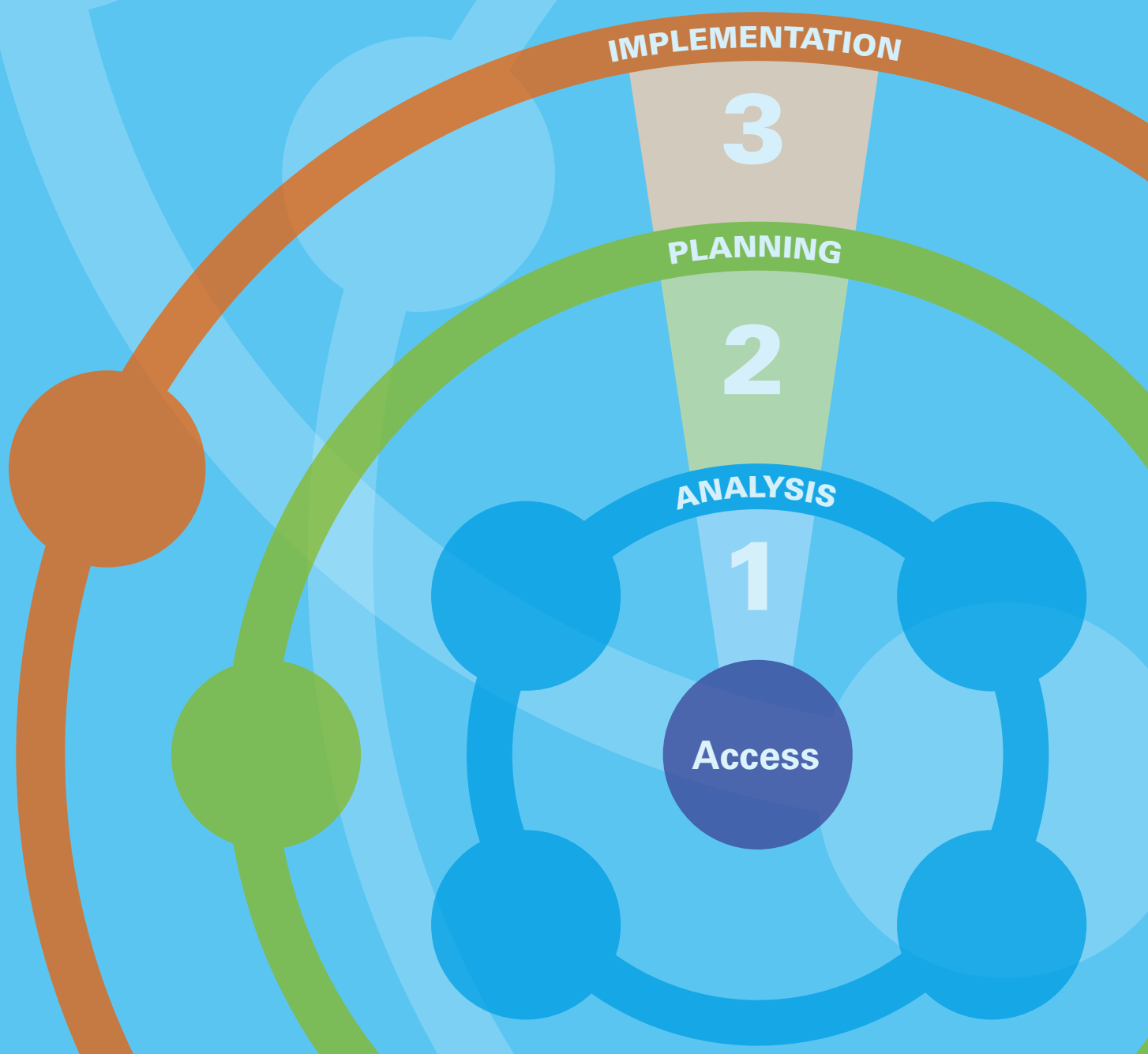


SEPTEMBER 2021



# HUMANITARIAN ACCESS FIELD MANUAL



## The humanitarian access process



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# ABOUT THE HUMANITARIAN ACCESS FIELD MANUAL

## Rationale

Access constraints are some of the main challenges faced by UNICEF and its partners when seeking to assist and protect children in humanitarian settings. To overcome these constraints and establish the access on which humanitarian action depends, UNICEF has developed, or has helped to develop, several innovative and effective approaches, including the Rapid Response Mechanism and the Global Polio Eradication Initiative. Yet from its wealth of experience, until this manual, there had not been a systemic effort to identify lessons learned and good practice, or to preserve and disseminate both as resources for staff and partners.


