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President: Mr. Pary Rodríguez (Vice-President) (Plurinational State of Bolivia)

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In the absence of Mr. Kelapile (Botswana), Mr. Pary Rodríguez (Plurinational State of Bolivia), Vice-President, took the Chair.

The meeting was called to order at 10.05 a.m.

Agenda item 9: Special economic, humanitarian and disaster relief assistance (continued) (A/77/72-E/2022/50)

1. **The President** said that the international community must ensure that humanitarian operations, including transport and communications systems and coordination and information management, were timely and efficient. Despite the challenging humanitarian operating environment, which included restricted access, interference in operations, and attacks against humanitarian workers and facilities, United Nations entities continued to respond to requests for emergency assistance with dedication. The panel discussion would provide an opportunity to discuss ways to ensure that humanitarian assistance and protection was provided to all affected people on the basis of their humanitarian needs alone.

Panel discussion: "Reaching people in need, supporting humanitarian assistance for all in times of conflict and promoting good practices in the application of international humanitarian law"

2. **Ms. Eltahir Mudawi** (Director, Office for the Coordination of Humanitarian Affairs, Operations and Advocacy Division), moderator, said that civilians trapped in armed conflicts had a right to relief and protection, and humanitarians must be allowed to reach them without obstruction. That right, however, was not respected in many emergencies, where conditions were hugely challenging. Humanitarian organizations were frequently obstructed in their work or forced to withdraw from conflict areas as a result of attacks, bureaucracy and the politicization of humanitarian assistance. In order to reach people in need, they must engage with non-State armed groups, negotiate days of tranquillity for vaccination campaigns and obtain humanitarian exemptions, for example during coronavirus disease (COVID-19) lockdowns.

3. **Mr. Lenarčič** (European Commissioner, Crisis Management), panellist, in a pre-recorded video statement, said that, unthinkable, war had re-emerged in Europe in February 2022. Russian attacks on Ukraine and its people were causing unspeakable suffering, with the most vulnerable bearing the brunt of the lethal aggression. Such blatant violations of international humanitarian law were happening in other conflict-affected countries and regions, including Syria, Yemen,

Palestine and Tigray, Ethiopia, and they were causing a dramatic surge in humanitarian needs, which had reached an all-time high.

4. Humanitarians were often deliberately denied access to people in need, aid was knowingly being obstructed, civilian infrastructure was intentionally being destroyed and violence against civilians, including sexual violence, was being used as a weapon of war. The international community must stand firm. It had a duty to ensure compliance with international humanitarian law, protect civilians from war and conflict, and ensure that perpetrators were held accountable. The world must speak out about violations of international humanitarian law.

5. The European Union was doing everything in its power to protect civilians who were trapped in armed conflict, but more needed to be done to promote respect for international humanitarian law. The monitoring and prevention of violations should be improved, and the principled humanitarian space needed to be safeguarded. Efforts to protect civilians and civilian infrastructure in conflict settings must be redoubled.

6. **Ms. Mohammed** (Permanent Observer of the African Union to the United Nations), panellist, said that conflict, linked particularly to acts of terrorism, was a key driver of displacement in Africa and had left millions of people without shelter, food or basic needs and in dire need of humanitarian assistance. Many parts of Africa continued to host increasing numbers of refugees, internally displaced persons and others affected by conflict, persecution and violence. Humanitarian challenges in Africa were exacerbated by the erosion of respect for core humanitarian principles.

7. Humanitarian action continued to be impeded by challenges relating to financing, access and coordination. Security constraints and conflict limited or blocked access to people in need and made it difficult for them to reach humanitarian assistance sites and access basic services, including food and water distribution. In some cases, however, humanitarian access had been negotiated and assistance had been provided, such as in the Niger, where the State had played a critical role. Relevant ministries had come together with the humanitarian country team to advance dialogue and decision-making.

8. The humanitarian policy of the African Union was intended to preserve, protect and save lives, alleviate suffering and enhance physical security and human dignity. The States members of the African Union played a vital role in providing protection, security and humanitarian assistance, and in ensuring appropriate access to humanitarian spaces and the security of

humanitarian workers and infrastructure, in conformity with national legislation. The capacity of affected countries and local communities to prevent, prepare for, mitigate and respond to humanitarian crises must be strengthened.

