



## ICRC engagement with armed groups in 2022

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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 dialogue with armed groups that has achieved tangible results. However, engagement has become increasingly complex. Accordingly, the ICRC undertakes an annual exercise to assess its current relationships with armed groups in order to both improve its engagement strategies and to determine trends that can impact future engagement.*

*In this post, ICRC Adviser Matthew Bamber-Zryd discusses some of the findings from this year's exercise, during which time the ICRC had contact with two-thirds of the 524 armed groups that are of humanitarian concern. The ICRC's success in engaging an armed group is influenced by a group's structure, the region in which it operates and the extent of its territorial control. However, the ICRC continues to face significant obstacles to such dialogue, emanating from both armed groups and States.*

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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. As a result, the ICRC has a long history of confidential engagement with armed groups that has enabled tangible results. Engaging with armed groups is a matter of humanitarian necessity and is indispensable if the ICRC is to carry out its humanitarian mandate and activities aimed at alleviating and preventing the suffering of persons living in areas controlled by armed groups.[1]

Engagement with armed groups is *necessary* for at least four reasons. First, engagement is a precondition for the ICRC's safe access to populations affected by armed conflict or other situations of violence. Second, engagement is essential to ensuring that an armed group understands and accepts the ICRC as an independent, neutral and impartial humanitarian organization. Third, engagement is a prerequisite for promoting international humanitarian law (IHL) and other relevant legal frameworks as a means of ensuring respect for the law and thus preventing and alleviating the suffering of the victims. Finally, the ICRC is explicitly mentioned in Article 3, common to the 1949 Geneva Conventions, as an example of an organization that may offer its services to the parties to a non-international armed conflict, including non-State armed groups (NSAGs).

The armed group environment can change quickly; groups can fragment, merge, gain and lose territory rapidly. In order to serve its humanitarian mandate, each year the ICRC conducts an internal survey of armed groups through its delegations.[2] This information is used to monitor ICRC levels of contact with armed groups, identify trends in the structure and behaviour of armed groups, their interaction with populations, and assess opportunities for improved ICRC engagement.

## Number of armed groups in 2022

In 2022, the ICRC listed 524 armed groups that are of humanitarian concern globally.[3] The majority of these armed groups are located in Africa (42%/230 groups) and the Near and Middle East (28%/152 groups). The remaining armed groups are located in Asia (15%/80 groups), the Americas (13%/69 groups), and Eurasia (3%/18 groups).

In the ICRC's assessment, the number of armed groups that are of humanitarian concern has remained consistently between 500-600 over the last three years. The overall large number of armed groups, however, reflects the two-decade long trend of armed groups proliferation and fragmentation that 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.

In order to understand and meet the humanitarian needs of people living under the control of armed groups, the ICRC collects operational information on a group's control over territory and people, its structure, the services it provides and an armed group's relationship with civilians. This information highlights the significant variation among the 524 armed groups of humanitarian concern. Groups range from criminal organizations to armed groups that may be called *de facto* authorities. The ICRC needs to understand this variation among armed groups in order to develop better access to armed groups and engage such groups on the protection of people under their control.

## Armed groups' governance and territorial control in 2022

The ICRC uses information on the territorial control of armed groups to estimate the population living in areas controlled by armed groups. As of July 2022, a total of at least 175 million people are estimated to live in areas controlled by armed groups. 64 million of those live in areas that are fully controlled by armed groups and 111 million live in areas that are contested or fluidly controlled by armed groups.

These individuals are primarily situated in Africa (21 million under full control, 37 million under fluid control), the Near and Middle East (37 million full control, 11 million fluid control) and Asia (0.5 million full control, 33 million fluid control). The remaining persons are located in the Americas (1 million full control, 31 million fluid control) and Eurasia (5 million full control).

In terms of territorial control, in 2022, the ICRC estimates that 77 armed groups fully and exclusively control territory (14% of all groups) and 262 armed groups contest and fluidly control territory (48% of all groups). 82% of the groups that fully control territory have done so for four years or more and 62% of the groups that fluidly control territory have done so for four or more years. The remaining 210 armed groups (38% of the total) do not control territory.

