security-related such as an insistence on military escorts or on a prioritization of activities based on security and not on needs. The combination of reliance on military and political authorities, regional and international pressures in terms of security response and an insistence by officials that humanitarian aid form part of a stabilization agenda mean that agencies have conditions put on their access and presence that run counter to needs-based humanitarian action.

This second panel aimed to trigger a critical debate on these challenges in the Lake Chad Basin. It was composed of:

- **Florent Mehaule**, Head of Office for Chad, OCHA
- **Serah Timothy**, Site Facilitator for Nigeria, IOM

- **Ann Reiner**, Deputy Head for Nigeria, ACF
- **Beat Armin Mosimann**, Head of Sub Delegation for Maiduguri, ICRC
- **Ruth James**, Humanitarian Coordinator for Northeast Nigeria, Oxfam
- **Peter Lundberg**, Deputy Humanitarian Coordinator for Nigeria, OCHA (Moderator)

The discussants identified humanitarian access as a key challenge arising across their practices in the Lake Chad Basin. Contrary to popular belief, security of staff is not the main challenge in Chad. However, the authorities focus on security and stabilization as opposed to addressing humanitarian issues.

As a result, a declared state of emergency on the Nigerian-Chad border complicates humanitarian access. The lack of governance, as well as the lack of humanitarian coordination were also regularly cited as major constraints in negotiation planning.

According to a panelist, interacting with the military is another crucial challenge since they are the main authority in terms of access to vulnerable populations.

In this context, discussants underlined the various dimensions of these restrictions. It was mentioned that humanitarian negotiators face access restrictions in the field as well as at the federal level (visas for humanitarian workers, etc.), both geographic as well as more nuanced restrictions. Accordingly, procedures and requirements (military escorts, approval for meeting, etc.) effectively put the military in full control of humanitarian access.

A panelist also observed that access had a collective dimension. In her opinion, the collective dimension of humanitarian access needs definite support from high-level actors of the humanitarian community to exert the necessary pressure on governments and the military.

Civil-military interactions have been very weak and scattered at the Maiduguri level (Nigeria), thus not been useful and largely used simply as a means to liaise with the Nigerian military rather than to coordinate humanitarian access and operations with them.

The panelist also emphasized the consequence of the “narrative” of the authorities of having won the conflict. She argued that this minimized the space for humanitarian actors to negotiate for increased access with armed groups, local pro-government militias and the military alike.

More specifically, humanitarian actors do not treat the Nigerian government as a party to the conflict, without acknowledging the benefit that accrues to the Nigerian military by controlling relief access and thus controlling the narrative about the humanitarian response in Northern Nigeria.

Participants underlined the importance of a balance between urgency of humanitarian negotiation and the time required to build substantive trust, which represents the inescapable paradox of negotiation in Northeast Nigeria.

As a result, in her opinion, humanitarians are complicit in the political and security narratives of Nigerian authorities. In that sense, she recommended to question ourselves about our actions and the effects they are having on humanitarian access.

The lingering skepticism and rejection of humanitarians were also mentioned as a key challenge.

Relatedly, participants underlined the importance of a balance between urgency of humanitarian negotiation, and the time required to build substantive trust, which represents the inescapable paradox of negotiation in Northeast Nigeria.



Yet, as repeatedly stated by panelists, it's important to underscore that the Lake Chad crisis is relatively new, and only started at a very small scale two and a half years ago.

Thus, it is hard to compare to other crises where there has been a regular contact with armed groups. Furthermore, in the view of some participants, civil-military coordination guidelines should be written and implemented.

Others stressed that we did not have to take inflammatory statements from authorities (about expelling agencies, for instance) at face value.

However, while the statement may not be true at face value the potential for negative impact on the reputation, acceptance and therefore security of the humanitarian community cannot be overlooked, and should be clearly articulated.

Critical Reflections on Humanitarian Negotiations in Kachin State, Myanmar

Humanitarian negotiations in Myanmar entail several challenges and dilemmas with which humanitarian negotiators must grapple. The country consists of over 135 ethnic groups, and both ethnic and communal tensions are key drivers for displacement.

A gradual liberalization process has been underway since 2010, which saw a 'civilian' government installed in 2011, working alongside the Myanmar military. This raised expectations for democratization and reconciliation.

However, at the same time, a 17-year-old ceasefire between the government and the Kachin Independence Army (KIA) was broken. Additionally, this summer, international attention was drawn to the Rohingya refugee crisis in Rakhine State and neighboring Bangladesh, underscoring the need for both greater humanitarian access and protection.

Drawing upon a case study on events in Tanai, Kachin State in June and July 2017, the panel examined key challenges and dilemmas of frontline humanitarian negotiations, many of which are representative of broader issues in Kachin, and other parts of Myanmar. The panel was composed of:

- **Mark Cutts**, Head of Office for Myanmar, OCHA
- **Jenny McAvoy**, Director, InterAction
- **Kevin Coppock**, Head of Mission for Myanmar, MSF-CH
- **Sakhorn Boongullaya**, Head of Office – Myitkyina, WFP
- **Mark Silverman**, Deputy Head of Delegation, ICRC
- **Casey O'Connor**, Project Coordinator, MSF (Moderator)

Participants first questioned negotiation strategies and their approach to access in Kachin State. In this context, according to a panelist, the capacity of humanitarian organizations to access and work on the frontline revolves around three questions:

1. **Why are we trying to access the population?** In some contexts, it is difficult to clearly define the added value of negotiating the provision of humanitarian assistance in view of the limited access to the vulnerable population. There is also a lack of neutral sources of information to be able to conduct a proper needs assessment;
2. **What are we trying to negotiate?** Negotiating medical assistance or food delivery will require different approaches. The role of humanitarian organizations differs and their specific programs require different models and strategies of negotiation. Humanitarian actors should frankly discuss their approaches and adapt their strategies accordingly;
3. **Who do we need to convince to get permission?**

Navigating Myanmar's bureaucracy is a form of negotiation in itself. Engaging different government ministries can be frustrating, time consuming and unreliable. This duplication and competition among interlocutors then reinforce the idea that humanitarian negotiators should build maximum flexibility to adapt to the context and identify relevant interlocutors.

Additionally, discussants also observed dispersed chains of command, complicating humanitarian engagements in Myanmar. In terms of negotiations, messages differ at the local level compared to the state level. Sometimes negotiators obtain access through negotiations with the state, but they need to renegotiate the terms afterward at the local level.

Similar difficulties appear within agencies. Some argued that one of the main dilemmas of humanitarian negotiation in Myanmar was the clear difference in terms of negotiation strategies and priorities between the headquarters and humanitarians on the ground.

In this context, several panelists discussed the role of humanitarian negotiators, and underlined the importance of building trust and understanding the local cultural context of negotiating partners, which had been highlighted in other discussions too.

A discussant argued that if the new government was restricting access to Kachine, it was mostly due to the authorities' lack of trust in aid organizations.

Some indicated that humanitarian negotiators acknowledge the risks of associating neutral action with political agendas of the parties to the conflict, while also acknowledging the central role of humanitarian principles in guiding humanitarian action.

In this specific context, a discussant argued that if the new government was restricting access to Kachine, it was mostly due to the authorities' lack of trust in aid organizations. In his opinion, humanitarian are not political actors, but it is fundamental to be conscious of the political perceptions of the host government.

Moreover, the lack of trust in local organizations by international organizations was mentioned as a broad issue. Participants agreed that there is a need to cooperate with local organizations to strengthen the capacity of humanitarian negotiators. However, the issue of both national and international staff turnover makes it difficult to develop a broader framework of organizational strategy.

A panelist also emphasized the importance of language we when approaching interlocutors. The language when advocating for rights, protection or access sometimes comes across as neo-colonial in character.

According to him, practitioners should focus more on the compassion to better present themselves as a humanitarian community concerned for well-being of others, emphasizing compassion over simple call for respect of humanitarian principles, often seen as a projection of Western values.

Finally, a panelist addressed the results of a recent field survey on the capacity of humanitarian actors in Myanmar to achieve comprehensive protection outcomes. According to the interviewees, there is a clear lack of data collection and analysis in this regard.

Gaps in the information flow between organizations were also observed. In that sense, participants broadly recommended better information collection and analysis to achieve protection outcomes.

In the view of many participants, given that the narrative in Myanmar is dominated by development and achievement of peace and stabilization thus leaving little space for issues of humanitarian action or human rights, it is suggested to absorb lessons from other contexts that had similar issues (Afghanistan, S. Sudan) to be better prepared for Myanmar context.

Navigating the Perfect Storm: Constraints & Opportunities for Humanitarian Negotiation in South Sudan

South Sudan, a multi-ethnic landlocked country in northeastern Africa, has been plagued by a plethora of challenges since gaining independence in 2011. Armed conflict, inter-communal tensions, high poverty levels, an unstable economy, poor infrastructure, and climatic shocks. To sum it all up, some observers have referred to the humanitarian crisis in the country as a “perfect storm” of difficulties.

One could assert the same for the specific challenges that humanitarian negotiators face in this context. In view of the enormous humanitarian needs and prevalent insecurity, the stakes for humanitarian negotiations are high in South Sudan.

Humanitarian negotiators are grappling with serious impediments to access and a ‘principles versus pragmatism’ dilemma in which compromises on humanitarian principles appear necessary in light of operational realities.

The aim of this fourth panel was to delve into these dilemmas and seek pathways to navigate the myriad of challenges faced, while also highlighting opportunities for humanitarian action in the country. The panel was composed of:

- **François Stamm**, Head of Delegation for South Sudan, ICRC
- **Duk Stephen**, Programme Coordinator, UNIDO
- **Rehan Zahid**, Special Assistant to the Executive Director, WFP
- **Raphael Veicht**, Head of Mission for South Sudan, MSF-CH
- **Mark Stevens**, Special Advisor for North East Africa, Samaritans’ Purse
- **Marika Guderian**, Special Advisor to the Chief of Staff, WFP (Moderator)

From the outset, the panelists noted many challenges faced by frontline humanitarian negotiators in the context, including an increasing fragmentation of counterparts, adding to the complexity of negotiating with them in a coherent way.

More specifically, in the view of many participants, it has become paramount to identify power holders and powerbrokers on the central state and local level in order to access the actor who can grant credible security guarantees.

In that sense, the panelists stressed the importance of a proper knowledge of the context to recognize that one deals with a completely intertwined political market place in South Sudan with regular shifting alliances.

Thus, some argued that recurring staff turnover in addition to dispersed chains of command, complicate humanitarian engagements in South Sudan. Raising the important question of how to maintain contextual knowledge institutionally in such complex shifting environment.

The panel also underlined the rising suspicion of humanitarian actors from the authorities due to their relationship with donor and other governments.

Many participants addressed the difficulties of encountering actors who are not used to working with humanitarian, and the need to explain to them humanitarian norms and values, to build a process of trust. Relatedly, a panelist underlined

There is a need to develop a community of practice by enhancing a culture of exchange and trust among practitioners, actively bringing humanitarian negotiators together with their own cultural specificity and legal traditions.

the importance of talking about access and not only whether we have it or not but also its quality and sustainability: “Are we actively working to shape our operating environment or are we adapting to what is given to us?”

Additionally, a shared concern among participants was the need for a joint mechanism for frontline humanitarian negotiation. A panelist noted that as each humanitarian organization keeps using individual approaches, it jeopardizes the access and security of all the other organizations.