9. Early warning systems that included monitoring to enhance predictability and information gathering on humanitarian situations were necessary. Community systems and digital mechanisms should be used to guide humanitarian assistance, and robust conflict analysis and rapid assessments should be conducted to ensure that humanitarian responders were providing holistic support. The international community must share the burden imposed on host countries to ensure the continuity of humanitarian assistance in areas affected by conflict. Doing so would require greater collaboration with Member States, international and humanitarian organizations and civil society.

10. Under international humanitarian law, all parties to armed conflict were obliged to ensure that the needs of populations in conflict areas were met; however, that obligation was not always honoured. In the Sahel region, needs were not being met owing to the armed conflict and the large number of armed groups, financial limitations on the region's countries, and logistical and geographic constraints.

11. Some approaches to the provision of humanitarian aid, such as airdrops and remote surveillance, were costly. More sustainable solutions were needed to ensure unimpeded access; an example of such a solution was peacebuilding and confidence-building through confidential bilateral dialogues, at the national, regional and local levels, with all parties involved in armed conflicts, including States and non-State armed groups.

12. The protection and assistance of women, children, older persons and persons with disabilities in humanitarian crises needed to be central to humanitarian action. Humanitarian responses should also be gender sensitive. Comprehensive context and gender analysis should precede action. Gender equality and the protection of women's rights should be embraced in humanitarian and peacebuilding activities. Humanitarian assistance should focus on long-term developmental initiatives to enhance community resilience and to facilitate the transition from relief to recovery, with a focus on the empowerment of women and youth.

13. **Mr. Maurer** (President, International Committee of the Red Cross (ICRC)), panellist, in a pre-recorded video statement, said that ICRC had developed good practices to address issues related to humanitarian access and delivery and to enhance respect for

international humanitarian law, which could only be effective if it was accompanied by efforts to change behaviour. To help belligerents to understand their obligations, ICRC maintained dialogue with the police, armed forces and non-State armed groups in over 110 countries. It had published a document in which it outlined 12 challenges for international humanitarian law and the practical steps that States could take in relation to missing persons, new technologies of war, gender and climate shocks, in order for such law to be respected and harm to civilians mitigated.

14. The challenges included the fact that wars were increasingly fought in cities, at an appalling cost in terms of human lives and civilian infrastructure, including food systems and supply chains. States must therefore implement drastic restrictions on the use of explosive weapons in populated areas, in accordance with the ICRC recommendations on the subject and Security Council resolution [2573 \(2021\)](#).

15. The complexity of armed conflicts had increased, owing to States' involvement overseas, through partnered military operations and other support for belligerents. Such relationships could result in unclear coordination, blurred lines of accountability and weakened responsibilities. States must therefore hold each other accountable and implement practical oversight mechanisms to improve compliance with international humanitarian law.

16. Misinformation, disinformation and hate speech accelerated conflict dynamics and violence. Therefore, States should ensure that information and influence operations were compliant with international law and did not have humanitarian consequences for affected people or negatively impact the work of humanitarian organizations.

17. The adverse effect of sanctions and counter-terrorism measures on humanitarian aid might limit ICRC in its ability to deliver its services. Consequently, States must integrate well-crafted humanitarian exemptions into such measures. The exemption established in the Taliban sanctions regime pursuant to Security Council resolution [2615 \(2021\)](#), to allow humanitarian access to vulnerable populations in Afghanistan, served as a model for sanctions regimes.

18. Lastly, impartial humanitarian organizations must be allowed to assess the needs of affected populations directly and maintain control over the distribution of assistance. Therefore, access should not be unlawfully denied or withheld and, rather than criminalize or hinder the dialogue with parties to conflict, States should honour their obligation to facilitate the work of humanitarian organizations such as ICRC.

19. **Mr. Fontaine** (Director, Office of Emergency Programmes, United Nations Children's Fund (UNICEF)), panellist, said that the facilitation of humanitarian access and the guaranteed effective delivery of humanitarian assistance and protection was central to every aspect of the work of UNICEF in conflict settings globally. Funding, capacity and access were the three basic factors that meant UNICEF could provide assistance to children, but the frequency and complexity of humanitarian access constraints, which included complex local and geopolitical dynamics, fluid lines of control with major security concerns and the presence of multiple non-State actors, were undoubtedly the biggest challenge to the delivery of such assistance.