Many of the armed groups that control territory – and even some that do not – provide a degree of *de facto* governance and public services in these areas. In 2022, 394 armed groups (72% of the total) provided some type of public services and/or levy taxes. Over 50% of all armed groups enforce security, 28% levy a form of taxation and 20% provide social support to civilians. More complex public service provisions, such as healthcare (15%), education (12%), or legal documentation (4%), tend to be provided by armed groups who have had full territorial control for four years or more. The ICRC however, does not have the capacity to 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 highlight the extent of armed group territorial control and the global scale of the population living under armed group control. Persons living under armed group territorial control face complex vulnerabilities and specific risks. Despite some service provision by armed groups, the needs of the population in areas controlled by many armed groups are often not fully met. Therefore access, engagement and dialogue with groups on a range of 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 dialogue with armed groups in 2022

Establishing a dialogue with an armed group is a complex endeavour with significant obstacles. However, in 2022, the ICRC had contact with approximately two-thirds of all armed groups of humanitarian concern (67%). The content of this dialogue can vary from operational dialogue, which is focused on negotiating access and security guarantees, to raising humanitarian concerns with armed groups 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.

Building on the ICRC's pioneering work on understanding the *sources of influence on armed groups' behaviour*, the ICRC has identified factors that impact our ability to successfully engage a group in dialogue. Relevant factors include the region in which an armed group operates, its structure, the extent to which a group controls territory and the relationship between an armed group and its population. In general, the ICRC has more frequent and direct dialogue with armed groups that are parties to armed conflict, community-embedded or have controlled territory for a period of four years or more. This confirms the crucial importance of the physical presence of the ICRC and its proximity to affected populations in these areas.

While the existing access to and relationships with armed groups are significant, the ICRC continues to face a range of obstacles that impact its ability to establish a dialogue with armed groups. The two most common obstacles to engagement are the prevailing security situation (impacting dialogue with 30% of groups), political-related concerns (impacting dialogue with 27% of groups) and related legal and administrative impediments (impacting dialogue with 22% of all groups).

A further issue is the impact of the listing of armed groups as terrorist groups by States, an obstacle to dialogue with 17% of all armed groups globally. There are stark regional differences, however, in terms of the impact of domestic terrorist listing; ICRC delegations in Asia report that it acts as an obstacle for 45% of all groups and in the Near and Middle East it acts as an obstacle for 27% of all groups. By contrast, it is only an obstacle to dialogue with 3% of armed groups in Africa.

Domestic listing has a clear impact on the ICRC's ability to engage with armed groups, particularly in Asia and the Near and Middle East. This reinforces the need for ICRC and other humanitarian organizations to continue efforts to protect and strengthen the humanitarian space, working on including humanitarian exemption clauses in counter-terrorism legislation that do not criminalize either the engagement with armed groups or the support ICRC provides to populations living under armed groups, particularly in domestic legislation, as well as to continue convincing authorities to enable ICRC engagement with armed groups on their territory.

In conclusion, the 2022 exercise has shown that the ICRC has maintained significant levels of engagement and dialogue with many of the armed groups of humanitarian concern. However, it has also highlighted the myriad challenges that the ICRC face around access to armed groups, which can impact the ability of the ICRC to carry out its humanitarian mandate and activities aimed at alleviating and preventing the suffering of persons living in areas controlled by armed groups.

**Editor's note:** In April 2023, the ICRC will be launching two sets of guidance to NSAGs, one on 'Detention by Non-State Armed Groups' and one on 'Reducing Civilian Harm in Urban Warfare: A Handbook for Armed Groups'. Both sets of guidance have been derived from engagement with and analysis of NSAG practice related to these two issues and they include operational measures and substantive proposals to NSAGs on the implementation of some of the most fundamental IHL rules.

[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, includes those groups that are NSAGs, as they qualify as parties to a NIAC.

[2] This post discusses some key findings from the 2022 survey on the ICRC's engagement with armed groups. This information reflects the priorities and concerns of our delegations and, as such, is an assessment for primarily operational purposes and not a scientific study. Each year, there are some shifts in numbers that reflect both external armed conflict-related changes, as well as changes in the ICRC's operational priorities and improvements in the methodology.

[3] The ICRC counts 549 armed groups operating across the ICRC's areas of operations. This is higher than the number of individual armed groups because some transnational armed groups operate across multiple ICRC delegations' area of responsibility. Each delegation's relationship with the armed group is counted separately, as the nature of the ICRC's contact with the same armed group can differ depending on the delegation. The data in this article is based on these 549 relationships.

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