



EUROPEAN HUMANITARIAN FORUM 2023

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#EHF2023

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European Humanitarian Forum (EHF) 2023 - Regional Consultation in Latin America & the Caribbean

Warm-up Session Report

“Understanding the specific access restrictions to affected communities and promoting humanitarian diplomacy in LAC”

I. Background

The Latin American and Caribbean (LAC) context, with organized crime and gangs operating both locally and transnationally, is experiencing an exacerbation of the regional complexity in terms of humanitarian access with enormous humanitarian consequences. According to the UNHCR, in 2022 there were more than 18.5 million forcibly displaced people in the region, including populations fleeing from pervasive violence, armed conflicts, socio-economic crises and impacts of climate change¹. Fourteen out of the twenty most dangerous countries in the world are in LAC and one of every five displaced people lives in the region. Despite this climate of violence, the IHL normative framework does not apply to most of the situations faced in the region.

Over 30 participants from humanitarian organisations operating in the region participated in the regional consultations that took place virtually on 27th January 2023. Among them, representatives from OCHA, UNICEF, UNHCR, WFP, ICRC, NRC, DRC, Save the Children, Oxfam and HIAS were present. Fora of humanitarian organisations, ICG and the Centre of Competence on Humanitarian Negotiation also participated.

II. Key asks to the EHF

1. **Bringing stronger humanitarian diplomacy expertise on the ground** is required to interact with organised crime and gangs.
2. **Increasing financial and human resources support** is needed in order to strengthen operational flexibility and the capacities of humanitarian actors to negotiate access with authorities and with key stakeholders at both national and local levels. This will require the active involvement of additional senior and experienced staff to produce the necessary toolkits and to train exposed humanitarian staff on access negotiation and on how to best engage and interact with organised crime and gangs.
3. **Building a stronger and more adapted advocacy by the EU** will increase the visibility and awareness of the most pressing humanitarian access constraints, especially in those contexts where IHL does not apply. Stronger engagement with governments on humanitarian exceptions is also required.
4. **Supporting the development of a dedicated regional mechanism** would benefit contextualised joint analyses of access constraints. Such a platform would complement and build on existing platforms in dealing with access constraints at a regional level, supporting local and national joint analysis of risks, access obstacles, engagement options and strategies. It would also serve as a platform to facilitate experiences amongst humanitarian partners, and strengthen their access-related technical capacities. The mechanism would not duplicate any of the work done by the access working groups that already exist in LAC. A first pilot exercise would ideally be conducted in the coming year.

¹ HIP 2023

III. Other conclusions

- Many humanitarian actors feel that they are not sufficiently equipped to deal with the challenges posed by organized crime and gangs where the traditional chains of command of armed groups may not exist, and in contexts where IHL does not apply. Hence, there is a need for a **joint understanding** amongst humanitarians on how to engage with these groups, including on their *modus operandi* (i.e. urban or transnational activity), so as to improve humanitarian access to people in need.
- **Humanitarian principles** continue to be fundamental to humanitarian action. Adherence to them generates trust, facilitates access and helps humanitarian workers safely carry out their work. However, traditional access and acceptance approaches are failing in the region and there is an urgent need to generate new strategies towards overcoming current access constraints. A joint and contextualised analysis, based on shared experiences, best practices and tools is thus required. To achieve this, **mutual trust and information sharing** amongst humanitarian actors is key.
- The challenges and dilemmas faced by the regions are similar to a great extent. Nonetheless, **access strategies need to be tailored** to each specific local context to maximize their efficiency.
- **Directly exposed humanitarian staff requires more training on humanitarian principles and on humanitarian diplomacy** so as to generate mutual trust and improve engagement options with authorities, civil society and organised crime and gangs. Given the high rotation of staff, constant training opportunities are required so as to sustain engagement efforts.

A dedicated **regional mechanism** could be relevant in fulfilling the following tasks:

- Provide tools for contextualised national and transnational joint analysis of access constraints and risks and support the design of access, risk mitigation and advocacy strategies.
 - Address access obstacles related to the transnational nature of organized crime and gangs, monitor existing and potential restrictions, and advocate for humanitarian access.
 - Serve as a platform to support countries with methodologies, information (including applicable legal frameworks) and lessons learned on how to engage with organised crime and gangs, including good practices from other world regions. Deliver trainings on humanitarian diplomacy for exposed humanitarian staff on how to engage with organised crime and gangs.
 - Help overcome national political and sovereignty-related barriers by approaching governments at regional level that punish the engagement with these groups. Advocacy-wise, the regional level has the added value of reducing engagement risks with some of the states.
 - The mechanism would support and complement, not duplicate, national and local level efforts.
- There is a need to thoroughly define the **added value** of such a mechanism, together with its corresponding **Terms of Reference**, in order to avoid duplication or information gaps.
 - Given the geopolitical issues at stake in the region, **political advocacy must be dissociated from humanitarian assistance**, especially when engaging with national governments.