20. Host States and those with influence over them had a responsibility to ensure faster, more predictable and sustained movement of humanitarian supplies and personnel. Bureaucratic and administrative obstacles were impeding operations. Without the right people in the right place at the right time, it was almost impossible to succeed. Such obstacles delayed the delivery of life-saving supplies, including vaccines with short shelf lives, therapeutic feeding for children, and water and sanitation components. Legislation in donor States, including on sanctions and counter-terrorism, also constrained humanitarian organizations' ability to help children. It sometimes prohibited engagement and investment in national providers of essential services if those services were under the control of non-State authorities. Humanitarian exemptions to sanctions regimes were welcome, but they would be useless if donors continued to insist that institutions controlled by certain authorities be bypassed.

21. UNICEF must engage with all parties to a conflict in order to facilitate the delivery of assistance and to enhance their compliance with their responsibilities to protect children. UNICEF added its expertise and operational presence to those of other agencies and partners in that regard, and was particularly involved in the work of the Security Council on children and armed conflict. However, Member States must acknowledge the distinction between political and humanitarian engagement with all parties, including non-State armed groups, because failure to do so would hinder the ability of UNICEF to engage with those actors to end grave violations of humanitarian law.

22. All parties to armed conflict must comply fully with their obligations under international law. Respect for the rules would lead to respect for humanitarian workers and their resources, the facilitation of impartial humanitarian action and the elimination of arbitrary denial of humanitarian access. The responsible conduct of hostilities and the protection of basic infrastructure

would reduce the number of access requests and create a safer operational environment.

23. **Mr. Schopp** (Vice-President, Humanitarian Policy and Practice, InterAction), panellist, said that, in most contexts in which his organization operated, when non-governmental organizations (NGOs) were already present on the ground they followed all the laws of the host countries. When conflict arose, however, the rule of law was often replaced with rule by law, under which host Governments used the law to curtail humanitarian response and access, through restrictions on visas, imports and exports, and constraints on the movement of NGOs and their access to specific entities. Host Governments' desire to have more control in such matters was entirely legitimate, provided that it helped those Governments to honour their commitments under humanitarian principles and law.

24. The restrictions and regulations imposed by donor Governments also put pressure on NGOs. Over the past two decades, sanctions regimes and armed groups had proliferated. Humanitarian assistance had also changed in the same period, from responding to natural disasters to working, in 80 per cent of cases, in areas affected by protracted conflicts. In order for humanitarian operations to be effective, the international community should return to humanitarian principles. Impartial, neutral and independent organizations could reach all the vulnerable populations in need. While progress had been made in safeguarding humanitarian action within sanctions regimes, they and counter-terrorism regulations must be further reviewed.

25. Although the compliance of military powers with international humanitarian law was essential, it was not enough to prevent the actions of such powers from having tragic consequences for civilian populations. The international community must honour not only its legal obligations but also the ethical obligations that had resulted in the establishment of international humanitarian principles and law.

26. **Ms. Bouchet-Saulnier** (Former Intersectional Legal Director and International Humanitarian Law Senior Advisor, Médecins sans frontières), panellist, speaking via video link, said that more than half of the projects of Médecins sans frontières were conducted in armed conflict situations and, despite the reaffirmation of the importance of protecting medical personnel in Security Council resolution [2286 \(2016\)](#), attacks on medical personnel and medical facilities in conflict situations were continuing at the most alarming levels ever. In 10 separate events, 26 staff members of Médecins sans frontières had been murdered since 2015. They had died in countries where international

humanitarian law was well known because war had been taking place there for a long time.

27. The type of attack had changed, from massive bombings to smaller but more pervasive and equally detrimental acts of violence, harassment and intimidation. Although the new type of attack was less visible on the international stage, it threatened the security of personnel and respect for their work, patients and structures. In some contexts the attacks were becoming “business as usual” and were slowly but deliberately suffocating humanitarian and medical action for people in need.

28. The erosion of international humanitarian law, protection and principles was plain to see in legal frameworks. Although domestic laws never explicitly criminalized humanitarian action, they allowed for the perception of its illegitimacy when it was directed at individuals or groups considered by the State concerned to be criminal or terrorist. States’ failure to reassert the legitimacy of impartial medical care for all had resulted in the undermining of protective, domestic legal frameworks and to widespread violence against humanitarian personnel.

