

The banner features a background image of hands reaching out. On the left, a hand is held palm up. On the right, another hand is held palm down, with fingers slightly curled. The text is centered and reads: "EUROPEAN HUMANITARIAN FORUM 2023" in large blue letters, "Brussels, 20-21 March" in smaller blue letters, "#EHF2023" in grey, and "NEW GLOBAL REALITIES | Shaping humanitarian action together" in small grey letters at the bottom. On the right side of the banner, there are logos for the European Commission (the European Union flag and the text "European Commission") and "sweden 2023.eu" in blue and yellow.

# EUROPEAN HUMANITARIAN FORUM 2023

Brussels, 20-21 March

#EHF2023

NEW GLOBAL REALITIES | Shaping humanitarian action together



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## European Humanitarian Forum (EHF) 2023 – Dakar Regional Consultation Warm-up Sessions Report

*“Addressing Access Impediments Through Humanitarian Diplomacy”*

### I. Background

Some of the main factors impeding access in the region include: insecurity targeting humanitarian workers, declining acceptance, growing misinformation against humanitarian actors, mistrust from the national authorities, persistent or increasing bureaucratic and administrative impediments, national and international counter terrorism regulations or increased reluctance of several countries to apply IHL. Concrete steps related to humanitarian diplomacy<sup>1</sup> are urgently needed to address them.

66 senior humanitarian professionals from 13 African countries from international and national NGOs, UN agencies, Red Cross movement, together with institutional donors, virtually met on 7<sup>th</sup> and 8<sup>th</sup> February 2023 in the lead up to the EHF to discuss how to best address access impediments through humanitarian diplomacy.

### Recommendations and key asks

- 1. EU and its Member States (MS) should promote inclusive and participatory frameworks to foster dialogue on access challenges and International Humanitarian Law (IHL) implementation** between African continental and regional organizations, authorities, UN, NGOs, donors and diplomatic focal points, including on issues such as: conflict classification, impact of counter-terrorism regulations on humanitarian assistance, or bureaucratic and administrative impediments, specifically:
  - **At country level:** Humanitarian diplomacy at this level should be enhanced by the creation of national and sub-national coordination structures, that would include government and local authorities, the UN Resident Coordinator/Humanitarian Coordinator, community leaders, humanitarian actors, and diplomatic focal points.
  - **At regional level:** the African Union, ECOWAS, EAC and CEPLG should foster further discussions on access concerns including the implementation of International Humanitarian Law (IHL), impact of counter-terrorism regulations on humanitarian assistance, bureaucratic and/or administrative impediments.
  - **At international level:** a mechanism should be set up with a dedicated humanitarian agenda, regrouping the global senior humanitarian leadership (i.e. IASC) and a group of volunteer diplomats.
  - **At all levels:** Humanitarian leadership and leads of the above established mechanisms should ensure efficient and coherency and synergies between the different levels.
- 2. EU, its MS and the UN Office to the African Union (UNOAU) should ensure legislative frameworks are conducive to humanitarian assistance** and reflect IHL and International Human Rights Law (IHRL), specifically:

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<sup>1</sup> In the absence of a IASC definition on Humanitarian Diplomacy, the ICRC and IFRC definitions framed the field warm up sessions.

- **At country level:** EU and its MS should leverage diplomatic resources to ensure that recipient countries' legislative frameworks explicitly allow for principled humanitarian engagement and dialogue with all actors, including Non-State Armed Groups (NSAGs), through:
    - Humanitarian exemptions in the counterterrorism legislations and regulations.
    - Strengthened accountability towards IHL and support to creative solutions to address humanitarian access impediments (crediting the initiative of European Commissioner for Crisis Management, Mr. Lenarčič, to uphold IHL worldwide).
  - **At regional level:** UNOAU, EU and its MS should promote further engagement of the African Union to assist states in harmonizing legislation on counterterrorism (based on the humanitarian exemption clause in the African Union's model counterterrorism law).
  - **At international level:** EU and its MS should strengthen their compliance with IHL by introducing permanent and well-framed humanitarian exemptions in the EU sanctions regimes, as well as in MS national sanctions regimes, in line with the UNSCR 2664.
- 3. Institutional humanitarian donors should support initiatives aiming at enhancing coordination on access issues and to facilitate the safeguard of humanitarian space, specifically:**
- **At country level:** Humanitarian donors should increase resources towards strengthened coordination on humanitarian access (and related costs should be considered as direct programme costs), including on:
    - Civil-military coordination capacity in contexts with predominant presence of armed actors, as well as innovative coordination mechanisms of engagement with NSAGs and non-traditional actors.
    - Access and Do No Harm analysis.
    - Dedicated access human resources, as well as training to improve negotiation skills and knowledge of humanitarian principles delivered by humanitarian independent organizations.
  - **At regional level:** Humanitarian donors should support dedicated resources for collective and mutualized efforts towards humanitarian access: development of joint monitoring tools and regional/cross border analyses, joint training/training of trainers, or specific coaching on negotiations; joint advocacy efforts.
  - **At international level:**
    - Field visits of High-level humanitarian leadership are key to support advocacy efforts at country level to alleviate access constraints.
    - Humanitarian leadership should develop guidelines and tools to support Humanitarian Country Team (HCT) efforts in coordinating engagements with NSAGs and non-traditional actors.
  - **At all levels:** Humanitarian, development, peace and or stabilization initiatives should be conducted in a coherent manner, not jeopardizing protection of populations, humanitarian space and/or access. To this end, joint conflict analysis should be undertaken with the aim of reaching a common narrative acceptable to the different actors. (Crediting 2023 OECD and DAC Recommendation on the Humanitarian-Development-Peace Nexus).
- 4. UE, donors, USG-ERC should engage and push for greater accountability of all actors for a more principled humanitarian action, specifically:**
- **At country level:** Declining acceptance, mistrust and growing propaganda towards humanitarian actors were also identified as important access obstacles. The quality of the approaches in terms of "Accountability to Affected Populations" and "Communication with Communities" should be strongly questioned and improved.
  - **At international level:** The EU should set up an inclusive follow-up mechanism to track progress on the 2023 EHF recommendations and commitments.
  - **At all levels:** The humanitarian leadership and institutional humanitarian donors should push for enhanced accountability within the humanitarian system, especially with regards to effectiveness, results, data management and communication or advocacy, including the role of the HC/RC and OCHA on access issues and IASC requirements for the HCT/HCT Compact.