At the same time, these kinds of resources have become more necessary, as the global humanitarian context has grown more complex and dangerous. Armed conflicts are more protracted, violent and urban. Engagement with parties to conflict, including armed non-state actors (ANSAs), has become more difficult and insecure as groups are increasingly characterized by poor command and control, decentralization, fragmentation, and a tendency to continually and unpredictably shift allegiances and affiliations with one another. Finally, humanitarian action has become more frequently politicized, on one hand by the laws and policies of some affected governments and Member States (e.g. counter-terrorism and prevention of violent extremism), and on the other by the ways in which UN integration has been implemented in some contexts.

The intent of this *Humanitarian Access Field Manual* is to close this gap, providing a resource to guide humanitarians as they seek to establish, sustain, and improve access to children and populations in need. It is based on a comprehensive assessment of lessons learned and good practices, identified from experience at UNICEF and among the humanitarian community.

## How to use the manual

Taken as a whole, the *Humanitarian Access Field Manual* provides readers with a solid foundation in humanitarian

access, providing them with a base of knowledge, a comprehensive process, and collection of techniques, all designed to help them reach children and populations in need. However, the manual does not need to be read from start to finish. Each section and sub-section can also be used as a standalone resource to be individually consulted based on the question or issue at hand.

Where relevant, this manual references and links to access related tools which can be identified by this icon . Access tools provide additional insight, help field practitioners implement the guidance provided in this manual, or both. When the manual is being read digitally, and readers are online, they can click the name of the tool to download an instruction sheet. Where relevant, instruction sheets have additional links to other elements of the tool (e.g. templates or worksheets). A complete collection of UNICEF access tools can be found in UNICEF's online Access Toolbox.

The manual is organized into three sections, each of which begins with a series of 'Key take-aways' which summarize its content. The three sections are as follows:

### Part 1: Foundations of humanitarian access

Part 1 provides key concepts and a normative framework to orient staff to humanitarian access and help them think through access issues, identify appropriate solutions, resolve humanitarian dilemmas, and act to improve the quality of humanitarian access.

### Part 2: The humanitarian access process

Part 2 provides a comprehensive three-part process for establishing and maintaining humanitarian access. Readers will also find practical advice for putting the process into practice.

### Part 3: Access techniques

Part 3 provides a collection of core and situation-specific access techniques, or good practices, to help practitioners overcome constraints and improve their access to children in need.

# ACRONYMS

<b>AfCRC</b>	The African Charter on the Rights and Welfare of the Child (AfCRC)
<b>AFP</b>	Agencies, Funds and Programmes
<b>ANSA</b>	Armed non-state actors
<b>C4D</b>	Communications for Development
<b>CCC</b>	Core commitments for children in humanitarian action
<b>CHTE</b>	Complex High-Threat Environment
<b>CO</b>	Country Office
<b>CRC</b>	Convention on the Rights of the Child
<b>DO</b>	Designated Official
<b>DSRSG</b>	Deputy Special Representative of the Secretary-General
<b>EMOPS</b>	The Office of Emergency Programmes
<b>ERM</b>	Enterprise Risk Management
<b>FO</b>	Field Office
<b>GIS</b>	Geographic information system
<b>GPS</b>	Global Positioning System
<b>HCT</b>	Humanitarian Country Team
<b>HQ</b>	Headquarters
<b>IAP</b>	Integrated Assessment and Planning
<b>IASC</b>	Inter-Agency Standing Committee
<b>ICESCR</b>	The International Covenant on Economic, Social and Cultural Rights
<b>ICRC</b>	International Committee of the Red Cross
<b>IHL</b>	International Humanitarian Law
<b>IHRL</b>	International Human Rights Law
<b>INSO</b>	International Safety Organization
<b>IP</b>	Implementing Partner
<b>ITF</b>	Integrated Task Force
<b>JMAC</b>	Joint Mission Analysis Cell
<b>JMOC</b>	Joint Mission Analysis Cell and Operations Centre