29. It was becoming increasingly difficult and dangerous to reach people in need and to offer humanitarian and medical assistance for all victims of armed conflict. Counter-terrorism measures, rhetoric, laws and State practices were shrinking the space for principled humanitarian action and creating insecurity. States were increasingly contesting the applicability of international humanitarian law in counter-terrorism contexts. Humanitarian and medical assistance was being portrayed as direct support for an enemy or terrorist group and, consequently, the protected status of humanitarian activities and personnel was being eroded. Humanitarian organizations that maintained dialogue, contact and activities in areas controlled by non-State armed groups faced a new risk linked to so-called humanitarian support for the enemy and criminalization under domestic law.

30. Many people living in contested areas were no longer considered legitimate beneficiaries of humanitarian assistance. Attempting to defeat terrorism at all costs had not proved efficient militarily and increased the scale of humanitarian disasters. Humanitarian workers who were deemed to be providing direct support to an enemy or terrorist increasingly faced accusations, arrest and detention. Some military forces were killing humanitarians, whom they no longer considered neutral and non-targetable, although the killings were not acknowledged because full investigations were not permitted.

31. In a survey of Médecins sans frontières staff, 70 per cent of interviewees had said that they had been subject to violence and intimidation, including death threats, attacks, arrest and interference in their work, as a direct result of providing medical treatment to patients considered to be allied to terrorists. There had been 63 incidents of arrest or detention of Médecins sans frontières staff in the 20 years prior to 2021, but, in 2021 alone, there had been 50 arrests or detentions by State authorities. National staff were detained on average six times longer than expatriate staff. Since harassment and violence had become normalized, such incidents were likely to be underreported.

32. Médecins sans frontières had been forced, in engaging with Governments and armed forces, to explain the mandatory and legal nature of humanitarian work. It had also been forced to engage at the domestic level to request humanitarian exemptions in legislation, in order to ensure that the legitimacy and primacy of international humanitarian law and the protected status of humanitarian activity were acknowledged. Such exemptions were not enough in themselves, but were the prerequisite for safe environments for dialogue with Governments and armed forces. Médecins sans frontières was also conducting fact-finding activities, in order to understand the trends and narratives that led to security incidents and attacks, and to sustain its engagement with armed forces.

33. **Mr. Cafiero** (Minister for Foreign Affairs of Argentina and Pro Tempore President of the Community of Latin American and Caribbean States), panellist, in a pre-recorded video statement, said that Argentina had a long humanitarian tradition based on unfettered respect for humanitarian principles and international humanitarian and human rights law. It was committed to solidarity-based multilateralism, respect and care for the environment, and building resilience through sustainable development. Its national humanitarian assistance was inclusive, fair and non-discriminatory.

34. Earlier in 2022, Argentina had created an agency for international cooperation and humanitarian assistance, which was a diplomatic tool for the international community and for cooperation based on solidarity that could enhance integration between Member States, the United Nations and multilateral humanitarian organizations. With its depth of resources, it would support the implementation of the country’s foreign policy, with the sensitivity and inclusivity that the current times called for. It had efficiently rolled out an international cooperation and humanitarian action agenda, worked with rapid response initiatives to send resources when disasters had struck, and bolstered capacity for disaster prevention, management and

mitigation. The strategic and inclusive focus of Argentina had facilitated dialogue and planning with partners. Argentina was committed to continuing the work that it had started in various regions and to leaving nobody behind.

35. **Ms. Droz** (Observer for Switzerland) said that humanitarian personnel faced many obstacles, including violence, criminalization and access restrictions. Humanitarian activity must be protected and facilitated through appropriate domestic legislation; Switzerland, for example, had included humanitarian exemptions in counter-terrorism law and in sanctions relating to Ukraine. Support for international humanitarian law at the national level helped to promote dialogue between States. The sharing of good practices was a source of inspiration and the sharing of challenges marked the first step towards the creation of shared solutions. Switzerland therefore supported the publication of reports on the protection of civilians in armed conflict.

