



“One of the most prominent manifestations of shrinking humanitarian space is the lack of security of humanitarian staff.”

NATO TRIDENT JUNCTURE 2018 LIVEX.  
Photo by Stuart MacNeil, Canadian Navy ©

SPOTLIGHT

# PRESERVING THE HUMANITARIAN SPACE IN NATO ARTICLE 5 OPERATIONS

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**T**HE YEAR 2018 saw one of NATO's biggest Live Exercises (LIVEX), which was also conducted in a separate Computer-Assisted Command Post Exercise (CAX/CPX). As defined in the foundational treaty Article 5, TRIDENT JUNCTURE 2018 was based on the premise of NATO collective defence of a Member Nation, which in this case was Norway. The near-peer adversary portrayed during the exercise offered a substantial military challenge, while at the same time allowing for humanitarian chal-

lenges. Moreover, TRIDENT JUNCTURE 2018 created the opportunity to experience the need for preserving what we refer to as the "humanitarian space"—a concept defined by the United Nations Office for the Coordination of Humanitarian Affairs (UN OCHA) as an operational environment that allows humanitarian actors to provide assistance and services according to humanitarian principles and in line with International Humanitarian Law (IHL).

In conflicts, humanitarian organizations often face a range of obstacles, such as denial of access of personnel and equipment needed for humanitarian interventions, legal and administrative impediments, or, in some cases, aid workers are even harassed, expelled, or, in-

creasingly, targeted in violent attacks. All this hamper, or completely neutralize, the ability of the humanitarian organizations to provide assistance and protection. Humanitarian operations are also hampered by counter-terrorism legislation, including the "no contact" policy which has been adopted by many countries and donors. The policy, which prohibits contact with armed groups present in the field, prevents humanitarian workers in establishing contact with all parties involved in a conflict, which is required to ensure the humanitarian space.

Within this context, humanitarian de-confliction becomes a specific tool that contributes to the preservation of the humanitarian space. During TRIDENT JUNCTURE



2018, humanitarian stakeholders, together with NATO, had the opportunity to practise the implementation of such mechanisms.

As defined by UN OCHA, humanitarian deconfliction constitutes the exchange of information and planning advisories by humanitarian actors with military actors in order to prevent or resolve conflicts, remove obstacles to allow for humanitarian action, and prevent dangerous situations for humanitarian personnel. All these include negotiation of military pauses, temporary cessation of hostilities or ceasefires, or safe corridors for aid delivery.

In practical terms, the deconfliction mechanism often takes place by informing the parties to the conflict of humanitarian movements and static locations in the area of operations, aiming at ensuring the safety and security of humanitarian premises, personnel, equipment and activities in areas of military operations, airstrikes, shelling, etc. Yet, there is no overarching international framework or rule for how deconfliction should be carried out.

UN OCHA often serves as the conduit between those humanitarian organizations that wish to share their data, such as locations and/or information about movements, and the

focal points assigned by the parties to the conflict. Nevertheless, some of the largest humanitarian organizations run their own deconfliction mechanisms independently. According to the humanitarian news agency *IRIN*, in Yemen for instance, in addition to OCHA, (which collates the information for the UN agencies and most NGOs), *Medecins Sans Frontieres* and the International Committee of the Red Cross (ICRC) are exceptions to the deconfliction system. *Medecins Sans Frontieres* and ICRC communicate directly with the parties to the conflict, and the need for ensuring independence is often cited by these organizations as the reason why multiple deconfliction systems need to be running in parallel. In addition, the ICRC plays a key role, not only in ensuring respect for the International Humanitarian Law but also as defined in the ICRC Seville Agreement of 1997, the ICRC is the lead agency for the members of the Red Cross and the Red Crescent movements in time of conflict, including the Red Cross National Societies.

The ample diversity of humanitarian actors and mechanisms required poses a complex challenge, requiring the parties to the conflict to commit to accommodate these needs if hu-

man suffering is to be prevented. As stated by UN OCHA, using a deconfliction mechanism does not constitute a legally binding agreement between any of the involved parties, and it does not guarantee the safety of personnel, facilities, or sites. However, it does facilitate the work of the humanitarian organizations by promoting the safety and security of humanitarian locations, activities and personnel, and without prejudice to the responsibility of upholding IHL that lies solely with the warring parties.

According to the Aid Worker Security Report 2017, 158 major incidents of violent attacks on humanitarian operations occurred in 22 countries, affecting 313 aid workers that year. The 139 fatalities constituted a 30% rise in fatalities compared to 2016. According to the UN's Interagency Standing Committee, one of the most prominent manifestations of shrinking humanitarian space is the lack of security of humanitarian staff. It is therefore fundamental that parties to the conflict adopt all feasible measures to preserve the humanitarian space. NATO forces are well aware of this need and Exercise TRIDENT JUNCTURE 2018 offered an excellent training opportunity to practice it. ✦

**BELOW:** The Grey Cell during TRIDENT JUNCTURE 2018 Command Post Exercise in Stavanger, consisting of national Response Cells and representatives of international and non-governmental organizations to realistically replicate Comprehensive Approach to civil-military cooperation. Photo by JWC PAO