As a result, it was acknowledged that there is a need to develop a community of practice by enhancing a culture of exchange and trust among practitioners, actively bringing humanitarian negotiators together with their own cultural specificity and legal traditions.

Moreover, participants agreed that practitioners should establish information-sharing mechanisms among themselves to ensure they don't put at risk another organization's work and recognize they're all coexisting in the same space, complementing one another. However, some participants opposed to collective negotiations argued that: “We may be on the same river but not we are not on the same boat.”

Supporting Communities in Negotiations in Colombia & Beyond: Opportunities, Challenges & Dilemmas

In Colombia, as in most conflict contexts, communities are often the first to negotiate for their own rights. Moreover, when humanitarian actors are not allowed, or not able, to access interlocutors such as Non-State Armed Groups, they regularly resort to “proxy” negotiations, i.e. negotiating “through” communities and community leaders.

The objective of this panel was first to describe with whom and how communities negotiate in the Colombia context. Furthermore, it explored how humanitarian actors support communities to negotiate, looking at the specific tools and methods used to do so, as well as success and challenges linked to this capacity-building process.

It also addressed the risks, challenges and ethical dilemmas linked to proxy negotiations through communities. Last, the panelists, with the contributions of practitioners present in the audience, looked at similarities and differences between communities based negotiations in Colombia and in other conflict contexts. The panel was composed of:

- **Rodrigo Valderrama**, Head of Quibdó Office, UNHCR
- **Anki Sjöberg**, Desk Coordination Near and Middle East, Geneva Call
- **Oscar Sánchez Piñeiro**, Senior Field Coordinator, UNHRC
- **Marcia Vargas**, Independent Consultant, former ICRC Communication, Cooperation and Weapon Contamination Officer
- **Jérôme Grimaud**, Humanitarian Negotiation and Mediation Advisor, ICRC/Danish Red Cross and NRC

Discussants first recalled that the ICRC was the only international organization authorized by the Colombian State to establish direct contact with the non-state armed groups, which led to the question: “Who are they negotiating with?”

There are several types of non-state actors engaged in armed hostilities, several of them with definite economic and criminal interests that puts them on the spot.

According to a panelist, the first challenge is to establish contact with the armed actor, then set the objective of the negotiation (e.g.: liberation of hostages or prisoners, suspension of the use of landmines, ensuring the respect for civilian assets, protect health centers, etc.). In this context,

protection and its various dimensions, such as the protection of life, protection of autonomy, rescuing children who have been

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Participants then discussed the role of communities in humanitarian negotiation, in particular with whom, what and how the communities negotiate. In Colombia, some argued that the question of “whom” communities negotiate with depends on whether the armed actors are located in urban or in rural areas.

In urban areas, communities negotiate mainly with organized criminal gangs or guerrilla militias while in rural areas, community negotiations are carried out with the traditional political wing attached to non-state armed actors (e.g. ELN and/or AGC), as well as state armed actors (e.g. government military and police forces). This does not mean, however, that rural communities do not also engage with emerging non-state armed actors such as organized criminal gangs, financed by drug smuggling actors.

Some acknowledged that the interest or position of the armed actors was a key factor in these negotiations: it differs if the actor is ideological rather than economically driven (e.g. motivated by drug trafficking or illegal mining interests).

In this context, protection and its various dimensions, such as protection of life, autonomy, culture and territory, as well as the respect for IHL and Human Rights, were mentioned as the main goals of negotiations. Some communities, either alone or assisted by humanitarian actors have developed their own very intuitive negotiation methodology.

Some participants wondered whether there were ethical questions linked to promoting the role of communities in negotiation processes; and how to support communities to negotiate without putting them further at risk.

This led to the question of the capacity of communities to negotiate with armed actors and the main challenges they are facing. Some panelists argued that the success of these negotiations very

much depends on the position or interest of the party: If the non-state armed actor prioritizes economic interests instead of political interests, negotiation tends to fail as communities have little to offer in terms of transaction. If the non-state armed actor prioritizes political interests, probability for a successful negotiation may improve as the allegiance or support of the communities may play a role in the political mission of the armed actor.

Additional factors for successful negotiations also include: level of trust between the parties and their respective negotiators; how strong is the negotiating community organization: stronger the community-based organizations is, better its chances are to succeed in the negotiation processes as they are coherent in terms of unity, political discourse, support of common political, social and economic objectives by all community members, in particular in terms of participatory decision-making processes.

However, communities that are organizationally weak won't have the same success rate because what armed actors look for is to permeate the organizational structures, to weaken the

communities' resolve and opposition.

Furthermore, a participant observed that, even though support of humanitarian actors mostly help in terms of protection by presence, it is no guarantee of success. Other main challenges faced by communities in their negotiation with armed actors were mentioned such as identifying and contacting the right counterpart(s); negotiating with new emerging non-state armed actors which have no or limited interest in International Humanitarian Law or Human Rights; negotiating with a counterpart that carries a weapon is quite intimidating; the location of the negotiation meetings being in the community or in the non-state armed actor campsite, etc.



The debate further questioned how humanitarian actors could better support the communities in their negotiation efforts. Participants underlined the key advocacy role of humanitarian actors to mobilize attention on the humanitarian crisis as a pre-negotiation approach for the purpose of demonstrating to the non-state armed actors that conflict-affected communities are receiving attention from the international community. Such attention may, in some cases, contribute to the success of community-based negotiation.

It was suggested that such mobilization and advocacy could be done via press releases, media coverage as well as high-level meetings with political actors such as government authorities. Some panelists also highlighted the need to develop negotiation methods and skills for community negotiators in a more systematic approach rather than intuitively (e.g.: interpersonal communication techniques; dealing with difficult interlocutors; defining the objective of the negotiation, etc.). Training of community leaders and communities themselves in International Humanitarian Law and Human Rights should be offered in order to

have informed discussion mechanisms to establish a dialogue with the armed actors and training in self-protection mechanisms; providing support with Early Warning Alerts.

Other panelists recommended specific attention toward protection of the communities involved by a greater presence through periodical visits and meetings of humanitarian actors with the community leaders, if not a permanent presence on their territories in order to make armed actors understand that communities are not alone.

Some recalled the lack of technical assistance in conflict situations, while others insisted on the importance of risk mapping and analysis. Non-state armed actors would also benefit from training in International Humanitarian Law and Human Rights laws (e.g. ICRC training). Additionally, discussants expressed general interests in the promotion of exchange of negotiation experiences between community-based organizations.

Some participants wondered whether there were ethical questions linked to promoting the role of communities in negotiation processes and how to support communities to negotiate without

putting them further at risk. According to some panelists, it does no harm to better understand the cultural complexities. In that sense, humanitarian negotiators should always consult with community representatives about community concerns and seeks their contributions as to make clear what support communities expect of them.

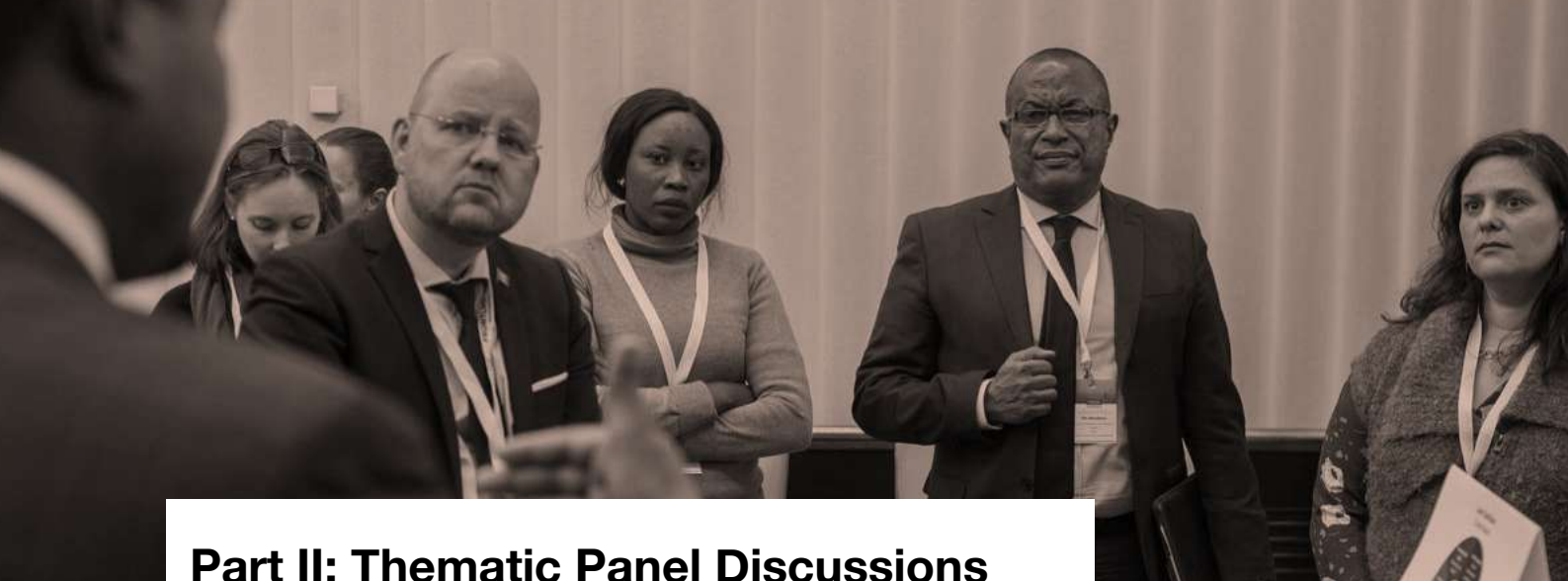
Participants also raised that humanitarian actors should ask themselves: “What can I learn from the negotiations carried out by communities?” Some panelists argued that communities are the ones that can provide a

careful analysis of the context, identify the interest of the actors in their territories, and measure their risk exposure.

Relatedly, as another panelist noted, communities have had to deal with armed actors long before the arrival of humanitarian actors. Thus, they have developed their own self-protection mechanisms and they have much to offer to humanitarian actors in terms of knowledge and skills in their environment. As a result, humanitarian actors should study and understand the cultural perspective of the communities they are working with.

Finally, exit strategies were also discussed as to determine when is it the right time for a humanitarian negotiator to disengage? One should stay as long as such presence and contribution are needed but remain aware of the fact that the involvement of humanitarian negotiators, as other aspects of humanitarian action is temporary in essence.

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Part II: Thematic Panel Discussions

A number of cross-cutting issues were also discussed in the course of the deliberations. In 2016, the first Annual Meeting provided an opportunity to gather informally a group of experienced professionals engaged in frontline humanitarian negotiation to review current challenges and dilemmas arising across their practices.

While several of the topics would have required more time to deliberate, common observations emerged across specific themes on humanitarian negotiation practices. Participants presented a series of expectations toward the Centre, particularly in terms of diversity and identity, protection arrangements and professional development.

Building on the experience of the first Annual Meeting, The CCHN decided to focus on three specific challenges related namely to the negotiation of protection or normative issues, building the capacity of frontline humanitarian negotiators, and gender and diversity in humanitarian negotiations. This chapter, thus, summarizes the deliberations of each of the panels.

Negotiating Rights in a Crowded Field: Addressing Emerging Challenges & Dilemmas on the Frontlines

Protection-oriented negotiations are among the most challenging exercises as they imply a possibility to deviate from established international norms and laws constraining the use of force in armed conflicts, or involve the elaboration of compromises to long-held humanitarian principles. In short, negotiating the implementation of international norms suggests a willingness and need to negotiate what is, in principle, non-negotiable.