36. **Ms. Brooks** (United States of America) said that her delegation was concerned about the continued obstruction of humanitarian access by parties to conflict and about unacceptable attacks on humanitarian workers, who were grappling with a shrinking space for their activities. Insecurity and arbitrary bureaucratic constraints only compounded the crisis. Her delegation called upon the Russian Federation to facilitate safe, sustained and unhindered access to all who were in need in Ukraine and to all front-line medical and humanitarian workers bringing supplies and assistance, and to allow safe passage for those seeking to flee. It also reiterated its call to the Assad regime to allow unhindered humanitarian access to all Syrians in need, through all available avenues. Her delegation was also alarmed by the rise in violence against humanitarian workers, particularly the disproportionate targeting of national staff. Perpetrators must be held to account, and State and non-State parties to conflict were obliged to respect and protect civilians, including medical and humanitarian workers.

37. State authorities and humanitarian organizations should be encouraged to coordinate transparently with regard to humanitarian access, and limited exemptions should be considered when necessary to enable humanitarian workers to provide assistance without running afoul of sanctions. All parties to armed conflict should be encouraged to comply with international humanitarian law and to respect and protect civilians.

38. **Ms. Babedi** (Observer for South Africa) said that civilians, including the most vulnerable, children, women, refugees, displaced persons, persons with disabilities, and medical and humanitarian personnel

continued to be victims of direct, deliberate, systematic, violent and targeted attacks by armed forces, while access to humanitarian assistance was compromised by attacks on hospitals, medical transport and essential services. Despite the challenges, humanitarian personnel bravely continued their important work. Her delegation called upon all parties to armed conflict to comply with international humanitarian law and protect civilians.

39. In conflict zones, civilians and other non-combatants, including journalists, as well as civilian infrastructure, must be protected in accordance with the principle of distinction and other measures of the Geneva Conventions. Humanitarian and other relevant actors should collaborate with the United Nations system to collect, verify, analyse and report data as set out in Security Council resolution [2286 \(2016\)](#), so as to understand national and global trends, prevent attacks on humanitarian and medical missions and promote accountability.

40. South Africa had, together with ICRC, annually hosted the Regional International Humanitarian Law Seminar for Southern African and Indian Ocean Island States, thus demonstrating its commitment to the promotion of international humanitarian law.

41. **Ms. Sorto Rosales** (Observer for El Salvador) said that the enormous increase in the number of people requiring humanitarian assistance had resulted not only from conflict but also from emergencies caused by climate change and from natural disasters. As a State that had long ago ratified the Geneva Conventions and their Additional Protocols, El Salvador was staunchly committed to the rights of all persons in armed conflict, and had established an interinstitutional committee to provide advice on the adoption, implementation and dissemination of international humanitarian law. Her country had also recently updated its National Action Plan: Women, Peace and Security for the period 2022–2024, reinforcing the strategic vision adopted to promote the rights of women and girls in all efforts to build a just and peaceful society and protect those threatened by gender-based violence.

42. She asked how the needs of people in mixed migratory flows, including internally displaced persons, refugees, illegal migrants and other groups who required particular care, could be met, in accordance with the principles of humanitarian assistance, and also how it could be ensured that international humanitarian law was applied without such groups being criminalized.

43. **Ms. Tangen** (Observer for Norway) said that her delegation was concerned by the politicization of humanitarian action, which jeopardized the lives of

persons in need and humanitarian workers. The independence, neutrality and impartiality of humanitarian actors must be respected by all. In conflict situations, there was a high risk of attempts to instrumentalize humanitarian aid and actors. Her delegation called on parties to conflicts to fulfil their obligations under international humanitarian law and particularly to facilitate safe, rapid, unhindered humanitarian access. Stronger support for life-saving humanitarian organizations and the leading role of female responders was needed, and local women must lead and participate in the design and implementation of response work. Humanitarian actors such as the United Nations and ICRC must be allowed to communicate with all parties to a conflict on the protection of civilians, the conduct of hostilities, humanitarian access and safe passage for the evacuation of civilians, and have daily access to negotiation on the front lines. Counter-terrorism measures and sanctions were vital tools for addressing threats to international peace and security, but must not have unintended negative impacts on humanitarian action. Therefore, broad exemptions for such action should be implemented when appropriate. Norway, during its term on the Security Council, had been working to ensure those exemptions in all sanctions regimes.