<b>M&amp;E</b>	Monitoring and Evaluation
<b>NFI</b>	Non-food items
<b>NGO</b>	Non-governmental Organization
<b>OCHA</b>	United Nations Office for the Coordination of Humanitarian Affairs
<b>OPSCEN</b>	UNICEF's Operation Centre
<b>PCA</b>	Programme Criticality Assessment
<b>PER</b>	Performance Evaluation Reports
<b>PKO</b>	Peacekeeping operations
<b>PPD</b>	Programme, Policy and Development Section
<b>QIPs</b>	Quick Impact Projects
<b>RC/HC</b>	Resident Coordinator/Humanitarian Coordinator
<b>RO</b>	Regional Office
<b>RRM</b>	Rapid Response Mechanism
<b>SMT</b>	Security Management Team
<b>SoP</b>	Standard Operating Procedure
<b>SPM</b>	Special Political Missions
<b>SUV</b>	Sport Utility Vehicle
<b>UNCT</b>	United Nations Country Team
<b>UNDSS</b>	United Nations Department of Safety and Security
<b>UNGA</b>	United Nations General Assembly
<b>UNHAS</b>	United Nations Humanitarian Air Service
<b>UNSCR</b>	United Nations Security Council Resolution
<b>UNSMS</b>	United Nations Security Management System
<b>UNSC</b>	United Nations Security Council
<b>USG</b>	Under-Secretary-General
<b>WFP</b>	World Food Programme
<b>ZOPA</b>	Zone of Possible Agreement

# SUMMARY

Humanitarian access has two primary component parts: the ability of humanitarian actors to reach populations in need, and the ability of affected populations to access humanitarian assistance and services. Humanitarian access is governed by the age old, storm-weathered humanitarian principles of humanity, impartiality, neutrality and independence. Understanding these principles, and knowing how to apply and resolve dilemmas between them is central to the pursuit of humanitarian access and space. Humanitarian access is also a matter of equity: seeking to reach every child in need without adverse distinction, even in the most challenging circumstances. Rapid and unimpeded access is the foundation of all humanitarian action – as reflected in International Humanitarian Law. In complex and high-threat environments, humanitarian access is often constrained, in many ways and for many reasons, preventing, delaying and degrading the quality of humanitarian assistance for people in need.

Achieving humanitarian access is a shared responsibility and priority. In the humanitarian community, no single organization can be successful on its own, and within UNICEF no single team or functional area can do so either. As such, the burden and responsibility must be shared. Externally, UNICEF must seek to benefit from, and add its comparative advantages to, inter-agency efforts and initiatives. Areas of collaboration include analysis, strategy development and implementation. In achieving humanitarian access, the collective strength of the humanitarian community is a strong asset. Internally, UNICEF must ensure that roles, responsibilities and processes are in place, known and understood, and that all staff – across functional areas – are capacitated with the necessary skills, knowledge and attitudes to discharge their duties effectively. Even parties to conflict have a role to play, as they are obligated to allow and facilitate the rapid, unimpeded and safe passage of humanitarian assistance, assets and staff.

The work of humanitarian access involves the identification of unaccessed or poorly accessed

populations in need; the establishment of an inventory of access constraints; the creation of strategies and action plans; and the application of techniques to overcome constraints and reach populations in need. Pathways to improve the scope and quality of humanitarian access are acceptance-building with communities, authorities, and any other actors that may influence or disrupt access; engagement (i.e. negotiation, advocacy, networking, and constituency-building) with civilian and military authorities, security actors, donors, partners, and even parties to conflict, including ANSAs within established policies and principles. A variation of partners, delivery modalities, logistical solutions and alternative forms of assistance, can also help reach those in need.