At the same time, an emerging consensus among frontline protection officers and advocates strongly suggests that meaningful protection for populations affected by armed conflicts always involve some compromise to sacred norms as one seeks the support and contribution of the parties themselves, favoring practical arrangements to benefit the population as compared to uncompromising positions.

However, there is little agreement within an increasingly crowded humanitarian space regarding precisely what is negotiable, how far potential compromises on fundamental rights may be stretched and what ‘red lines’ should be established, and whether the existing humanitarian architecture is able and sufficient to address the multiplicity of protection challenges emerging from increasing politicized and complex crises. At its core, the negotiation of rights on behalf of others is fraught with deep challenges and moral dilemmas.

This expert panel sought to respond to the array of anticipated protection challenges that emerge from the preceding context-specific panels, and explored larger, cross-cutting challenges of negotiating protection. The panel was composed of:

- **Fiona Terry**, Research Advisor, ICRC
- **Jenny McAvoy**, Director of Protection, InterAction
- **Simon Russel**, Coordinator, Global Protection Cluster
- **Elpida Papachatzis**, Protection Coordinator, ICRC
- **Ingrid Macdonald**, Head of Office, OCHA Ukraine
- **Nicola Dahrendorf**, Senior Protection Advisor, NRC/UNICEF (Moderator)

Common observations have emerged across the three following questions that reflect, according to a panelist, the main challenges faced by humanitarian negotiators: “What is negotiable?”, “How to negotiate?”; “With whom should we negotiate?”

The concept and purpose of neutrality were questioned. According to a panelist, it is important to distinguish impartiality and neutrality, and to find a compromise between the two respective concepts. She also argued that sometimes exceptions to the principles are necessary, but humanitarian negotiators must always reassert values and norms underpinning the humanitarian system.

Panelists addressed the different modes of engagement (dialogue, advocacy, private dialogue, etc.) and their role in reaching a particular agreement. While diverse modes of action were identified, a panelist stressed the importance of track record and history. Negotiation may depend on past and present sequence of activities.

Some participants also recommended to get past citing the law. According to them, the discussion is not on the legal obligations but on the risk to civilians.

In the view of a panelist, humanitarians do not have a lot of power in a negotiation, but rather asking. In this context, negotiation may just be a segment in a chain of activities; it is important to look at the whole chain.

Some discussants also acknowledged that humanitarians work incrementally to protection outcomes in which norms are fulfilled and respected. However, this incremental planning is designed for

predictable response, formulaic, trapped in a routine of repetitive activities without “thoughtful” response.

As a result, too many humanitarian responses are trapped in repeating the same actions over and over again. Thus, in the view of many panelists, it is important to use analysis and learn from mistakes, in order to increase effectiveness.

Negotiators, it was further argued, often face the dilemma of accountability. The evacuation of people in Central African Republic and Syria illustrates the need to bring affected people directly into negotiations themselves. A panelist underlined the importance of not only consulting them, but also increasing accountability to these populations. The negotiators’ awareness of what these communities really want was further questioned.

Another specific concern was raised in parallel; a panelist underlined the need to be more self-interested, as a humanitarian negotiator, at least in terms of: protection mainstreaming; Integrated protection; Protection of civilians (COH, denunciation of violations, accountability).

Furthermore, panelists emphasized the need to delineate the role of humanitarian negotiators and their strategies. Some argued that, on a long-term basis, negotiations contribute to peaceful coexistence, and allow to reduce tensions.

Relatedly, a panelist recommended specific attention toward strategies based on common and complementary capacities, as a way to reduce competition. Thus, according to several participants, one of the main challenges is that, while the protection system needs a holistic approach, agencies refuse to share information.

Despite the apparent fragmentation, the competitive environment and the rich diversity of approaches, humanitarian negotiators should be coherent, trust each other and be transparent with each other. In that sense, participants broadly acknowledged that everyone has a role to play in humanitarian negotiations.

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Developing the Capacity of Humanitarian Professionals to Negotiate on the Frontlines

As conflict environments become more complex and negotiation processes become more challenging, humanitarian professionals on the frontlines must find ways to acquire the required tools and methods to build their capacity to negotiate in a multitude of circumstances.

This panel reviewed the current demand for negotiation tools based on the most recent surveys and explore current patterns of

professional development in the domain of frontline negotiation and mediation. It explored ways to sharpen the current offering in terms of courses and workshops, building on field experiences as well as scaling up the capacity of humanitarian organizations to open safe spaces for the sharing of negotiation practices as well as for experiential learning. The panel was composed of:

- **Laurent Ligozat**, Senior Advisor, Centre of Competence on Humanitarian Negotiation
- **Marika Guderian**, Special Assistant to the Chief of Staff, WFP
- **Alain Lempereur**, Professor, Brandeis University and Harvard PON
- **Rob Grace**, Senior Associate and Researcher, Harvard Humanitarian Initiative ATHA
- **Claude Bruderlein**, Director, Centre of Competence on Humanitarian Negotiation (Moderator)

Laurent Ligozat started by presenting a survey of humanitarian professionals conducted by the CCHN. The first objective of the survey was to assess the need for systematic negotiation tools and methods as well as to better understand their challenges and difficulties encountered in the field.

The results of the survey showed that frontline humanitarian negotiators were often left isolated and under-resourced; and that they had to learn by doing, with limited contact with their peers.

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Faced with the complexities of humanitarian negotiation, the results highlighted that there was an apparent need for more peer support, mentoring and coaching, as well as for support documents, training and forums of exchanges, and tailor-made approaches to support humanitarian professionals engaged in frontline negotiation.

The majority of respondents stated that they learned how to negotiate primarily through informal ad hoc means, either learning by doing (47%) or through peer exchange with their colleagues (27%) or reading about negotiation techniques (14%). Only few of the respondents have received any formal training or obtained access to humanitarian negotiation guidelines.

Negotiation can take multiple forms and entails several objectives. While negotiation of access with parties to an armed conflict dominates these efforts, there are also other counterparts including other humanitarian organizations and UN agencies, host governments, donors, local communities and beneficiaries, as well as their own hierarchy. The most challenging interlocutors were from non-state armed groups.

According to the survey, frontline negotiators face two types of challenges, some internal to their negotiation capacity and approaches, others were external, i.e. involving their interactions with counterparts.

Internal challenges:

- Lack of tools and methods for frontline negotiation
- Insufficient time to prepare in the context of emergency assistance
- Lack of clarity around the negotiation's objectives
- Lack of support by their own hierarchy

External challenges:

- Dealing with difficult counterparts with limited trust or understanding of humanitarian principles and objectives
- Security constraints due to the conflict environment
- Perceived politicization of humanitarian aid
- Identification and access to the right counterparts in often diluted and fragmented chain of command

Respondents further indicated that humanitarian negotiators must learn to navigate the three following key dilemmas:

- 1) Ensuring the security of staff and operation vs. proximity with the beneficiaries;
- 2) Using confidential diplomacy vs. taking public advocacy position;
- 3) Maintain the impartiality of humanitarian aid vs. agreeing to the conditionality of assistance.

Respondents also identified a need to enhance their capacity to engage with extremist groups who represent a series of challenges on their own.

Finally, when asked about desired tools and support to improve their negotiations skills, respondents primarily asked for:

- Peer to peer support to reflect on negotiation experiences;
- The possibility of field coaching and mentoring;
- The provision of standardized checklists and guidelines to help prepare and plan negotiations;
- The provision of in-house induction workshops;
- The creation of informal forums of exchange to facilitate the exchange of negotiation experiences; and,
- Interagency workshops, e-learning and hotlines for peer support.

Based on this assessment, panelists and participants commented on the modeling of professional development opportunities for frontline humanitarian negotiators.

A shared concern among participants was the need for capacity building accessible at the field level. The panelists agreed that

negotiators were looking for practical tools and methods based not only on doctrinal positions on the humanitarian character of frontline negotiation, but also on empirical research on current negotiation practices as well as basic negotiation theory.

According to Alain Lempereur the capacity of humanitarian negotiators should be developed through three complementary circles of action:

- 1) The 1st circle is inter-agency practices and learning, as the CCHN does;
- 2) The 2nd circle takes place within each agency and creates a safe space where negotiation frameworks and systems are adjusted to the organization; it should involve training of trainers, and experts who can deploy; and
- 3) The 3rd circle is local, and involves creating communities of practices at the field level.

Marika Guderian added that when agencies consider capacity-building efforts, it is important that they integrate the reality of field operations, the diversity of humanitarian actors and their respective needs, while preserving their security.

One should therefore think of frontline negotiation as a distinct profession requiring both a collective approach toward negotiation challenges but also specific ways of addressing the dilemmas based on the mandate of each agency.

There is a need for sharing personal experiences among peers, as well as a better understanding of cultural and historical contexts of a specific environment, area, or country.

Several participants also underlined the importance of a safe space for exchanges between practitioners and a depository of knowledge, not only on specific contexts, but also on negotiation failures.

Panelists and participants broadly agreed that successful negotiations and trust building depended on both the negotiator's personal characteristics and her/his personal linguistic connection with her/his interlocutor. Therefore, there is a need for sharing personal experiences among peers, as well as a better understanding of cultural and historical contexts of a specific environment, area, or country.

Additionally, discussants noted that it is important to combine what is taught in academic settings and to be able to use it in the field. According to Alain Lempereur, the key barrier to learning is a double ignorance between theory and practice.

There is very limited theoretical reflections on frontline humanitarian negotiation while the domain appears quite specific compared to political or commercial/ interest-based negotiations, and frontline humanitarian practitioners are mostly unaware of the theoretical underpinnings of their experiences across context and time. In his opinion, one needs to foster mutual discovery that will inform both theory and practice.

Practitioners might be skeptical about negotiation theory and pride

themselves on learning by doing. However, since the 18th century, ambassadors have realized that a specific skill set and theoretical frameworks exist to support their fieldwork. Alain Lempereur argued that skepticism had to be overcome on many levels: political and legal, external and internal, moral, experiential, organizational, theoretical and epistemological. According to him, the “don’t ask, don’t tell” culture within organizations regarding some of the most excruciating dilemmas need to be addressed.

In sum, negotiation theories can learn much from an ongoing dialogue with humanitarian practitioners, and reversely. Thus, negotiators need a theory for complex frontline negotiations, which implies the need to develop the right skills for individuals but also the right processes for organizations. Finally, the key reasons to better understand humanitarian negotiation are, according to him, better efficiency, security, legitimacy, communities of practice and peer support.

Negotiators need a theory for complex frontline negotiations, which implies the need to develop the right skills for individuals but also the right processes for organizations.

In this context, Rob Grace also emphasized the negotiation cognizance gap. Building on 70 interviews conducted with professionals from UN agencies, NGOs, ICRC, and National Red Cross/Red Crescent Societies, he observed that we are still early in the process of embracing negotiation as a core aspect of humanitarian work. According to him, there is still a need to define and conceptualize negotiation, which is a multifaceted process: relational, transactional, and advocacy-based.

He argued that there is an experiential learning paradox: negotiation is extremely important and a misstep can be detrimental to the organization’s ability to operate; but because negotiation capacity is currently developed essentially through experiential learning, one has to negotiate before knowing how to do it.

