



ICRC engagement with armed groups in 2023

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In line with its mandate, the ICRC engages with all parties to an armed conflict, including non-state armed groups. The ICRC has a long history of confidential humanitarian engagement with armed groups to alleviate and prevent the suffering of persons living in areas controlled by these groups. However, this engagement has become increasingly complex. Accordingly, the ICRC undertakes an annual internal exercise to evaluate the status of its relationships with armed groups and to identify developments to strengthen its future engagement worldwide. In this post, ICRC Adviser Matthew Bamber-Zryd discusses some of the key findings from this exercise.

In 2023, the ICRC estimates that 195 million persons live in areas under the full or fluid control of armed groups. There are more than 450 armed groups of humanitarian concern worldwide and the ICRC's engagement with these groups remains stable. Despite the ICRC's successful contact with nearly two-thirds of armed groups worldwide, engagement with some groups remains challenging. These obstacles stem from a combination of state-imposed barriers, notably counter-terrorism legislation, and the precarious security environment prevailing in certain countries.

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The ICRC engages with all parties to a conflict in order to access populations in need that are living in areas controlled by all parties, including non-state armed groups. Consequently, the ICRC has a longstanding practice of engaging in confidential discussions with armed groups which has resulted in the provision of life-saving aid and protective measures to individuals living in areas controlled by these groups. These actions include visiting detainees held by armed groups to monitor their well-being and facilitating the exchange of Red Cross messages, serving as a neutral intermediary in the release of prisoners, and delivering humanitarian aid to civilians in areas blockaded by armed groups, among other activities. Engaging with armed groups is thus a

humanitarian imperative, essential for the ICRC to fulfil its humanitarian mission and carry out activities to alleviate and prevent the suffering of people living in areas controlled by armed groups.[1]

Engagement with armed groups is crucial for several reasons. First, engagement is a precondition for the ICRC's safe access to populations affected by armed conflict or other situations of violence. Secondly, engagement is vital to ensuring an armed group understands and accepts the ICRC as an independent, neutral and impartial humanitarian organization. Thirdly, it is essential for the promotion of international humanitarian law (IHL) and other relevant legal frameworks. This helps ensure compliance with the law and, consequently, prevents and alleviates the suffering of victims. Lastly, Article 3 of the 1949 Geneva Conventions explicitly mentions the ICRC as an organization that can offer its services to parties involved in non-international armed conflicts, including non-State armed groups (NSAGs).[2]

The armed group landscape can evolve rapidly, with conflicts erupting and groups gaining or losing territory swiftly. Consequently, to effectively fulfil its humanitarian mission, the ICRC annually conducts an internal survey of armed groups through its delegations. This survey serves several purposes: it helps the ICRC gauge its current level of engagement with armed groups, spot trends in the behaviour of these groups, and evaluate opportunities for enhancing its engagement efforts.

This article presents key insights from the 2023 survey regarding the ICRC's engagement with armed groups. It's important to note that this data represents the priorities and concerns of the ICRC's delegations. It therefore serves as an operational assessment rather than a scientific study. Each year, these figures may fluctuate due to external shifts related to armed conflicts, adjustments in the ICRC's operational priorities, and improvements in the survey methodology.

Armed groups in 2023

In 2023, the ICRC estimates that there are over 450 armed groups that are of humanitarian concern globally. Most of these armed groups are located in Africa (36% / 164 groups) and the Near and Middle East (28% / 130 groups). The remaining armed groups are located in Asia and the Pacific (18% / 83 groups), the Americas (15% / 68 groups), and Eurasia (3% / 14 groups).

According to the ICRC's assessment, the number of armed groups of humanitarian concern has consistently exceeded 450 over the past five years. The large number of armed groups has substantially increased the complex operational challenges humanitarian organizations face when engaging armed groups and trying to reach affected populations living in areas controlled by armed groups.

As of July 2023, the ICRC estimates that at least 195 million persons live in areas controlled by armed groups. Some 64 million persons live in areas that are fully controlled by armed groups and 131 million persons live in areas that are contested or fluidly controlled by armed groups.