44. **Mr. Hassan** (Observer for Egypt) said that the alarming increase in humanitarian needs and the perpetuation of humanitarian suffering as a result of armed conflicts and natural disasters had had devastating repercussions on access to basic services such as food, water, health care and education. The plight of civilians, particularly women, children and others in vulnerable situations, had thus worsened. Attacks on medical personnel and health-care facilities were frequent. In addition, the COVID-19 pandemic had had grave effects on conflict-stricken countries and had severely affected efforts to end armed conflicts. The international community must prioritize safe access to, and the delivery of, health care in situations of armed conflict. It was also necessary to protect humanitarian and medical personnel and peacekeepers, whose work was essential to the protection of civilians in armed conflict.

45. In 2016, Egypt and other members of the Security Council had introduced resolution [2286 \(2016\)](#) on the protection of medical personnel and facilities in armed conflicts. In that resolution, which was based on existing legal frameworks that bound all parties involved in armed conflict, the Council had condemned violations of international humanitarian law, urged Member States to adopt practical measures to prevent violations and called for parties to armed conflict to ensure unimpeded

access to medical care. Those efforts currently needed to be advanced through strong political messages to uphold the principles of international humanitarian law and the protection of civilians in armed conflict while avoiding politicization and selectivity.

46. Lastly, in order to end humanitarian suffering, crises must be resolved by political means and must not recur. To that end, countries must tackle the root causes of conflicts through a comprehensive approach that addressed the need to achieve sustainable development and prosperity and increase employment, especially in light of other threats facing regions that were already volatile. The roles of relevant State institutions and national mechanisms responsible for addressing conflicts and natural disasters must also be enhanced in order to promote stability.

47. **Ms. Mouflih** (Observer for Morocco) said that measures to prevent violations of international humanitarian law and human rights law must apply to all humanitarian actors. Humanitarian actors and medical personnel must be protected and able to discharge their mandates without being targets of attacks, intimidation, abduction or arrest. All parties to armed conflicts, particularly host countries, must ensure access for humanitarian aid, respect the human rights of the civilian population, and uphold the humanitarian principles of impartiality, neutrality and independence. Those principles must be at the core of all humanitarian action, which must be free from politicization and instrumentalization. It was vital to ensure that humanitarian actors had adequate financial resources to preserve the humanitarian space and ensure that international humanitarian law was respected. Any violations of international humanitarian law or human rights law must be systematically reported, and international humanitarian law must be applied not only in conflict situations but also in fragile post-conflict periods. In accordance with international law, her country had provided aid to civilian populations and had trained contingents before they had been deployed to United Nations peacekeeping operations. She asked the panellists to share stories of occasions on which accountability had been effective.

48. **Ms. Ali** (Observer for the Syrian Arab Republic) said that her Government was increasing humanitarian access to all Syrians, on an equal footing across the country, despite systematic impediments, such as foreign occupation forces backing separatist militias, countless unilateral economic coercive measures, and the recent targeting of the Damascus airport, which had been the hub for delivering humanitarian assistance. Her delegation called upon Member States to support the national efforts in the areas of humanitarian assistance,

early recovery and rebuilding in order to alleviate the decade-long suffering of the Syrian people.

49. **Mr. Elliott** (Food and Agriculture Organization of the United Nations) said that conflict was the primary driver of acute food insecurity. In 2021, 139 million people, representing 70 per cent of the acutely food insecure in 53 countries, had been food insecure because of conflict, a marked increase from 99 million people in 2020. Conflict negatively affected the means of production, limiting or denying access to agricultural inputs, rendering agricultural land unusable and destroying rural infrastructure, while also disrupting commercial trade, the provision of services, and markets. The international community must continue to strongly condemn the unlawful denial of humanitarian access by parties to conflict, which impeded relief supplies and other support. All parties should comply with their obligations under international law, including, as outlined in Security Council resolution [2573 \(2021\)](#), by refraining from depriving civilians of objects indispensable to their survival, including food, crops, livestock, agricultural assets, drinking water installations and irrigation works. Non-compliance, however, was increasingly common in many contexts.

50. The relationship between conflict and hunger, the impact of conflict on food systems, and the risk of famine were set out in Security Council resolution [2417 \(2018\)](#). Further attention to, and implementation of, that resolution was essential. Where humanitarian access to conflict-affected populations was constrained, survival on locally produced food was critical. In 2021, in Tigray, Ethiopia, for example, despite extremely low funding for the agriculture sector, local farmers had been able to produce approximately 900,000 tons of food, which was about five times more than had entered the region through food assistance. Agriculture was critical in such contexts, yet allocations to agriculture had significantly decreased, accounting for only about 8 per cent of humanitarian food security funding. Well-sequenced, layered and financed responses were needed, as was renewed attention to agriculture. In addition, access must be ensured through the fulfilment of international humanitarian law obligations by all parties.