As a result, he recommended to combine the experiential aspects of learning with some theoretical foundations. Additionally, even though interviewees broadly agreed on the importance of contextual analysis, there is a lack of clarity about which lessons can be carried forward from one environment to the others and which reflect experiences particularly to the original context. Interviewees’ perspectives on this issue fit into the following three categories:

- 1) Everything is context-specific;
- 2) Everything is not necessarily context-specific, some things can be carried forward but not sure which ones;
- 3) People found that some aspects of negotiation can be generalized across all concepts/ across the board.

Furthermore, there is a clear demand to build on the skills of negotiation but it is unclear whether there is a demand for further systematization. In some discussants opinion, practitioners should collect best practices beyond a checklist. According to Alain

Lempereur, a preparation checklist for humanitarian negotiation might include seven key questions:

- What is the purpose of negotiating?
- Who is involved in these negotiations?
- On the humanitarian side? Which humanitarian actors at which level?
- For whom do they work?
- With whom do they interact?
- Where do they operate? The context, the culture, the geographic location?
- What are they negotiating? The needs to address? Access, license to operate, delivery?
- What is the process, the strategy and tactics to follow?
- Which principles should be summoned for the work?
- Which timing to take into account? Planning, operation, exit?

Alain Lempereur highlighted that humanitarian practitioners can find many resources in response-based models for negotiation that considers power, interests, needs, relationships and cultures.

However, there is not a single theory of responses that always works. Therefore, they should resort to an inquiry-based model, that is more than just intuition-based, and question the foundations of responsible humanitarian negotiation. According to him, they are based on purpose, people, problem solving, an inquiry process, motivations, needs, principles and accountability.

Gender, Diversity and Humanitarian Access Negotiations

Diversity of perspectives enables a more tailored and flexible approach to humanitarian negotiation with counterparts, representing a great asset for frontline practitioners. Yet senior management of humanitarian organizations rarely tap into this richness.

Rather than engaging in a horizontal team analysis, negotiator appointments are typically done on the basis of hierarchical connections alone, meaning that negotiations are engaged at leadership level, without considering the added value of negotiations across the team on the basis of such diversities.

This panel discussion specifically focused on the relationship between gender and effective humanitarian negotiations in the context of Syria, Yemen and Iraq; to generate recommendations for supporting greater diversity in humanitarian access teams; to better understand the roles that local community members are playing in negotiating humanitarian access – women and men – and ways in which these can be supported.

The panel was composed of:

- **Hala Saraf**, Director, Iraq Health Access Organisation
- **Casey O'Connor**, Project Coordinator, MSF
- **Blerta Aliko**, Deputy Regional Director, UN Women
- **Bette Dam**, Author
- **Oscar Sánchez Piñeiro**, Senior Field Coordinator, UNHRC
- **Rachel Dore-Weeks**, Advisor – Humanitarian Action, UN Women (Moderator)

Participants agreed that it is crucial to raise awareness about issues related to diversity, and its various dimensions, such as gender, religion, ethnicity, age, etc. The consensus among the panelists was that the diversity of perspectives represents a great asset for frontline practitioners. Thus, according to a panelist, diversity enables a more tailored approach to humanitarian negotiation with counterparts, mostly because diverse groups are more likely to cross-check facts, and therefore have their biases countered, which allow them to provide a better support to the diverse populations that they are trying to protect.

Furthermore, discussants broadly recommended including gender as one key aspect of diversity. Relatedly, another participant stressed the importance of gender as a key to build trust when we address humanitarian access. In that sense, she argued that gender could be a leveraged to broker access, building on the relationships they have with the local community. In her opinion, while women are seen as independent persons, western male negotiators are often suspected of being associated with the military operations, because masculinity and competition are generally associated.

Another panelist also noted that women disproportionality made use of informal negotiation settings. In Yemen, Syria and Iraq, for instance, women's associations have played a key role in brokering ceasefires, plea deals for women in detention centers.

However, while there is a great impact of women inclusion and gender equality mainstreaming on humanitarian outcomes, panelists emphasized the onerous efforts needed, as a woman, to prove themselves as capable of resolving conflicts and engaging in access negotiations. As a result, they highlighted that women negotiators were frequently being told that they are too inexperienced or ill-suited to negotiation; and said that they will not be accepted by men.

The gravity of women's vulnerability in conflict was also acknowledged. Thus, according to a panelist, more girls were killed because they were girls in the past 50 years than men in all the wars of the 20th century; 35% women experience violence, and this doubles in war settings; and 60% of preventable maternal deaths occur in conflict & natural disaster settings.

Accordingly, several panelists underlined the importance of

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providing more lifesaving and maternal health services and shelters for women. Yet, most of the time, these specific services are not seen as a priority, for instance in situations such as natural disasters. Relatedly, as several participants noted, gender-based violence (GBV) remain marginalized in humanitarian interventions, which reflects a lack of a coordinated approach to GBV services. In that sense, it was suggested that effective use of GBV funds focus more on community support to access services.

Moreover, a panelist recommended to normalize and streamline the provision of GBV services in humanitarian services, and address through education stigma, cultural and social norms preventing women from accessing these services. Likewise, she recommended specific attention toward prevention in refugee and IDP camps, for instance through lighting, locks for latrines, female staff for food distributions, and training of hospital staff in GBV procedures.

As repeatedly stated, some women use gender norms and culture to their advantage in pushing for the delivery of needed services to communities. A panelist mentioned further that in Yemen NGO frontline workers sometimes build their strategies on traditional tactics used by women to broker conflict, being used to broker access (e.g. threatening to take off their veil in front of others).

Several participants also highlighted the importance of a better

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understanding on how these tactics can be used, and forming formal and informal partnerships with a broad range of actors when negotiating access in particularly difficult circumstances. In addition, according to several discussants, humanitarian negotiators should establish techniques for engaging women in urgent operational negotiations.

Additionally, it is crucial to raise awareness about issues related to gender, through sensitization. A panelist argued that professionals engaged in frontline humanitarian negotiation should use the technique of "going door to door" in order to sensitize families about women's issues, while focusing on the education of the communities about women access. At a high level, she suggested to convince the Ministry of Health to integrate gender as a requirement.

In sum, not only we should be aware of the tendency to underestimate the richness of including gender in the planning of negotiations, but we should also set priorities, as well as training tools for humanitarian negotiators in this regard.



Part III: High-Level Segment on the Interplay Between Political Mediation & Humanitarian Negotiation

The evening of December 5th was dedicated to the High-Level Segment of the Annual Meeting. The discussion focused on the distinct missions, interdependence and interactions between humanitarian negotiators and political mediators, exploring particular ways to improve mutual understanding of the objectives, methods and policy requirements of each domain.

Organized in close collaboration with the United Nations Department of Political Affairs (UNDPA), the event was composed of two substantive activities: firstly, a high-level panel discussion hosted by the Director-General of the United Nations Office at Geneva (UNOG), Mr. Michael Moller, in the Council Chamber of the Palais des Nations with the principals of partner agencies and leading experts on the interplay between political mediation and humanitarian negotiation; and secondly, a series of thematic circles with senior professionals from the political mediation and humanitarian negotiation domains around 4 area-specific cases.

The High-Level Segment began with a keynote presentation of Ms. Krystyna Marty Lang, Deputy State Secretary of the Swiss Federal Department of Foreign Affairs, introduced by UNOG Director General Mr. Michael Moller.

Ms. Marty Lang underlined the support of the Swiss government toward a professional dialogue between political mediators and humanitarian negotiators while emphasizing the distinctiveness of their respective missions. She recognized the importance of the contribution of the new Centre of Competence on Humanitarian Negotiation (CCHN) in opening up safe space at the field level to facilitate an informed dialogue on specific challenges and dilemmas of stabilizing humanitarian crises.

High-Level Panel

During the High-Level Panel, each panelist presented the views of their organization and their personal perspective on the interplay

between political mediation and humanitarian negotiation, and on how to foster a professional dialogue between these two interdependent programs to enhance the efficiency of the international response to conflict.

The High-Level Panel was composed of:

- **Peter Maurer**, President of the ICRC
- **Filippo Grandi**, UN High Commissioner for Refugees
- **David Beasley**, Executive Director, WFP
- **Staffan de Mistura**, UN Special Envoy for Syria
- **Jan Egeland**, Secretary General, NRC
- **Mark Lowcock**, UN Under-Secretary-General, OCHA
- **Liesbeth Aelbrecht**, Director General, MSF-CH
- **Dennis McNamara**, Senior Advisor, HD
- **Teresa Whitfield**, Director of Policy and Mediation Division, UN Department of Political Affairs (Moderator)

The panelists first discussed the connection between the mission of political mediators seeking to build confidence between parties and promote stability and the one of humanitarian negotiators seeking access to populations in need.

ICRC President Peter Maurer opened the discussion by elaborating on whether the negotiation of humanitarian access may contribute to the stabilization of societies affected by conflict. Mr. Peter Maurer acknowledged that the word “stabilization” was a political concept, which could provoke some nervousness when a humanitarian actor pronounces it. Nevertheless, he argued, “When humanitarian actors negotiate access to communities, they try to re-establish life and livelihoods of people. They try to allow these communities to survive in terrible circumstances.”

When humanitarian actors negotiate access to communities, they try to re-establish life and livelihoods of people. They try to allow these communities to survive in terrible circumstances.

As a consequence, humanitarian negotiators contribute effectively to the stabilization efforts of the international community. Mr. Maurer argued that this form of stability may not be the same as the one sought by political mediators through

political negotiations drawing from the example of the ongoing work of Mr. Staffan de Mistura.

While political mediators and humanitarian negotiators both seek to stabilize a conflict situation and minimize risks of further escalation, the mission of political mediators is to build a political consensus to address the causes of the conflict, while the mission of humanitarian negotiators is to address the immediate humanitarian consequences of the conflict.

Nevertheless, he argued that “the mission of neutral, impartial and independent humanitarianism is to negotiate a safe space in which people can preserve their life and dignity, providing a step toward greater stability in the society.”

The ICRC President concluded by considering the work of humanitarian organizations toward affected populations, mobilizing the political will of parties to the armed conflict to sustain challenging

peace efforts, and increasing the chances of success for political mediators.

UN Special Envoy for Syria, Mr. Staffan de Mistura discussed the inherent tension and interdependence between political and humanitarian efforts, drawing from his experience in Syria. Mr. de Mistura underlined that out of his 47 years working for the UN, 27 years were devoted to the humanitarian response in conflict areas. Therefore, he is well aware of the dilemmas encountered in countries such as Syria in terms of competing priorities and objectives.

Conflicts in Syria, Libya and Yemen, he pursued, are man-made disasters where parties are deliberately using indiscriminate attacks and starvation against the civilian population as tactics to achieve political and security goals.



Stabilization and mediation efforts begin with addressing the humanitarian consequences in these conflicts. He further stressed that, in these contexts, political mediators and humanitarian negotiators need to have a working relationship in addressing the consequences of these tactics without contaminating the humanitarian character of relief efforts guided by the humanitarian principles; and that is where navigating these dilemmas can be very difficult.

Mr. de Mistura elaborated on the role of the Humanitarian Task Force (HTF) as part of international mediation efforts in Syria: “A very hybrid body which is actually a political body created by a group of countries in which humanitarian issues are being discussed and addressed”. This mechanism has been designed precisely to focus the attention of political actors on crucial humanitarian issues, building pressure on the political agenda

Political mediators and humanitarian negotiators need to have a working relationship in addressing the consequences of these tactics without contaminating the humanitarian character of relief efforts guided by the humanitarian principles.

of the parties to the mediation and advocating for specific steps to assist and protect the affected population.

