Title:
Impact of Counter-Terrorism Measures on Humanitarian Action

Co-organized by Switzerland and
the Harvard Law School’s Program on International Law and Armed Conflict (PILAC)
Co-sponsored by the Norwegian Refugee Council (NRC)

Date and Time: Thursday 22 June 2017 18.00-19.15
Room XXVI Palais des Nations, Geneva

This is one of the side-events to be convened during the ECOSOC Humanitarian Affairs Segment, in keeping with this year’s theme: Restoring Humanity and Leaving No One Behind: Working together to reduce people’s humanitarian need, risk and vulnerability.

Background and objectives

Counter-terrorism measures are an important means to protect the civilian population in armed conflict. However, there are also potential adverse effects of such measures on the ability of humanitarian organisations to serve people in need. In three of the four contexts where famine is currently looming, proscribed armed groups control access to the population, and may be governing affected territory. This can have a considerable impact on the ability of humanitarian organisations to operate: various tightened due diligence measures required in grant agreements, or significant obstacles to programming and implementing humanitarian engagements, including negotiating access to the civilian population living in areas controlled by proscribed groups. Especially if humanitarian action should increasingly make use of cash transfers as foreseen under the Grand Bargain, and if localisation is one of modalities to increase efficiency, the challenges posed by counter-terrorism measures on humanitarian action are likely to be even more relevant.

Over the past five years, there has been considerable research, policy engagement, and debate on this issue. Yet, there has been a lack of empirical or measurable evidence of the impact of counterterrorism laws and policies on humanitarian action. The Harvard Law School’s Program on International Law and Armed Conflict has conducted a first pilot empirical study to quantify the consequences of counter-terrorism measures for humanitarian action. This pilot study, covering a new and previously missing dimension, provides significant insights into the factors which could hamper or impede effective humanitarian action where groups designated as terrorist control territory or access to affected populations. The study indicates that there is considerable confusion among humanitarian organisations, but also among donor and recipient states, about the legal and practical requirements for effective humanitarian action in such contexts. The side event, a follow-up of the side event organized in 2014 by OCHA and NRC, aims at presenting and discussing the results of the study and – equally importantly – possible ways forward to find concrete solutions to very real challenges.
Discussion points

Against this backdrop, the side-event will focus on the following suggested questions and discussion points:

• *What are the main factors for possible negative impacts of counter-terrorism measures on humanitarian action?*

• *What are concrete experiences for mitigating adverse effects of counter-terrorism measures on humanitarian action?*

• *What could be the way forward, what could be possible avenues for mitigating adverse effects of counter-terrorism measures on humanitarian engagements?*

Intended outcomes/conclusions/recommendations

The side-event aims at

a) presenting and discussing the results of the pilot empirical study on the impact of counter-terrorism measures on humanitarian action

b) discussing and identifying concrete avenues for further action by states, donors and humanitarian actors to mitigate potentially adverse effects of counter-terrorism measures on humanitarian action;

Format

Chair:

• H.E. Amb. Heidi Grau, Head of the Human Security Division, Political Directorate, Swiss Federal Department of Foreign Affairs

Moderator and Panel:

• Prof. Naz Modirzadeh, Harvard Law School, Program International Law and Armed Conflict

Panel composition:

• Dr. Tristan Ferraro, Senior Legal Adviser, International Committee of the Red Cross (ICRC)

• Ms. Kate McGrane, Senior Humanitarian Policy Adviser, Geneva Office of the Norwegian Refugee Council (NRC)

Background Material

*HLS PILAC*

*NRC risk management toolkit*
Contact

For more information, please contact:

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