51. **Ms. Ellertsdottir** (Observer for Iceland) said that her delegation urged all concerned parties to respect international humanitarian law and guarantee the safety of humanitarian workers, and condemned attacks on civilians. Access and prioritization were critical concerns, as humanitarian funding remained insufficient. In that context, it was important to protect humanitarian workers and medical personnel, as well as those who were most vulnerable and in the remotest areas, including women, children and persons with

disabilities. Sexual and gender-based violence must also be addressed. She asked the panellists how best to prioritize vulnerable people in need of humanitarian assistance.

52. **Ms. Mohammed** (Permanent Observer of the African Union to the United Nations) said that policy must be formulated, ratified, domesticated, implemented, monitored and evaluated to ensure their effectiveness. The root causes of conflicts needed to be addressed, as there was an interrelationship among peace, security, development and the humanitarian system. Deliberate measures were needed to link humanitarian action with peacebuilding, post-conflict reconstruction and development efforts. Inclusive peace processes and good governance were crucial to preventing a relapse into fragility. That approach was consistent with the long-term development vision of the African Union, captured in Agenda 2063: The Africa We Want, and the 2030 Agenda for Sustainable Development. Stronger analysis of conflicts and the related political situations was needed prior to humanitarian intervention, in order to enable contextualization of the various factors, collection of accurate data and evidence, and more efficient and effective responses. The Humanitarian Affairs Division of the African Union Commission was currently doing such work in preparation for the establishment of an African Union humanitarian agency. A whole-of-society approach was needed in conjunction with leverage of the key actors at the continental, regional, national and local levels, in addition to a multidimensional strategy that encompassed political and governance aspects as well as development; local actors, including at the grassroots level, should be involved in negotiations to ensure effectiveness.

53. **Mr. Koskinen** (Canada) said that armed conflict remained the primary driver of humanitarian need, particularly in situations of brazen disregard for international humanitarian law. If parties to conflict respected that law, most harm to civilians and civilian objects would be avoided. However, egregious violations, executed with impunity, in places such as Ukraine, sub-Saharan Africa and the Middle East, heightened the need while impeding the delivery of assistance. Deliberate attacks on civilians and all types of civilian infrastructure wrought great destruction and caused death and suffering for the people international humanitarian law was designed to protect. The physical and bureaucratic obstruction of access directly violated the law and shrank the space for impartial humanitarian actors to operate safely and efficiently. Despite the rhetoric about the need for change, few changes had been made. Incentives urgently needed to be created to

encourage parties to armed conflict to fulfil their international humanitarian law obligations.

54. Countries should ratify the conventions and protocols necessary for including international humanitarian law in national policies and legislation, and should build and expand financial, military and other partnerships based on trust among State and non-State actors in order to implement international humanitarian law. Serious violators of international humanitarian law must be held to account, including through prosecution at the International Criminal Court, and collective economic measures should be taken to ensure respect for the law.

55. **Mr. Köhler** (Acting Director-General of the Directorate-General for European Civil Protection and Humanitarian Aid Operations in the European Commission) said that cities had become the primary battleground for armed conflict and children were suffering the brunt of the impact. The four enemies of international humanitarian law were indifference, resignation, ignorance and disregard, all of which led to an unacceptable atmosphere of impunity. Despite infringements, interpretations and local adaptations, international humanitarian law had been agreed upon collectively, was binding and must be enforced.

56. International humanitarian law should be adapted to individual situations in order to create good examples, best practices and success stories. To ensure that such law was respected, impunity must be fought, a task that required the courage to be outspoken. Violations must be condemned and perpetrators held to account by existing mechanisms such as sanctions, the International Criminal Court, and Security Council resolutions and decisions. Violations must be monitored and made public, and prosecution supported by credible and comprehensive data to ensure accountability. There must also be investment in prevention activities, such as training, the establishment of local groups that defended the principles of international humanitarian law, and communication with journalists, teachers and faith representatives. Engagement with all stakeholders, including armed non-State actors, was also important for accountability. Sanctions must be adapted if they impinged on the access of humanitarian actors. The most vulnerable must be protected, including with psychosocial support. Violence, including sexual violence, must be prevented.