UNHCR High Commissioner Filippo Grandi agreed with the points raised by fellow panellists although recognizing the risks associated with such dialogue: “The risk is there but you have to run it”. Mr. Grandi argued that “we live in a world where political solutions are scarce” and the burden of dealing practically with a situation lies with the humanitarians.

The interest of states is often limited to those consequences of conflicts affecting them directly, such as the recent massive movement of populations in the Middle East, seeking humanitarian solutions in absence of sustainable political solution.

We live in a world where political solutions are scarce and the burden of dealing practically with a situation lies with the humanitarians.

Consequently, according to Mr. Grandi, organizations such as the UNHCR are “put under pressure to find and implement immature, unsustainable and wrong solutions”.

He gave as an example the constant pressure imposed on UNHCR by a number of states to promote the repatriation of Syrian refugees in absence of the required security conditions. In this context, Mr. Grandi stressed the important role of humanitarian organizations to bring forward the voice and interests of the victims in difficult political negotiations.

In this sense, Mr. Grandi recognized that humanitarian organizations may, at times, have a role in political processes, arguing that “we are perhaps in a phase in which humanitarian solutions can open up opportunities for political solutions.”



According to MSF-CH Director General, Liesbeth Aelbrecht, there are two distinct types of negotiation, one political and the other humanitarian, and these processes must be kept separate in practice. To be recognized as impartial, neutral and especially independent,

humanitarian organizations must avoid being involved in politically motivated processes.

According to Ms. Aelbrecht, MSF's acceptance in the field relies on the distinct humanitarian role of MSF in relation with political negotiations and deals. While political mediation plays a central role in bringing conflicts to an end, Ms. Aelbrecht stressed that such political process entailed tactical choices that "can actually hinder humanitarian assistance, particularly in the case of when sanctions are imposed on certain groups and the population they are controlling."

Yet, "there is a lot we can learn from each other." Ms. Aelbrecht recognized the important role humanitarian can play toward political mediators giving a "reality check" of what the situation is really like in the field but also, making sure that humanitarian principles are preserved and respected. In other words, humanitarian can make sure that the dignity of the human beings who are going to be affected by political deals will be respected.

NRC Secretary General Jan Egeland focused his comments on the difference between the political mediator and humanitarian negotiators' imperatives. According to Mr. Egeland, the main difference between these two processes resides in the role and nature of compromises.

Political negotiators have to compromise on key political objectives and values to find an agreement. Without such compromises on key issues, no solution to the conflict can be found. In contrast, humanitarian negotiators are governed by humanitarian principles, which are, in many ways, absolute.

The respect of these principles is the essence of humanitarian action. Compromising on the humanitarian principles would undermine not only access of the organizations but their mission as a whole. In his point of view, humanitarian organizations should denounce pressures to compromise on their core principles and should be much more public than political mediators.

Accordingly, the role of political mediators is predicated, in Mr. Egeland's view, on their ability to conduct back channels and back room deals in their attempts to build a consensus based on political compromises among men of power with guns. Conversely, humanitarian negotiators will often use public advocacy to preserve the integrity of humanitarian operations in favor of the affected populations. As already underlined by Peter Maurer, he agreed with the idea that humanitarians need to be more demanding of political processes.

Humanitarian organizations need political and military agreements to provide the security guarantees required for their operations. In that sense, Mr. Egeland strongly believes that there are no "humanitarian solutions to humanitarian problems, but rather political solutions to humanitarian problems."

WFP Executive Director, David Beasley argued that sometimes

Humanitarians can make sure that the dignity of the human beings who are going to be affected by political deals will be respected.

humanitarians have to say things that nobody wants to hear. In this context, humanitarian negotiators must be equipped to play at times a political role, building pressure on counterparts to seek access to affected populations, but also globally mobilizing the necessary attention to ensure the effective delivery of assistance.

Agencies must work together with donor governments to exert the required leverage to seek safe access to the populations in need. Mr. Beasley recognized that it can be difficult “to play good cop, bad cop” in some situations. He expressed his frustration about the lack of political support to humanitarian access.

Mr. Beasley argued that humanitarian organizations must learn to play their fair role in political processes to minimize attempts to misuse or limit humanitarian assistance as well as maximize the impact of the resources of humanitarian organizations on the welfare of populations across conflicts.

In the following discussion moderated by Teresa Whitfield, Director of Policy and Mediation at UNDP, Peter Maurer addressed Jan Egeland’s conception of compromise as being exclusively political, arguing that compromises can also be humanitarian.

In Mr. Maurer’s view, humanitarian principles should guide the strategies of humanitarian negotiators through the dilemmas they acknowledge every day. Yet, these principles need to be interpreted in their operational contexts. They do not represent objectives as such, but are there as instruments to find the best possible ways of assisting and protecting the affected population.

According to him, “we compromise because mostly we don’t have the choice.” Such compromises on specific humanitarian principles in specific circumstances do not make humanitarians less humanitarian if these compromises have been

based on a proper and critical analysis of the situation.

He added that as we navigate the dilemmas on humanitarian action: “We always end up with results which are not fully consistent with the principles.” Mr. Maurer further reacted on the humanitarian declination of the words “politics” and “politicization.”

He shared David Beasley’s frustration regarding the lack of political support of humanitarian access. Yet, he argued that “while we complain about the lack of political support for neutral, impartial humanitarian action, we complain at the same time about the politicization of humanitarian work.”

In Mr. Maurer’s view, one cannot dissociate the mobilization of political support for humanitarian action with the politicization of the same action in specific contexts. It depends on humanitarian actors to remain in control of the political implications of their action.

Denis McNamara stressed that in many situations, humanitarian organizations negotiate for access and delivery in line with humanitarian principles but in highly charged political environments. While the humanitarian character of this access is essential to its maintenance, the same access is often construed as a confidence-

Humanitarian negotiators must be equipped to play at times a political role, building pressure on counterparts to seek access to affected populations, but also globally mobilizing the necessary attention to ensure the effective delivery of assistance.

building measure in political negotiations.

In these contexts, building confidence, which is necessary for any political process to move forward, is not a sign of politicization of humanitarian efforts. Rather, it is a sign of the inherent dual character of the access to affected population, raising the importance of both the awareness of humanitarian negotiators on the political implications of such access and the understanding of political mediators of the humanitarian implications of such arrangements.



According to OCHA Under-Secretary-General Mark Lowcock, in order to deal with the issue of access, humanitarian professionals need more capability and skills to conduct these analyses and develop the right strategies.

He underlined the importance of recognizing the expertise, as well as the personal qualities of humanitarian negotiators, as an essential skill set in this field. Hence, it is necessary to invest more in the people who can develop these critical and analytical skills.

Mr. de Mistura further argued that as humanitarian aid depends on funds, donor funding often depends on the level of trust of donors that their financial contributions will not only address the suffering of populations but also support some forms of hope for a political solution. According to him, the generosity of government donors relies on the demonstration of the constant interactions and dynamic relationship between political and humanitarian processes. In this context, donors feel like their humanitarian aid contributions entail an exit strategy.

In order to deal with the issue of access, humanitarian professionals need more capability and skills to conduct these analyses and develop the right strategies.

Ms. Whitfield drew the final comments of the panellists toward the lessons to be learned so far in the interplay between political mediation and humanitarian negotiation and on how they see such interactions evolving over the coming years.

For Jan Egeland, the focus of political mediators and humanitarian negotiators should be directed more toward the protection of civilians, both as a means to ensure the implementation of IHL obligations and a tool to ensure further stability and confidence building in tragic situations. The protection of population in recent conflicts, he argued, has become a central concern of humanitarian negotiators.

According to Filippo Grandi, humanitarian negotiators need to work in a closer proximity with political processes and learn how to interact with these processes and actors in ways that prevent the “contamination” of humanitarian action by political and security interests. One need to develop the tools of this interaction while maintaining the integrity of humanitarian action.

Whatever we do, as humanitarian negotiators or political mediators, has an impact on both the political process and humanitarian access in the field. Thus, we cannot afford building firewalls anymore.

Denis McNamara agreed and acknowledged the necessity of a safe space for such interactions, such as the one proposed by the Centre of Competence, to share best practices between agencies and professionals of both spheres.

Peter Maurer concluded that there are healthy tensions that one should learn to work with as these tensions certainly will continue to frame the international response to armed conflicts in the future. For this coexistence between political and humanitarian agendas to happen, political mediators and humanitarian negotiators will need to learn to operate and interact differently. He noted that “for a long time we have entertained divisions, and maintained the idea that the more separate we were, the better it was.” In his opinion, this idea of separation has to be revisited mostly because whatever we do, as humanitarian negotiators or political mediators, has an impact on both the political process and humanitarian access in the field. Thus, we cannot afford building firewalls anymore.

The main interest of looking at such professional dialogue and the strengthening of professional capacities and skills on both sides is precisely about “building bridges among professionals to deal with issues from different perspectives without compromising the respect of the areas of each other.”



Thematic Circles

Following the High-Level Panel, all participants were invited to proceed to participate to four separate discussion circles around a particular case. The group generated an informal discussion around the challenges and dilemmas of the interplay between political mediation and humanitarian negotiation in their specific area.

The participants were invited to consider the following questions:

- 1) How do you see the challenges of working with both the humanitarian and political dimensions?
- 2) Do you see dilemmas or tensions between political mediation and humanitarian negotiation?
- 3) What can we do to mitigate these challenges and dilemmas between these respective domains?
- 4) Practically – what can be done in your context and other contexts?

Circle 1: Analyzing the interplay in the Middle East region

- **Sebastien Trives**, Head of Mission – Syria, OCHA
- **Tareq Talahma**, Senior Humanitarian Affairs Officer, OCHA
- **Yosra Nagui**, Program Officer, swisspeace
- **Robert Dann**, OSE Syria Political Chief, UNOG
- **Sylvain Groulx**, Head of Mission – Iraq, MSF
- **Ahmed Eleiba**, Program Officer, swisspeace
- **Barbara Hintermann**, Secretary-General of CAUX IofC (Moderator)

Discussion among participants coalesced around the interdependence between humanitarian action and politics, or political processes. Discussing humanitarian issues could be a confidence-building measure in difficult crises. In Syria, for instance, such dialogue could be a useful platform to get the government and the opposition in an actual conversation with each other.

In some cases, some speakers noted, when the lack of humanitarian access is the result of a definite policy of the parties, one needs to engage with the political sphere. Then the question is not whether to engage political actors, but how, and after a careful cost-benefit analysis on the potential consequences and ramifications of such engagement.

At the same time, participants underlined that distinguishing humanitarian and political actors is absolutely necessary for the security of the humanitarian staff on the frontlines, especially as people on the ground are a lot more exposed than those

Discussants recommended specific attention toward confidence building between humanitarian negotiators and political mediators through regular exchanges and informal discussions.

negotiating agreements in remote capitals. While they welcome advocacy by all parties, humanitarian organizations do not want anyone else to negotiate their access and security. “Where is the comparative advantage of each actor?”, participants asked.

Speakers also underlined the discrepancy between high-level humanitarian and political diplomacy and on-the-ground daily negotiations. Humanitarian space for the latter is shrinking as a result of shortcomings in the former. They underlined the importance of informing the frontline humanitarian actors of high-level political processes, including mediation efforts, that may affect their work and security, and the need for better coordination within the humanitarian & politician spheres at the UN.