Almost half of these persons are estimated to live in Africa (31.5 million under full control, 51.5 million under fluid control). In the Near and Middle East, a similar number of persons live in areas fully under the control of armed groups (30 million under full control, 11 million under fluid control). In Asia and the Pacific, half a million people live under armed groups' full control and 35 million under fluid control. Whilst, in the Americas there are 0.6 million under full control and 33 million under fluid control. In Eurasia, by contrast, there are only 0.9 million persons living in areas fully controlled by armed groups.

Regarding territorial control, in 2023, the ICRC estimates that 78 armed groups fully and exclusively control territory (16% of all groups), while 209 armed groups contest and fluidly control territory (46% of all groups). Regional variations exist in the number of armed groups with territorial control: 115 in Africa, 72 in the Near and Middle East, 55 in the Americas, 40 in Asia and the Pacific and 5 in Eurasia. Notably, 78% of the groups with full territorial control have held it for four years or more.

Many armed groups that control territory – and even some that do not – provide a degree of de facto governance and services in the areas they control. In 2023, 363 armed groups, constituting 79% of the total, offer various services and/or impose taxes on the populations within their control. Of all armed groups, over 55% enforce security measures, 41% impose some form of taxation, and 25% provide some kind of justice or dispute resolution mechanisms. More complex service provision – such as healthcare (provided by 16% of groups), education (13%), public utilities (5%) or legal documentation (4%) – tend to be provided by armed groups who have long-established and complete territorial control over an area. The ICRC, however, based on this survey, cannot assess how these services are perceived by the population living in areas controlled by armed groups, the degree of access of populations to these services and how widespread the coverage of public services is across an armed group's territory.

These figures however do underscore the widespread territorial control exercised by armed groups and the global scale of the population living under such control. Individuals residing within territories governed by armed groups face complex vulnerabilities and specific risks. These risks encompass their proximity to hostilities, which heightens the likelihood of civilian casualties or injuries; limited or nonexistent access to essential infrastructure and services; the threat of blockades, sieges, or sanctions that further diminish the availability of life-saving necessities and services; and the absence of government authorities, making it challenging for civilians to obtain essential legal documentation.

Despite some service provision by armed groups, the basic needs of the population in areas controlled by many armed groups are often not fully met. Therefore access, engagement and dialogue with armed groups on a range of assistance, legal and protection issues – such as the protection of detainees, the restoration of family contacts, and more broadly the treatment of populations in accordance with international law and standards – are essential for the ICRC to understand and meet the humanitarian needs of this population.

ICRC engagement with armed groups in 2023

Successfully engaging an armed group is a complex endeavour with significant obstacles. However, it is imperative for the ICRC to fulfil its humanitarian mandate to alleviate and prevent the suffering of persons living in areas controlled by armed groups.

In 2023, the ICRC's level of contact with armed groups has remained stable compared to last year. The ICRC is in contact with almost two-thirds (61%) of all armed groups that are of humanitarian concern. The contact can take various forms and lead to dialogue on different issues. The ICRC currently has an operational dialogue with at least half of all armed groups, which is focused on negotiating access and security guarantees. Further, the ICRC raises humanitarian concerns with approximately a third of all armed groups, aiming to protect individuals affected by armed conflicts and other situations of violence and work towards these groups' compliance with international humanitarian law or other norms and standards, as applicable.

As part of this latter dialogue, the ICRC released in April 2023 two resources that are actively used in our engagement and dissemination with armed groups, covering the topics of detention and urban warfare: '*Detention by Non-State Armed Groups: Obligations under International Humanitarian Law and Examples of How to Implement Them*' and '*Reducing Civilian Harm in Urban Warfare: A Handbook for Armed Groups*'.