To achieve humanitarian access, process matters. UNICEF recommends a three-phased process of analysis, planning, and implementation. This is described in detail in Part 2 of this manual, and is complemented by a series of access tools. This manual and the associated tools are living documents. New topics, recommended practices and instruments will be added based on developments and innovations from around the world. The manual is geared towards UNICEF and IP staff, across functional areas and job profiles. UNICEF together with its partners must be pro-active in assessing risks and undertaking efforts to improve access, to ‘stay and deliver,’ and to ensure humanitarian needs are being met. In all its humanitarian interactions and efforts, UNICEF must always be guided by, and must promote, humanitarian, protection, and CRC principles, in order to access children and ensure their wellbeing.

For more information, tools and support pertaining to humanitarian access, staff can contact the Humanitarian Policy Section (HPS) within the Office of Emergency Programmes (EMOPS), or visit the UNICEF humanitarian access website at [www.corecommitments.unicef.org](http://www.corecommitments.unicef.org).



# 01

## FOUNDATIONS OF HUMANITARIAN ACCESS



## KEY TAKE-AWAYS

**HUMANITARIAN ACCESS**

Humanitarian access refers to a two-pronged concept, comprising: Humanitarian actors' ability to reach populations in need, and affected populations' access to assistance and services. Humanitarian access should be principled – in line with the humanitarian principles of neutrality, independence and impartiality. Respecting these principles is central to enabling access and protecting humanitarian space.

**ACCESS CONSTRAINTS**

Access constraints refer to impediments or hindrances which prevent, delay or degrade the quality of assistance or services, provided by impartial, neutral and independent humanitarian organizations, for civilian populations in need. They can be found in the external context, as well as within and between humanitarian organizations. Both humanitarian actors and affected populations face their own access constraints.

**ACCESSIBILITY**

Accessibility is one way of thinking about the quality of humanitarian access. It has two primary dimensions: the range of humanitarian assistance and services that is possible, as well as the frequency with which it can be provided.

**STAKEHOLDERS**

Humanitarian access is a shared responsibility and priority. Externally, no single organization is responsible, and internally, no single team or individual is responsible. Instead, the burden must be shared and well coordinated across actors.

**COMPARATIVE STRENGTHS**

UNICEF has comparative strengths that it must leverage to secure its own access to children in need. It must also strive to contribute these strengths to the wider humanitarian community. Other organizations have their own comparative strengths which UNICEF should seek to leverage when appropriate.

**HUMANITARIAN NORMATIVE FRAMEWORK**

The primary elements of the humanitarian normative framework at UNICEF include certain aspects of international law, as well as humanitarian, protection and CRC principles. These elements, particularly the principles, are critical to help staff frame and explain the humanitarian identity, its ways of working, as well as specific decisions and actions. Its elements are also critical lenses (i.e. criteria) by which to generate or evaluate options (during planning) or agreements (during a negotiation).

**ORGANIZATIONAL POLICY AND GUIDANCE**

UN and UNICEF policy and guidance are designed to help staff implement the humanitarian normative framework and the critical tasks necessary to achieve rapid, unimpeded and safe humanitarian access in a sustained manner.

**HUMANITARIAN DILEMMAS**

Humanitarian dilemmas, or normative trade-offs, are central to the experience of humanitarians working on humanitarian access. These dilemmas occur when conformity with one norm means some level of compromise with another. When confronted with a humanitarian dilemma, staff should follow a deliberate decision-making process which considers the short-, medium-, and long-term consequences of all different options and compromises. A structured process is essential to properly mitigating the risks to UNICEF staff and partners, as well as affected populations.