In order to mitigate these challenges and dilemmas between humanitarian and political dimensions, humanitarian needs must be defined first and foremost by humanitarian organizations. Political mediation may then integrate these assessments as part of the political processes. Access to humanitarian aid should be a clear non-negotiable red line within political processes.

Practically, discussants recommended specific attention toward confidence building between humanitarian negotiators and political mediators through regular exchanges and informal discussions.

Some suggested that political mediators brief regularly the humanitarian negotiation teams on the ground of the development of mediation processes. This would also relieve humanitarians

from the pressure of engaging at the political level. These potential links between political mediation and humanitarian negotiation efforts have to be tailored to each context.

According to several participants, such kind of encounters and events are appreciated and will contribute to improving the mutual understanding. Such exchanges should not put into question the independence of humanitarian

action.

The majority of humanitarian negotiators see a rather high risk to the integrity of humanitarian action in terms of perceived neutrality, independence and impartiality, and thereof the security of humanitarian actors in general if humanitarian negotiation is perceived as imbedded in political mediation processes. In addition, the importance of trust and mutual understanding between the humanitarian negotiation and political mediation actors is a key enabler; and the lack thereof a key challenge.

Circle 2: Analyzing the Interplay in the Lake Chad Basin

- **Peter Lundberg**, Deputy Humanitarian Coordinator, OCHA
- **Leonard Zulu**, Legal Policy Unit – Africa Bureau, UNHCR
- **Florent Méhaule**, Head of Office – Chad, OCHA

Some suggested that political mediators brief regularly the humanitarian negotiation teams on the ground of the development of mediation processes.

- **Mamadou Dian Balde**, Deputy Director, UNHCR
- **Ann Reiner**, Deputy Country Director - Nigeria, ACF
- **Sylvain Groulx**, Head of Mission – Iraq, MSF
- **Peter Scott-Bowden**, Senior Advisor, CCHN/WFP (Moderator)

According to participants, there is a strong reluctance by humanitarian actors to be in contact with political mediators in the Lake Chad Basin. Humanitarian actors feel that such interaction with political mediators may compromise the former in the eyes of the parties to the armed conflict.

The relative lack of political initiatives or dialogue makes it difficult to identify any points or ways that the humanitarian and political sides could interact. Participants also noted a disparity in funding between the two lines of action.

There is funding available for military efforts of Lake Chad countries but a relative lack of funding for humanitarian efforts. According to a discussant, having the humanitarian mission organized in an integrated framework means that humanitarian efforts are used to serve political ends.

In order to mitigate these challenges between the humanitarian and political dimensions, some participants recommended acknowledging the existence of two distinct tendencies and be realistic that they are a part of the operating environment that must be engaged with. It was suggested that humanitarian negotiators should take a nuanced view of the full complexity of the efforts and recognize that there is a role to play for each domain.

Relatedly, panelists emphasized the need for negotiators to have a profound understanding of the historical and sociological environment they operate in in order to increase the chances of success of their efforts.

Circle 3: Analyzing the Interplay in the Context of Myanmar

- **Sakhorn Boongullaya**, Head of Field Office – Myitkyina, WFP
- **Jenny McAvoy**, Director of Protection, InterAction
- **Owen Frazer**, Senior Program Officer, CSS/ETH Zurich
- **Mark Cutts**, Head of Office – Yangon, OCHA
- **Derek Mitchell**, Senior Advisor, USIP
- **Simon Russel**, GPC Coordinator, UNHCR
- **Ross Mountain**, Senior International Consultant (Moderator)

Participants focused the discussions on the interplay around the situation in Rakhine and how the current situation has evolved. According to many participants, while humanitarian and political actors are talking to each other, there is no coherent approach to the situation in Rakhine or other parts of the country within the diplomatic community.

While there is a link between humanitarian and political organizations in Yangon, the orientation of these approaches and operations remain distinct: the approach was for humanitarians to deal with Rakhine mainly through local actors in their own terms while political discussions are going on in the capital among policy makers and diplomats.

Some argued that humanitarian and political actors don't necessarily have the same priorities. One of the things that characterizes the difference between humanitarian or/and political work is that humanitarian actors talk about the needs of the affected populations and the importance of international standard in addressing these needs. Political mediators talk about ways to reconcile the objectives of different political groups and entities.

However, discussants stressed that a lot of advocacy efforts had been made to find common grounds between these approaches by the resident coordinator office. There is now recognition within the Humanitarian Country Team (HCT) about how to move forward in a more inclusive approach.



Furthermore, according to some participants, humanitarian actors in Myanmar have acknowledged that they have limited interactions with affected populations in Myanmar (be the Rohingya, other communities in Rakhine or other minority populations) considering the constraints on their physical presence on the field imposed by the Myanmar authorities.

They mentioned many reasons that could explain the lack of connection, such as the sensitivity of humanitarian issues in Myanmar, the limited access of international staff to the field, the difficulty of having confidential conversations with community actors, the rotation of international staff, the failure to adjust beyond short-term emergency aid provision, etc. Some underlined that access to affected people is mediated through the authorities, which makes it very difficult to be non-political in that sense.

The situation in Myanmar has highlighted the importance of reviewing common assumptions and analysis of conflict situations. The discussants noted opposing schools of thought in the country. If some claim that the situation in Rakhine is not as bad as people say, others underline the particularly dangerous brand of persecution that has a risk of bringing in extremism which had been observed elsewhere. Currently, tensions between these schools of thought are not fully reconciled.

A recurrent challenge identified is the relationship political offices and agencies have with their own national staff. There is a great deal of work that humanitarian agencies need to do to ensure national staff understood humanitarian action. Discussants also recommended working with powerful religious groups.

As repeatedly stated, participants highlighted that there is a need for better relationships with the affected population and invest in building up trust with the most vulnerable and persecuted people. In the view of many participants, humanitarian negotiators should understand in very specific and precise terms their risks, their expectations and intents for the future and ensure that their voices inform and drive any decisions that are made on their behalf.

Furthermore, they recommended to capture this in a semi quantitative way and use the observations as a powerful tool with which to negotiate on their behalf.

According to some participants, knowing more about the history and society of the context could help nuance these understandings of risks and mitigate the dilemmas between political mediation and humanitarian negotiation. They asserted that humanitarian negotiators mostly do not really understand the history of the situation, such as the ethnic makeup, and the way the groups interact among each other and the government. Humanitarian actors need to take a step back and really understand the history before moving forward with strong advisory or negotiation positions.

Participants agreed that there is a clear need to dig in and think strategically with a long-term role of humanitarian action and political mediation, even though there is immediate needs and this strategy may only bear fruit over the long run.

Additionally, participants suggested to stop limiting their information on the context to the spectrum of their mandate, by focusing for instance on political transition or peace process, as a way to deal with complexity because all issues are interlinked. In this context, one main learning outcome is that you can't detach what is happening in Rakhine from what is happening in the rest of the country. Even if the UN is mainly focused on this respective situation, some underlined the importance of a larger coordination of government across these issues.

Participants agreed that there is a clear need to dig in and think strategically with a long-term role of humanitarian action and political mediation, even though there are immediate needs and this strategy may only bear fruit over the long run.

Circle 4: Analyzing the Interplay in the Context of South Sudan

- **François Stamm**, Head of Delegation – South Sudan, ICRC
- **Rehan Zahid**, Advisor to the Executive Director, WFP
- **Charles Mballa**, Senior Protection Coordinator, UNHCR
- **Adnan Khan**, Country Director, WFP
- **Laurent Goetschel**, Director, swisspeace (Moderator)

Participants argued that there is always politics involved in humanitarian action, in a natural disaster, as well as in any complex emergencies. It is only a matter of degree. Thus, in all types of contexts, actors on the ground take political advantage of aid delivery.

Likewise, even if humanitarian negotiators mostly think they are not political actors because they don't have political intentions, people are manipulating humanitarian access and deliveries to achieve their political and security objectives.



Many participants also underlined that humanitarian actors often want the political sphere to do more to support principled humanitarian action. However, in most cases, when they look to the political sphere for support, they are disappointed about the lack of effective engagement in favor of the humanitarian agenda.

Another participant noted that if almost every political agreement has some provisions on humanitarian access, it does not necessarily mean that political actors understand humanitarian contingencies and dynamics.

Participants discussed about the notion that humanitarian action may fuel the conflict. It was argued that humanitarian efforts were more important in size and scope than the political mediation efforts in South Sudan and that these two processes should remain largely distinct. Some discussants highlighted a main challenge: saving lives, while trying to mitigate the unintended consequences of humanitarian

programs prolonging the conflict.

The different levels of the political process were addresses as well. According to a participant, engagement with the parties starts at the village level where humanitarian actors are often the most adapted to respond to the expectations of the parties and communities. Then there is the national and regional political process to stop the war which is a completely different process. In the view of a discussant, humanitarian negotiators deal with political mediation at the village level continually. In some areas, humanitarian actors have facilitated the launch of mediation efforts at the local level, but then it takes off in a way that surpasses their limited humanitarian mandate.

Additionally, a participant argued that political mediation and humanitarian negotiators cannot function in their domains unless they're aware of the dynamics of the other sphere. Yet, in his opinion, there are situations where humanitarian negotiators do understand the political environment and use such understanding to their advantage. As an example, he discussed humanitarian corridors into South Sudan from Sudan.

Practitioners understand how Sudan sees itself regarding the international community, especially regarding the desirability of lifting sanctions, and humanitarian negotiators use such desire in their negotiation strategies. As a result, humanitarian negotiators and political mediators should be more aware of the difficulties and dynamics of the other process.

Discussants broadly agreed on the importance of understanding political dynamics and interests and then steer away from being perceived as having a political agenda. The better we understand each other, the better we can guard against being manipulated.

The better we understand each other, the better we can guard against being manipulated.





Part IV: Review & Orientation of CCHN Activities

This section reviews the deliberations of the participants to the Annual Meeting on the mission and activities of the Centre of Competence on Humanitarian Negotiation (CCHN). Claude Bruderlein, Director of the CCHN, presented the mission, objectives and current activities of the CCHN.

The CCHN is a joint initiative of WFP, UNHCR, HD, MSF, and ICRC. It was established in 2016 to enhance professional exchanges and peer learning among frontline humanitarian negotiators. It serves as a central hub for the Strategic Partners' efforts to strengthen the capacity of humanitarian professionals to engage effectively in negotiation processes. While its activities are designed to support professional staff from the five Strategic Partner organizations, these activities are open to the participation of professionals from all humanitarian organizations active on the frontlines of conflict.

The core objectives of the CCHN are:

- **Fostering a community of professionals** engaged in frontline humanitarian negotiations.
- **Promoting critical reflection, learning and exchanges** among peers within this community.
- **Developing a stronger analytical framework** and greater capacity for effective practice.

The Centre of Competence's main mission is geared toward field practitioners engaged in operational negotiations providing concrete opportunities to share and analyze their negotiation practices, build their capacity to address recurring challenges and dilemmas of humanitarian negotiation, as well as to foster peer-to-peer exchanges across agencies and regions in a safe environment.

According to Claude Bruderlein, a key obstacle to the development of a professional culture among frontline humanitarian negotiators is the lack of institutional memory at the field level in terms of negotiation experience. It seems hard to get access to negotiation experience in a sufficiently organized

manner to inform current and future practices.

