

# Briefing by the International Committee of the Red Cross (ICRC) on its activities in Africa

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Tomorrow (17 August), the African Union (AU) Peace and Security Council (PSC) is set to convene its 1021st session virtually. The PSC is expected to receive a briefing from the International Committee of the Red Cross (ICRC) with regards to its activities in Africa.

The session forms part of ICRC's regular briefings to Council which have been taking place since 2007. ICRC's President, Mr Peter Maurer will be presenting tomorrow's briefing.

Throughout the years, ICRC's regular briefings with Council have served to reflect on pertinent thematic concerns of significance at the time of the briefing. These ranged from protection of civilians to compliance with International Humanitarian Law (IHL), to examining the humanitarian toll of armed conflicts on the continent. Council's 904th session held on 16 January 2020 where it was last briefed by the ICRC addressed thematic concerns including the plight of refugees, internally displaced persons (IDPs) and children as well as victims of sexual violence in the context of armed conflicts. In addition, the experiences of ICRC in Ethiopia, Kenya and Somalia were also discussed at that session, based on Mr Maurer's visits to these countries. As in the past, tomorrow's briefing is expected to focus on some of the most pressing humanitarian contemporary concerns in conflict and crisis situations in Africa, based on ICRC's operational experience.

The first of the issues that Maurer is expected to highlight

is the shrinking humanitarian space in conflict situations. The diminishing cooperation of conflict parties with humanitarian actors is eroding humanitarian access and the humanitarian space for conflict affected civilian populations. The imposition of direct or indirect severe restrictions that humanitarian actors face in some conflict situations is not only making the delivery of humanitarian assistance for affected civilians untenable but also creating conditions for violation of the IHL obligations and basic principles of human rights. There is a need for conflict parties to ensure that they balance the pursuit of military and security objectives their obligations as far as the protection and provision of humanitarian assistance to civilians is concerned.

We have also gathered from ICRC's preparatory work that the briefing may further highlight on the issue of humanitarian access the negative impacts of sanctions regimes and counter-terrorism measures on humanitarian relief operations. Most sanctions regimes rarely contain exemptions for humanitarian action, which in turn delays or in some cases, blocks much needed aid and assistance from reaching civilians caught in the middle of conflicts. Similarly, where certain counter terrorism measures, such as designation of certain groups as terrorist and the concomitant criminalization of engagement with such groups, are imposed without humanitarian exemptions, they make humanitarian organisations' access to civilians in territories under the effective control of such groups legally and logistically challenging. There is also the issue of safeguarding impartiality of humanitarian organisations such as the ICRC as a condition for the safety of their personnel and humanitarian relief efforts. Having regard to the growing rate of attacks against humanitarian workers including medical facilities, it is necessary to ensure that aid workers are allowed to function in an environment that can be perceived as neutral by all conflicting parties.

The second area of concern ICRC is expected to draw the

attention of the PSC is the issue of missing persons. As recent data recorded by the ICRC demonstrates, there are about 48,000 cases of missing persons in Africa, as of 2021. Out of these, 45% account for persons under the age of 18. In addition to calling attention to the issue, tomorrow's briefing may also open discussions on how the PSC could advance the importance of addressing the fate of missing persons through peacebuilding and transitional justice initiatives in post-conflict countries and countries in transition. It may also emphasise the responsibilities of state and non-state actors including those in conflict situations to take all necessary measures to prevent people from going missing.

Our research for this 'Insight' also indicates that Covid-19 and access to equitable vaccination is another pressing issue the briefing could be addressing. As countries across the world forge ahead with their Covid-19 vaccination campaigns, most African States are left behind, still unable to vaccinate substantial amount of their populations. The worst fate however continues to be faced among vulnerable groups in Africa including refugees, IDPs and migrants. Not only do these population groups live in contexts which heighten their exposure to Covid-19 infection, they also face the risk of exclusion from vaccine roll out. In his briefing, Maurer is expected to call on States to ensure that they ensure that vulnerable groups are included in their vaccine allocation and roll out policies. In addition, he may also emphasise the importance for States to invest more on strengthening their public health strategies in order to be better prepared to respond to public health emergencies that may arise in any immediate or distant future.

The next area of concern that could feature in tomorrow's briefing is the changing nature of armed conflicts, involving the emergence of new trends in how parties engage in combat and the resulting questions cast on the continued validity of

IHL and the Geneva Conventions. Current warfare has shown the growing use of unconventional means and methods, particularly in the context of counter-terrorism operations. This is the case for example in the context of terrorist attacks which continue to increasingly target civilians and civilian infrastructures, and the use of unmanned armed vehicles (UAVs). Despite questions that may be raised on whether IHL rules are well-tailored to address such evolving nature of warfare, tomorrow's briefing will underscore the timeless nature of the core principles of IHL whose applicability cannot be limited by changes in the dynamics of contemporary conflicts. The PSC will be called on, in the light of the explicit commitment in the PSC Protocol to IHL, to emphasize the continuing relevance and the need for compliance with IHL, among others, for limiting the impact of conflicts on civilians. The briefing may also draw attention to the importance of documenting good practices on IHL implementation and encouraging States to develop the culture of voluntary recording and reporting on their IHL compliance.

The last theme expected to feature during the briefing is the instrumental role that can be played by neutral and impartial entities such as the ICRC in preventive diplomacy and conflict resolution efforts. The first advantage of this is that such entities have better acceptability among conflicting sides due to their neutrality and lack of political affiliation and can therefore mediate and facilitate dialogues effectively. Another added value of involving organisation like the ICRC in preventive diplomacy and conflict resolution is that they can play a vital role in bringing the human aspect of situations to light since such processes are usually dominated by political concerns and may unintentionally neglect the humanitarian concerns.

In addition to these key areas, the briefing may also provide overview on the general deteriorating humanitarian situation in the continent, including the worsening displacement crisis;

the increasing level of food insecurity and people living in fragile contexts; the increased use of improvised explosive devices and proliferation of arms and weapons; and the devastating impact of natural disasters on communities that are already massively impacted by armed conflicts and political crises. The growing concern over climate change and its humanitarian implications, particularly how it interplays with conflicts and exacerbates vulnerabilities, may also be highlighted.

The expected outcome of the session is a Press Statement. Council may welcome the briefing. It may call on member States to renew their commitments towards implementation of IHL and human rights law as provided for in the PSC Protocol irrespective of the nature of the conflict situation. The PSC may also underscore the importance of all actors respecting and ensuring humanitarian access including by providing for humanitarian exemptions when they impose restrictions while urging the need for humanitarian actors to keep their neutrality. The PSC may also note the need for paying attention to missing persons in peace processes and transitions. It may also welcome the call for equitable access to the COVID19 pandemic to enable African states to administer vaccines and protect vulnerable groups including IDPs, refugees and asylum seekers.