57. **Ms. Courtois** (Permanent Observer of the International Committee of the Red Cross (ICRC)), speaking on behalf of the President of ICRC, said that the impact of war on civilians in urban areas must be reduced, which required a change of mindset and the

status quo as well as sophisticated guidance to increase respect of the laws of war. Belligerent State and non-State armed actors must adapt their methods and weapons and put the protection of civilians at the centre of their policies, practices, education and training. Her organization welcomed the recent adoption of the Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences arising from the use of Explosive Weapons in Populated Areas.

58. In the context of polarized conflicts, the importance of neutrality and the role of humanitarians needed to be asserted and understood as an operational imperative, not a moral position, to facilitate access on both sides of the front lines. Such access was critical in order for ICRC to conduct its work safely and efficiently for the benefit of vulnerable populations.

59. **Mr. Fontaine** (Director, Office of Emergency Programmes, United Nations Children's Fund (UNICEF)) said that, in order to prioritize the most vulnerable, including children, it was important to trust and respect the assessments of impartial humanitarian actors, and to put the most vulnerable people at the centre of the dialogue about their needs. With regard to accountability, the current monitoring and reporting work being done by his organization, including engagement with non-State actors, had been successful and had led to the release of thousands of children from armed groups.

60. Member States should allow and prioritize humanitarian access; restrictions, sanctions, counterterrorism measures and the imposition of conditions put great pressure on humanitarian actors and jeopardized respect for humanitarian principles. The broad spectrum of challenges, particularly the action of non-State actors, must be recognized and humanitarian engagement must be distinguished from political engagement. Member States that had influence over armed groups should help to facilitate access for humanitarian work. Access was a shared responsibility and different entities should contribute in their own ways. All parties to conflict must respect international humanitarian law.

61. **Mr. Schopp** (Vice-President, Humanitarian Policy and Practice, InterAction) said that the consensus that humanitarian action was separate from political action had slowly disappeared over the previous few years. Rebuilding trust in and ensuring the non-politicization of humanitarian action were very important. At the same time, the humanitarian sector had become more professional, reliable, coordinated and effective, and the Inter-Agency Standing Committee had provided it with tools for sharing analysis and perspectives.

62. **Ms. Bouchet-Saulnier** (Former Intersectional Legal Director and International Humanitarian Law Senior Advisor, Médecins sans frontières), speaking via video link, said that international humanitarian law was the only alternative to violence in international society. States involved in conflicts were under extreme political, practical and legal pressure, and their primary concern was ending those conflicts. That concern sometimes led them to attempt to win at any cost, including by accusing humanitarian personnel of prolonging conflicts by assisting non-State groups. States must not criminalize humanitarian personnel and victims of conflict, as was increasingly common given the failure of the international order; in doing so, States risked crushing humanitarian activities. Rather, the neutrality of those activities should be recognized and exemptions should be made to protect humanitarian workers. Ratification, by the Syrian Arab Republic, among others, of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts would help to clarify legal misunderstandings regarding the responsibility of non-State armed groups in such conflicts for organizing humanitarian assistance on the territory that they controlled. It would also clarify the question of States' responsibility for recognizing the neutrality of humanitarian actors in such conflicts.

63. With regard to impunity, violence against humanitarian personnel was often interlinked with violence against civilians. Violations must not become normalized, and indifference and resignation towards them must be combated. There must be dialogue about facts established objectively, and technical means were now available to ensure certainty about dates, perpetrators and much other information related to events. The establishment of intention and responsibility, however, was a matter for the legal system. In international wars, State responsibility must not be used to justify methods of warfare that had been accepted in non-international conflicts, for example, the bombardment of urban areas considered to be under the control of terrorist forces.

64. **The President** said that, as a result of conflict, climate change and the COVID-19 pandemic, the number of people in need of humanitarian assistance had risen to unprecedented levels in 2021. The task at hand was to take rapid humanitarian action while also paying all possible attention to conflict prevention. International humanitarian law must be respected, and the principles of humanity, impartiality, neutrality and independence must be prioritized above military and geopolitical goals. States must recommit to those principles, precisely when it was most difficult to do so.

The responsibility for protecting civilian lives must be shared by all, particularly parties to conflict.

The meeting rose at 12.25 p.m.