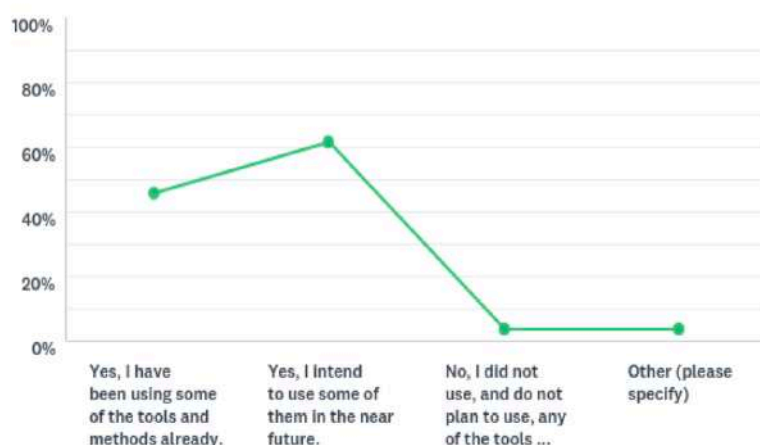
The main objective of the Center is to find ways to capture and translate current negotiation experiences dispersed among frontline practitioners into a systematic source of knowledge; further transform knowledge into practical tools, and make these tools available to field practitioners so that they can negotiate more effectively, and hopefully share their experience again.

Claude Bruderlein underlined that the CCHN focuses its attention on negotiation practices and the needs of support of practitioners. Hence, after one year of activity, the Center has undertaken several listening tours conducting interviews of practitioners to produce some observations and capture negotiation experience. It has also developed practical tools and methods based on these analyses and made them available through seven regional workshops offering practical support to over 250 frontline humanitarian negotiators in 2017.

As demonstrated in post-event surveys, participants seem to appreciate these tools that reflect their common practice (see Figure 4). This chart shows the results to one question the Centre asked participants 3 months after the workshops. To the question: “Have you used the tools and methods that were presented in the Workshop,” participants have replied as follows.

The Centre does not see itself as an exclusive training center on negotiation, but rather a hub of exchanges that facilitates the development of new tools based on current practices.

Figure 4: Survey of CCHN workshop participants on the usefulness of CCHN negotiation tools



The chart shows that more than 40% said that they have been using some of the tools and methods already. In addition, slightly more 60% further responded they intended to use some of them in the future. Only 5% answered that they have not used, or do not intend to use these tools in the future. This chart highlights the demand and interest for negotiation tools and methods of frontline humanitarian negotiators. Based on these results, we can assume

that these tools may have an impact on practice.

Questions from participants concerned mainly the criteria of selection of participants to the CCHN events and underlined the need to offer practical training to a large audience of practitioners in the field, in parallel to peer group exchanges.

The Centre does not see itself as an exclusive training center on negotiation, but rather a hub of exchanges that facilitates the development of new tools based on current practices.

The workshops of the CCHN are open to all humanitarian professionals with a minimum of 3 to 5 years of negotiation experience on the frontlines. The CCHN hopes to develop additional tools and platforms to facilitate access to products to large groups of professionals but counts on existing training structure and capabilities to undertake such efforts. It does not see itself as an exclusive training center on negotiation, but rather a hub of exchanges that

facilitates the development of new tools based on current practices.

Responding to participants, Claude Bruderlein made clear that the CCHN does not have the mission to establish negotiation policies or red lines. These decisions belong to the respective agencies.

Summary of participants' expectations toward the CCHN in 2018

For each of the six specific areas – South Sudan, Myanmar, Middle East, Lake Chad Basin, Colombia, as well as other regions – a group discussion took place to facilitate informal professional exchanges among participants on the orientation of the activities of the CCHN in 2018.

The purpose of these sessions was first to brief participants on the discussion so far in the CCHN Informal Working Group regarding the activities of the Center in the country or region. Furthermore, they aimed to discuss the gaps in terms of negotiation capacity and identify the type of activities that could be designed by the Center to fill these gaps.

CCHN Activities in South Sudan

The discussion began with a brief recap of the key issues faced, based on the CCHN Informal Working Group discussion in July 2017 and the panel. Also, it was discussed that OCHA has scrapped its access unit, which will cease to exist by the end of December 2017. This will leave a massive void, especially for local organizations that lack capacity to engage proactively in humanitarian negotiation. Some participants mentioned the need to set up an inter-agency forum that can play the same role as the OCHA access unit.

There was a recap of possible activities previously discussed in July 2017:

- Development of a case study on humanitarian access to garrison towns;
- Hosting a storytelling event;
- Elaboration of a tool to assess or crosscheck the credibility of security assurances;
- Development of an actor-mapping framework; and,
- The provision of additional training and peer workshops in South Sudan.

Participants expressed interest in a case study on garrison towns that would combine different case studies into a single fictional case study.

There was also discussion about the need to develop actor mapping, but concerns were expressed about how CCHN could actually facilitate actor mapping, in terms of the sensitivities of sharing information and the need to keep mapping updated. Participants agreed that it is needed, but the practicalities would be difficult.

Participants mentioned their interests in a storytelling event or discussion group for peer review exercise.

Regarding trainings and workshops, the idea of a small workshop for middle management in the field was discussed. Participants said that such induction workshops for field staff would certainly be welcome.

Participants also expressed interests in a storytelling event or discussion group for peer review exercise. This could be done with the participants of the induction workshop. It would be good to involve local staff in such an activity, because they do a lot of the negotiation work.

An additional issue was raised: for national staff, talking to one another would be more of a security risk. Some participants argued that interagency storytelling can be a problem. Sensitive issues may be discussed creating a problem of confidentiality.

CCHN activities in Myanmar

During this Group Area Session, there was an overall agreement among participants to prioritize Myanmar as a country of special interest for CCHN due to the magnitude of the needs and the extreme challenges faced by humanitarian organizations across the country.

A participant addressed the issue of humanitarian access in Rakhine, going beyond the case study on Kachin the informal working group has been working on so far, looking in particular at the potential role to be played by ASEAN countries in/for northern Rakhine. According to the discussants, the respective situations in central and northern Rakhine are very different and should be approached separately.

August 25 events have compounded the situation in northern Rakhine even further.

Some participants suggested to open the participation in the informal working group to development actors such as UNDP and the World Bank. The involvement of local actors in the group was also highlighted as critical. Initial participation of local NGO in the informal working group was difficult due to logistical reasons.

According to the discussants, the role of the CCHN could entail the support of the working group in:

- 1) Analyzing the impact of leveraging access in one country area on access to another area;
- 2) Anticipating the consequences of establishment of transit camps in northern Rakhine, drawing from the central Rakhine experience;
- 3) Discussing ways to address gaps in negotiating with the military and Buddhist nationalists, including in relation to refugee return.
- 4) Working as a catalyst between agencies in Myanmar to draw lessons learned and stimulate informal discussions on different types of negotiations as well as documenting lessons learned and tactics;
- 5) Reviewing historical and cultural knowledge, as well as mapping actors, interests and perspectives of authorities;
- 6) Analyzing the relevance of landmine issues and determining whether there is a need to receive more support for inputs on technical aspects.

Participants also suggested to undertake specific research on humanitarian negotiation tactics in Myanmar: what works and what does not work, based on inputs provided by national staff.

Several participants further mentioned the need for training on humanitarian negotiations (beyond humanitarian access) for national actors in Kachin and Shan states. The informal working group could

Because the regional dimension is key to the development of the situation in Myanmar, a call was made for the establishment of a peer-to-peer platform to discuss negotiations tactics in the sub-region.

develop a curriculum based on needs identified by national staff and CCHN could mobilize technical expertise as needed. Some argued that CCHN support would be welcomed in local trainings on cultural aspects of negotiating in the Myanmar context.

Additionally, since the regional dimension is key to the development of the situation in Myanmar, a call was made for the establishment of a peer-to-peer platform to discuss negotiations tactics in the sub-region. It seemed that humanitarian negotiators would also benefit from the development of peer groups of national staff supported by CCHN. However, as some participants noted, informal groups need not to be specific to Rakhine or Kachin.

CCHN activities in Middle East

Participants identified many challenges, including a lack of capacity to engage in frontline humanitarian negotiation in a strategic manner, a lack of structure to plan and conduct these negotiations and a space to discuss the associated interests and objectives, which means that not one body is actually in charge of humanitarian negotiation.

Some mentioned the tension between how to streamline protection as part of a negotiation and the role of agencies and their respective mandate. As of now, there has been no discussion around how to use existing humanitarian operations, mostly delivery of assistance, as entry points for a protection dialogue.

Additionally, according to the participants, humanitarian negotiators are faced with situations in which failure to adhere to principles has long-term consequences.

Some discussants further suggested that all people involved in access negotiations should go through a basic course on IHL to better understand obligations under IHL and the qualification of the conflict. Other expectations toward the Centre of Competence included:

- Coordinate and discuss ongoing negotiation issues and implications among organizations;
- Promote discussions on community-based negotiations, in particular how to support communities in negotiating with non-state armed groups?
- Strengthen the role of local actors in access negotiations and ensure they are protected;
- Identify lessons learned in previous cases;
- Play a leading role in avoiding competition among agencies.
- Discuss how to operationalize humanitarian principles in frontline negotiations, in particular review the limits of these negotiations in real operations.
- Disseminate lessons learned of humanitarian negotiations in the region through case studies;
- Shifting the debate from red lines to “green lines” facilitating versus obstructing negotiations;
- Support the development of a diversity of negotiation skill sets within the humanitarian leadership.
- Build expertise on how to engage with government militias (e.g. “Hashd” in Iraq) In the Middle East;
- Design a code of conduct that would be comprehensive for interagency behavior or “rules of engagement” across organizations on negotiation;
- Create a culture of collaboration and common “software” on frontline humanitarian negotiation;
- Establish way of managing and sharing data across agencies; and,
- Facilitate links with INGO forums on humanitarian negotiation.

In sum, participants presented a number of expectations toward

CCHN, including the provision of training and expertise, the development of practical analytical and planning tools for field practitioners, the elaboration of a collective negotiation approach and the creation of a safe space for the sharing of experience among field practitioners.

Participants suggested the preparation of a roadmap for the CCHN. According to them, the CCHN should also consider the development of case studies, including context analysis, as well as analysis of the actors /non-state armed groups specific to the Middle East.

In that sense, participants expressed general interest in research about how interlocutors think, perceive organizations in their negotiations and what can be learned from that.

In terms of policy tools, some discussants argued that it was important to be realistic and not expect that the Centre could eliminate competition and change the system. What it could do, however, is create a common code of conduct to avoid big mistakes – a common software to solve negotiation problems in groups.

Participants expressed general interest in research about how interlocutors think, perceive organizations in their negotiations and what can be learned from that.

Furthermore, the Center could identify specialists in key areas and support peer-to-peer exchange. Participants expressed their interest in negotiation-specific training programs informed by specificities of the humanitarian (not regional) contexts. In their opinion, these new models of training should be connected to what is happening on the ground.

In this context, humanitarian negotiators would also benefit from further elaboration and dissemination of self-assessment tools. It would be useful to develop surveys and training session workshops for people just entering into the field to have continual self-assessment of the need of practitioners.

Furthermore, it was suggested that the Center split levels of training and workshops on the basis of assessments to meet the needs of various professional levels.

In terms of peer-to-peer activities, participants mentioned the creation of a web platform that could be used as a method of directly connecting practitioners with peers

Additionally, they recommended a specific attention toward a coordination protocol among practitioners working on the same case. The Center should also organize recurring meetings in order to discuss ongoing issues.