## Definition of humanitarian access

Humanitarian access is defined as humanitarian actors' ability to reach populations affected by crisis, as well as an affected population's ability to access humanitarian assistance and services.<sup>1</sup>

Humanitarian access means UNICEF and its partners are able to deliver, and/or have vulnerable children receive, humanitarian assistance and protection in a manner that:

- Is rapid, unimpeded and consistent;
- Is in line with international law, humanitarian principles and Convention on the Rights of the Child (CRC) principles, and UNICEF's Core Commitments for Children in Humanitarian Action (CCC) standards;
- Reaches all targeted populations with the required assistance and protection services; and
- Enables movement of goods, personnel and populations, assessments, assistance/service delivery as well as monitoring and evaluation.

## Access constraints



**An access constraint** is anything that directly inhibits the ability of humanitarian actors and affected populations to reach one another for the purpose of needs assessments, delivery of assistance and services, or monitoring of such activities. Access constraints can result from contextual, internal and inter-organizational factors.

**Contextual access constraints** are impediments external to humanitarian organizations which inhibit the ability of humanitarians and populations to access one-another, such as travel restrictions, conflict, environmental hazards and more.

**Internal access constraints** are impediments internal to a humanitarian organization which inhibit its ability to establish or maintain access between it and affected populations, such as unsuitable processes, a lack of necessary staff capacities, a problematic organizational culture and more.

**Inter-organizational access constraints** are impediments that exist within the humanitarian system which inhibit the ability of humanitarian actors to establish and maintain access between them and affected populations, such as insufficient coordination,

low staff capacities related to access, poor judgement or mistakes by single organizations impacting the reputation and acceptance of all others and more.

See  **Access constraint inventory exercise** or  **Access-incident tracking methodology** for information on different types of access constraints as well as a methodology for how to inventory or track them.

## Accessibility

**Accessibility** refers to the level or quality of access for humanitarian activities, and not simply the movement of humanitarian staff and populations. Accessibility is a spectrum which extends from **fully accessible** to **inaccessible**. An area is fully accessible if UNICEF and its partners can conduct the full range of humanitarian activities. An area is **access constrained**, for example, if UNICEF staff are only infrequently able to reach an area, or if only certain activities are possible (e.g. delivery but no assessments or monitoring). It would be considered **inaccessible** if no activities are possible.

See  **Accessibility mapping** for how to map levels of accessibility.

## Foundations of UNICEF's access approach

UNICEF's approach to humanitarian access is built on a recognition that:

- The objective of access is to deliver results for children, and not simply to enable UNICEF's programmes;
- UNICEF's approach must be in line with international law and the humanitarian principles;
- UNICEF is part of the wider humanitarian community where actors have different access-related mandates and strengths that will often be most effective when leveraged together for collective outcomes;
- UNICEF has a unique role to play in access efforts due to its child-centred mandate, certain comparative advantages and Cluster Lead responsibilities; and
- UNICEF's programmes are often delivered through Implementing Partners (IPs), who are often on the front line of efforts to enable access for programme delivery.

<sup>1</sup> United Nations Office for the Coordination of Humanitarian Affairs, OCHA on Message: Humanitarian Access, OCHA, New York, April 2010.

## UNICEF's comparative advantages on access

UNICEF's comparative advantages on access include:

- **Its child-centred mandate:** UNICEF's mandate comes from the United Nations General Assembly (UNGA) and the CRC, the only convention almost universally ratified. This child-centred mandate often strengthens positive associations and local acceptance of UNICEF's programmes, creating entry points for access.
- **A strong field presence:** UNICEF's network of FOs helps it maintain proximity to communities, which fosters trust, a better understanding of vulnerabilities, situational awareness, and enables a more agile and rapid response – all of which are essential for an effective access approach.
- **A strong advocacy voice:** UNICEF has a strong public and private advocacy voice which can be leveraged to raise awareness of key access constraints and create the willingness (and pressure if necessary) to bring about sustainable solutions.
- **Relationships with host governments:** UNICEF's humanitarian programmes are often delivered through governments. The resulting relationships can create an entry point and enhanced ability to advocate for easing of any government-imposed access restrictions.
- **Relationships with communities:** UNICEF benefits from long-standing ties to communities and local actors. These relationships are a valuable source of acceptance and information at all times, and constitute vital channels of communication and engagement during emergencies.
- **The range of programmes and services:** The range of programme and protection activities UNICEF provides enables it to tailor and sequence interventions to more easily meet needs among a large percentage of communities, providing a very large base of acceptance, trust and influence.