Building on the ICRC's pioneering work on understanding the sources of influence on armed groups' behaviour,^[3] the ICRC has identified several factors that impact our ability to successfully engage a group. These include the geographic region where an armed group operates, its organizational structure, and the degree of control it exercises over territory. Generally, the ICRC maintains more frequent and direct communication and conducts a broader range of protection and prevention activities, such as visiting detainees, reuniting families, and disseminating international humanitarian law and other legal frameworks, with armed groups that are parties to armed conflicts (NSAGs). This is also particularly the case for groups deeply rooted in their communities or those that have held full control over territory for four years or longer.

Challenges to engagement in 2023

While the current levels of ICRC engagement with armed groups are significant, the ICRC encounters challenges that hinder its ability to engage effectively with some of these groups. The two most common obstacles to engagement are the prevailing security situation and the negative impact of engagement on the ICRC's relationship with the state. These factors each have rendered engagement entirely impossible with roughly 14% of all armed groups. Additionally, engagement with another 38% of armed groups is restricted, allowing for dialogue but not all the activities the ICRC typically conducts.

A further challenge is the listing of armed groups as 'terrorists' by the states in which these groups operate, which continues to have a clear and detrimental impact on the ICRC's capacity to fully engage with these listed groups. Globally, this 'terrorist' designation renders engagement impossible with 4% of these groups, and it restricts engagement with 14% of them. The domestic listing has the most pronounced negative effect on engagement with armed groups in Asia. Nearly half of the armed groups in Asia (48%) face domestic listing, which either partially restricts or entirely obstructs engagement with approximately three-quarters of them (73%).

One crucial finding is that the reluctance of an armed group to engage with the ICRC does not pose a significant barrier to engagement. In fact, engagement is rendered entirely impossible with only 5% of armed groups due to their reluctance. This is significant as an armed group's reluctance to engage with humanitarian organizations is frequently cited by donors, states or other humanitarian organizations as a reason why they do not fund, facilitate or even attempt engagement with armed groups.

In 2023, it's evident that most challenges to engaging with armed groups are imposed by states. Unfortunately, there's limited room for the ICRC to enhance engagement through changes in the current security situation. However, these findings on the negative impact of both state-imposed obstacles and the centrality of terrorist listing, reinforce the need for ICRC and other humanitarian organizations to continue efforts to protect and strengthen the humanitarian space. This can be achieved by working on including humanitarian exemption clauses in counter-terrorism legislation that do not criminalise either the engagement with armed groups or the support ICRC provides to populations living under armed groups, particularly in domestic legislation. Additionally, it's crucial to continue persuading authorities to facilitate ICRC engagement with armed groups within their territories.

The adoption of United Nations Security Council Resolution 2664 in 2022, which permits a humanitarian exemption in asset freeze measures imposed by the UN and other multinational sanction regimes, along with the introduction of additional general licenses and humanitarian exemptions by states in response to this Resolution, represents a potentially important advancement in addressing this significant challenge in the years ahead. The extent of its impact will need to be monitored, however, and can depend on how effectively this Resolution is put into practice.

[1] In the ICRC's usage, the generic term 'armed group' denotes a group that is not a state but has the capacity to cause violence that is of humanitarian concern. This includes those groups that are classified as Non-State Armed Groups, as they qualify as parties to a Non-International Armed Conflict.

[2] For the reasons on why engagement with armed groups is necessary, please see *Why engaging with non-state armed groups?* | *International Committee of the Red Cross (icrc.org)*

[3] For a greater understanding of armed group's structure and how this influences the behaviour of armed groups, see the 'Roots of Restraint in War' project: <https://www.icrc.org/en/publication/4352-roots-restraint-war#:~:text=Drawing%20on%20eight%20case%20studies,organization%20to%20which%20they%20belong.>

See also:

- Tilman Rodenhäuser, Eloïse Lefebvre, *Detention by non-State armed groups: translating law to practice*, April 4, 2023
- Ruben Stewart, Celia Edeline, *The NSAG handbook: helping non-State armed groups reduce civilian harm during urban warfare*, March 30, 2023
- Matthew Bamber-Zyrd, *ICRC engagement with armed groups in 2022*, January 12, 2023

Tags: armed groups, ICRC, non-state armed groups, NSAGs

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