The CCHN is expected to create “rules of engagement” on key ethics and principles of working together and Identify key specialists on certain areas to support peers, share their experiences openly among peers and not only peer to peer via CCHN.

CCHN Activities in the Lake Chad Basin

Participants expressed significant interests for tools to better understand the context and the historical roots of the conflict. They noted that the group present included only 2 members from the CCHN Informal Working Group that met in Dubai and felt there was a need for greater continuity in the Working Group if it was to lead to a community.

Participants stressed that political mediators have a culture of peer support in their profession. They have access to a lot of information they are willing to share. Participants broadly agreed that humanitarian negotiators had to find a way to ensure a certain continuity in the working group.

Expectations toward the Centre of Competence included:

- The Center should connect the research community for information support. The lighter the framework and organization are the better; the simplest tools are the best (even a contact list). Research inputs, such as comparative analysis of negotiation with assertive states, cases study on State of Emergency Declaration and the implications for negotiation or on the role of culture and value sets in negotiation, are clearly needed.
- In terms of policy tools, participants shared a common interest in an online sharing platform, providing a safe space for working group members to exchange more regularly, also used to archive the conversations. Additionally, it would strengthen peer support in real time with a certain measure of confidentiality.
- In terms of training and workshops, participants would benefit from a face-to-face meeting as a response to actual events or developments on the ground. Interest is maintained in the Advanced Workshop. The Center should make sure that the level is coherent and is expected to establish links with existing groups, like the Maiduguri Across Working Group for instance. This would support what exists instead of duplicating it. Participants expressed their interest in training staff to be able to include local and cultural specific types of negotiation.

CCHN Activities in Colombia

The discussion began with brief recap of what has been done since the CCHN Informal Working Group meeting in July 2017. Participants mentioned the ongoing research from Marc Bosh (MSF) on negotiations with non-state armed groups in urban areas in Latin America, as well as the case study conducted by Oscar Sanchez Pineiro on community-based negotiations in Colombia.

Additionally, two training events have been planned for the region in 2018, including one-day induction on humanitarian negotiations in Bogotá (in Spanish) and a four-day workshop in Panama or Mexico

(in English).

Participants expressed their interest in exploring the following questions through case studies and research:

- How can humanitarian actors support the communities in their negotiation endeavors? Including the risks and opportunities to do so.
- What are the expectations of communities from us when it comes to supporting them to negotiate? Or to negotiate on their behalf?
- What are the risks involved when bypassing the community dialogue and engaging directly with arms groups on behalf of communities?
- How to balance negotiations and advocacy (on human rights and legal obligations for instance)? How to provide tools to the communities about their rights without putting them at risks?
- What are the armed groups' (including non-state armed groups and gangs) perspectives on negotiations with communities?
- When can our visibility help the community and when can it put them at risks?
- How do communities engage with a vertically organized armed group vs horizontally organized armed groups? How do they negotiate with groups external to the community?
- How do communities engage with groups part of the communities that can play various roles - as possible protector and perpetrators?
- How do communities engage with State Armed Groups? How do those negotiations differ from negotiations with non-state armed groups?
- How do communities engage specifically with youths of the communities involved in armed groups?
- How different is the dialogue between communities and actors with political interests, versus actors with economic interests and objectives?
- How do women specifically engage in negotiations? What are their negotiation strategies to gain safe access and protection?
- How can we analyze cross theme dilemmas? e.g. Negotiation with armed groups through natural disaster.

In terms of policy tools, it was suggested to systematize negotiation tools and methods for communities in order to adequately train and support communities in their own negotiations.

Participants also recommended a better coordination between organizations in case of negotiation. The Center is expected to develop further local frameworks and mechanism to avoid duplication in information among diverse agencies.

In terms of training and working groups, discussants stressed the

issue of language. The training of trainers on the four days basic CCHN curriculum has to be delivered in other languages than English including in Spanish.

According to the participants, a preparation before the training would be necessary. Thus, the Center could send some material reflecting from what will be addressed in the workshop/training.

It was recommended to pay specific attention toward training for communities. Someone also mentioned the possibility of training the armed actors themselves to negotiations with communities and humanitarian actors.

The Center is expected to support the development of a digital community of practice in order to strengthen peer-to-peer exchange. Several participants insisted on the need to improve the sharing process, taking into account the language specificity of some regions and the risk of isolating them.

CCHN Activities in Other Regions

The discussion began with a brief recap of the key issues faced in Ukraine. Participants acknowledged few cross-context connections. Ukraine is a barren humanitarian landscape where very few NGOs are working officially and most INGOs have been excluded.

According to some discussants, it is a hybrid war, in which non-state armed groups employ sophisticated manipulation of information. There is a need for developing short case studies rooted in this specific region, examining the crisis and current failures in negotiation. As repeatedly stated, it is imperative to identify lessons learned across institutions through peer-to-peer exchanges.

However, considering the capacity of CCHN, some argued that the focus should be on areas that are most critical and where big difference can be made (e.g.: Yemen; DRC; CAR; Great Lakes).

Furthermore, the situation in Somalia was discussed. Several participants mentioned the risk of famine due largely to precarious or lack of access, large numbers of people and remote management. Additionally, they noted the presence of numerous extremist groups.

Participants stressed the need to set and follow clear criteria in order to prioritize CCHN activities in particularly affected regions, such as urgency, severity, scale, deficit of knowledge on negotiation, etc. Humanitarian negotiators could therefore pay specific attention to “forgotten conflicts,” such as Burundi and CAR, as well as to address impediments to humanitarian organizations and procedures that hamper humanitarian aid, since it is still unclear how to deal with these issues.

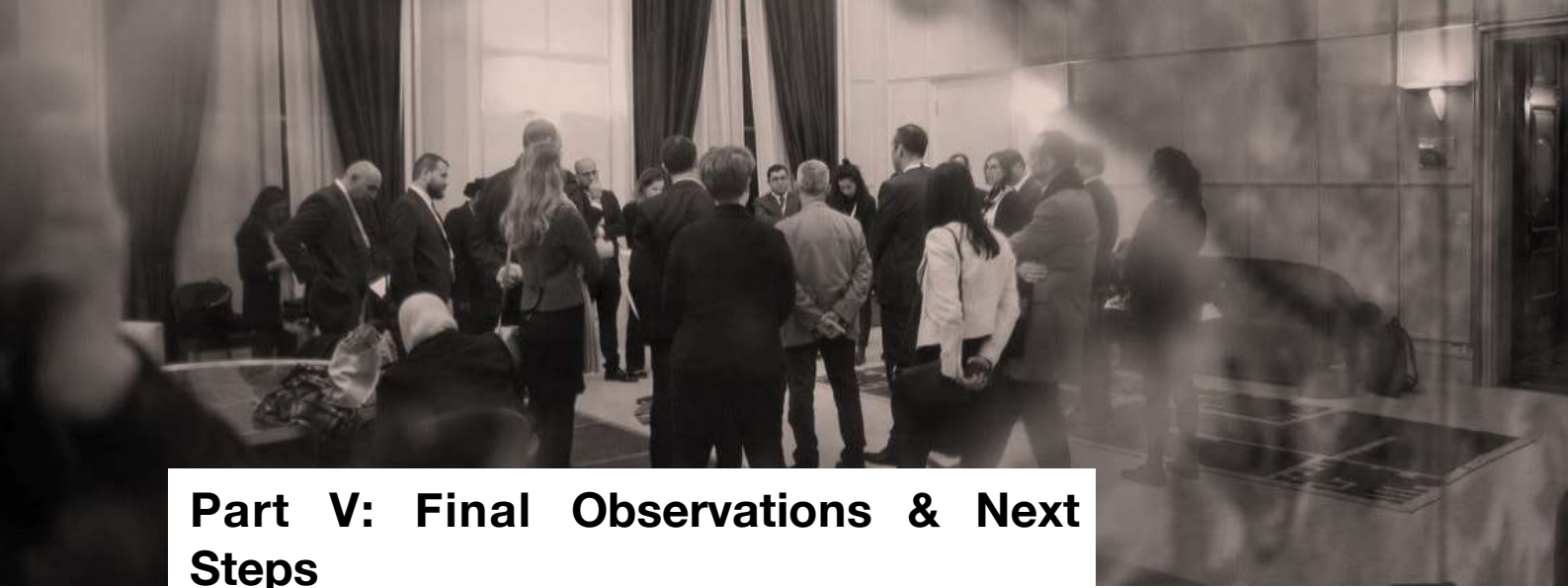
The protection linkage between assistance and protection was also raised. Participants mentioned cases in which negotiation for assistance has undermined protection. In South Sudan, in contrast, it was mentioned that protection of populations that are given assistance is inherent to access negotiation.

According to discussants, humanitarian negotiators would benefit from case studies on female negotiators and leadership. Relatedly, they think it would be useful to conduct more research on the female comparative advantage as well as on the ways to build leadership.

Additionally, discussants indicated a lack of research on negotiation not only to facilitate access but to achieve greater protection. The tools identified could be further tested in a non-volatile environment, such as Central America, before being used in open conflicts.

In the context of this discussion, the Center is expected to support a community of peers, defining criteria for the adoption of remote negotiation, as well as identifying the uses and limits of these platforms. Participants noted a lack of negotiation knowledge in combat operations (e.g.: Mosul). In such situations, humanitarian negotiators wonder what to ask for, to whom, etc. It would be useful to help them to prompt relationships that do not yet exist and build a body of knowledge.

In terms of peer-to-peer activities, the diversity of staff who have access to capacity building was addressed. Discussants recalled that national staff have more vulnerabilities, and highlighted international staff turnover as a key issue to be considered when designing activities.



Part V: Final Observations & Next Steps

The second Annual Meeting of Frontline Humanitarian Negotiators provided a unique opportunity to gather humanitarian professionals from the field as well as headquarters to review and discuss the current challenges and dilemmas of humanitarian negotiations. Participants also benefitted from the opportunity to connect across agencies and contexts to share their negotiation experiences as well as to develop a thorough understanding of the different perspectives involved.

Looking ahead, the Centre of Competence on Humanitarian Negotiation (CCHN) will continue to play a key role in facilitating interactions between frontline humanitarian negotiators. It took good note of the expectations of participants presented in the group areas sessions, which will be carefully reviewed as the CCHN elaborates its plan of activities for 2018, in close consultation with its strategic partners.

The CCHN will approach participants to the Annual Meeting over the coming weeks and months to mobilize their interest and renew their contributions in support of the gathering of knowledge and experience on frontline humanitarian negotiation in their respective contexts. As the CCHN continues to expand its operations in collaboration with the UN and other humanitarian agencies in the field, it looks forward to the elaboration of collaborative arrangements with local NGOs, national governments, international agencies and academic circles from around the world in the development of practical tools and methods to support frontline humanitarian negotiators.

The CCHN wishes to warmly thank government donors, in particular the Swiss Federal Department of Foreign Affairs as well as partner agencies, specifically the ICRC, WFP, MSF, UNHCR and HD, for their continued support and guidance in the development of the activities of the Centre of Competence.

Looking ahead, the Centre of Competence on Humanitarian Negotiation will continue to play a key role in facilitating interactions between frontline humanitarian negotiators.

For additional information on the Centre of Competence on Humanitarian Negotiation (CCHN), please visit: www.frontline-negotiations.org

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