## UNICEF's access approach

UNICEF's access approach at the country-level is to be proactive in maximizing humanitarian access to children in need. To do so, UNICEF will develop and maintain the capacities necessary to access hard-to-reach areas where children reside. UNICEF will also seek to add and derive value from inter-agency access initiatives, contributing its comparative advantage to collective access objectives, and potentially leading efforts on topics of particular interest or expertise (e.g. access for child-protection activities).

Specifically, UNICEF will:

### Internally

- Seek to maintain its proximity to and presence with the affected communities it serves to better understand vulnerabilities, build relationships and acceptance, support its partners and ensure the appropriateness and quality of its programmes.
- Develop and maintain its own capacities to analyse access issues, develop country-specific access strategies in coordination with its partners and in line with inter-agency strategies where they exist, and build the capabilities of its staff to effectively address access constraints.
- Draw on the comparative advantages of other humanitarian actors to address access constraints, to the extent they are willing, and when they have proven themselves to be neutral, impartial, and capable.
- Be proactive and take forward its own efforts to alleviate access constraints affecting programmes when necessary to fulfill its mandate and deliver results for children, and with consideration for inter-agency strategies where they exist.

### At the inter-agency level

- Actively encourage and support collective efforts to address access constraints, including advising the Humanitarian Coordinator and United Nations Office for the Coordination of Humanitarian Affairs (OCHA), participating in coordination mechanisms and/or in coalitions with other humanitarian actors, sharing relevant access information and developing common access approaches and/or strategies.
- Contribute to advancing common access efforts where it has a comparative advantage, including leading in areas when requested and resources are available, and/or where UNICEF has a particular interest and expertise.
- Use its role as Cluster Lead to create an open venue to discuss access constraints, gather related information, identify potential solutions and inform the efforts of access coordination forums.

### With implementing partners

- Maintain an open dialogue and coordination with its IPs on access issues, including through the provision of direct support or capacity-building to address access constraints when requested and resources or expertise are available.

## Access in the Core Commitments for Children in Humanitarian Action (CCCs)

The Core Commitments for Children in Humanitarian Action are the guiding light for UNICEF staff participating in humanitarian action. They lay out UNICEF's programmatic and operational commitments to promote predictable, effective and timely humanitarian action. They also contribute to UNICEF and its partners' efforts to establish humanitarian access in two important ways:

- The CCCs' programmatic and operational commitments and benchmarks are important reference points for UNICEF and partner staff when explaining and justifying appeals and arguments for rapid and unimpeded access to vulnerable children.
- The CCCs provide an explicit UNICEF commitment to establish and maintain access. This commitment is reinforced by several action-oriented benchmarks to ensure Headquarters (HQ), Regional Offices (ROs), Country Offices (COs) and Field Offices (FOs) are accomplishing core tasks that are required to optimize humanitarian access (see Table 1).

## Managing risks and dilemmas

### Risk appetite

The pursuit of UNICEF's mandate and objectives to deliver results for children will often entail taking certain risks. It will not always be possible to control all risks and attempting to do so could leave vulnerable children without life-saving assistance and protection.

UNICEF's Enterprise Risk Management (ERM) Policy states that UNICEF should accept risks when the benefits outweigh the costs. As such, UNICEF will act to assist and protect children when the criticality of a programme outweighs the risks, while taking all necessary measures to mitigate those risks.

### Types of risk

The ERM Policy recognizes four 'key risk categories'. Table 2 on page 14 provides a description of each key risk category, and also provides examples showing their relevance to humanitarian access. These examples are not intended to be exhaustive, and there are likely numerous additional examples within each category.

## Overview of the normative framework

UNICEF's access-related field practice must be informed by humanitarian, protection and CRC principles, as well as international law. Additionally, it is also advisable for it to be informed by other humanitarian standards (e.g. the CCCs or the Sphere Standards). Together,

**Table 1: Humanitarian access in the CCCs**

### COMMITMENT

**Seek to establish and maintain humanitarian access, so that all affected populations can safely and consistently reach assistance and services.**

### BENCHMARK

All COs, with the support of ROs/HQ:

- Establish internal coordination mechanisms which define roles, responsibilities, processes, and tasks related to humanitarian access.
- Identify and equip relevant staff with requisite knowledge, skills, materials, and tools on principled humanitarian action and operating in complex and high threat environments (including civil-military coordination, negotiations for access and humanitarian advocacy).
- Seek engagement with all parties to conflict, and other stakeholders, as necessary and feasible to earn and maintain access to and for the populations in need.
- Proactively pursue acceptance among communities and stakeholders.
- Engage in coordination mechanisms to establish and maintain principled humanitarian access, in collaboration with UN Agencies, national and local authorities and civil society organizations, within existing coordination mechanisms such as the Humanitarian Country Team (HCT), the United Nations Country Team (UNCT), the Security Management Team (SMT) and the cluster/sector coordination mechanisms.

these elements form the normative framework for humanitarian access. The normative framework should be used to:

- 1. Explain the humanitarian identity and ways of working:** The normative framework enables humanitarian actors to better communicate with groups, communities and other stakeholders about who they are, what motivates them and how they work, in a way that is clear to understand and that is seen as reasonable to most actors across contexts.
- 2. Explain decisions and actions:** It allows humanitarian actors to frame their decisions and actions in ways that are consistent with each other and with their identity. When humanitarian actors fail to frame their actions using the normative framework, they risk being seen as untrustworthy or as having ulterior motives. Generally, the relationships can be marred by suspicion when stakeholders are not given the understandings necessary to accurately interpret the decisions and actions of humanitarian

Table 2: Key risk categories

NO.	CATEGORY	DESCRIPTION	ACCESS RELEVANT EXAMPLES
1	<b>Strategic/ programmatic</b>	All risks which threaten to undermine or disrupt the Strategic Plan or overall programmatic objectives, or cause inadvertent harm, as a result of programme failures emanating from the humanitarian and international communities.	<ul style="list-style-type: none"> <li>■ Failure to fulfil mandate to deliver assistance and services.</li> <li>■ Inadvertent failure to ensure site selection is impartial and neutral, leading to a negative impact on access and acceptance.</li> <li>■ Failure to maintain independence of programming, leading to a failure to deliver to those most in need.</li> <li>■ Failure to understand local conflict dynamics, causing inadvertent harm due to the activation of conflict or as a result of pulling civilians over dangerous frontlines or communal boundaries.</li> </ul>
2	<b>Institutional</b>	All risks to UNICEF as an institution, including its staff, which occur as a consequences of its interventions.	<ul style="list-style-type: none"> <li>■ Fiduciary loss.</li> <li>■ Staff exposure to insecurity.</li> <li>■ Donor mistrust and diminished financing, due to reputational damage from high-profile mistakes or mismanagement.</li> <li>■ Lack of impartiality or neutrality leading to perception of UNICEF or partners as partisans, potentially limiting access or even exposing staff to targeted attack.</li> </ul>
3	<b>Operational</b>	All risks to operational objectives, emanating from humanitarian, international, or external sources.	<ul style="list-style-type: none"> <li>■ Insufficient internal and external coordination mechanisms leading to things like logistical delay or financial loss.</li> <li>■ Insufficient staff capacities leading to a failure to identify and engage with all groups and stakeholders with influence or control over populations, causing blockages in the supply chain.</li> <li>■ Insufficient staff capacities and processes preventing UNICEF from taking steps to improve its access.</li> <li>■ Failure to ensure adequate staff hiring processes or capacity-building related to humanitarian access.</li> </ul>
4	<b>Contextual</b>	Refers to the range of risks emerging from the external environment of which UNICEF is not in direct control.	<ul style="list-style-type: none"> <li>■ Presence of conflict.</li> <li>■ Bureaucratic and administrative impediments.</li> <li>■ Proliferation or fragmentation of armed groups.</li> <li>■ Natural disasters or other physical hazards or poor infrastructure unrelated to armed conflict.</li> <li>■ Economic deterioration leading to increased levels of crime.</li> <li>■ Hostility of armed groups or communities to UNICEF or other UN entities with which UNICEF is associated.</li> </ul>

actors. It is not enough for humanitarian actors to be principled; acceptance and access depends on the extent to which they are perceived by stakeholders to be principled.

### 3. Criteria to evaluate options or agreements:

Elements of the normative framework should be used as criteria or lenses with which to develop or evaluate plans, policies, programmatic and operational modalities, or negotiated agreements. They also help define the boundaries of acceptable options or agreements.

**4. Ensure consistency:** The normative framework makes humanitarian action more consistent within and between organizations. Consistency of approach is also an important element when seeking acceptance and humanitarian access.

Humanitarian access practitioners should master the content found in the sections below, and be able to apply it when planning, negotiating or advocating with interlocutors, or when resolving humanitarian dilemmas (or trade-offs between norms). In applying

**Table 3: The rights of children in situations of armed conflict**

HUMAN RIGHTS LAW (IHRL)	INTERNATIONAL HUMANITARIAN LAW (IHL)
<p><b>Under IHRL, including the Convention on the Rights of the Child, children have the right to:</b></p> <ul style="list-style-type: none"> <li>■ Life, survival and development (and by extension, the supplies essential for their survival);</li> <li>■ Have their best interests considered as a primary consideration in all actions concerning them undertaken by State authorities;</li> <li>■ Education, health care, an adequate standard of living for their physical, mental, spiritual, moral and social development, as well as rest and recreation;</li> <li>■ Protection from all forms of physical or mental violence, including sexual exploitation and abuse, as well as legal recourse against such acts;</li> <li>■ Protection from unlawful recruitment by armed forces or armed groups;</li> <li>■ Leave and re-enter their own country, to seek asylum, and to receive appropriate protection and humanitarian assistance while doing so;</li> <li>■ Special care and assistance if disabled; and</li> <li>■ Enjoyment of the above rights without discrimination of any kind.</li> </ul>	<p><b>Under IHL, all civilians benefit from certain protections, including entitlements to:</b></p> <ul style="list-style-type: none"> <li>■ Receive humanitarian relief essential to their survival (e.g. food, water and sanitation, health care, clothing, bedding, shelter, heating fuel, cooking equipment, and hygiene products); and</li> <li>■ Protection against all forms of sexual violence.</li> </ul> <p><b>In addition, children are entitled to special respect and protection. In particular, children are entitled to:</b></p> <ul style="list-style-type: none"> <li>■ Special protection against all forms of sexual violence;</li> <li>■ Protection from unlawful recruitment by armed forces or armed groups;</li> <li>■ Separation from adults while deprived of their liberty unless they are members of the same family;</li> <li>■ Access to education;</li> <li>■ Evacuation from areas of combat for safety reasons; and</li> <li>■ Reunification with their families.</li> </ul>

the information given here, staff will be able to maximize humanitarian access and the well-being of the populations being served.

It is also important that interlocutors are familiar with applicable humanitarian norms so that they properly interpret humanitarian motivations, ways of working, decisions and positions. Repetition and making constant reference to norms is an important means to ensure stakeholder familiarity. Failure to provide them with the understandings necessary to interpret humanitarian actors and humanitarian action will likely have a negative impact on acceptance and access.

## International law

International Humanitarian Law (IHL) and International Human Rights Law (IHRL) are complementary sources of rights and obligations in situations of armed conflict. However, certain derogable rights under IHRL would not apply in conflict situations where IHL supersedes them. For example, the right to life as well as the prohibition on torture are enshrined in both IHRL and IHL. However, the right to movement in IHRL can be curtailed in certain circumstances in an armed conflict according to IHL (e.g. a military curfew). Table 3 lists the rights and protections related to humanitarian access under IHL and IHRL.

## In situations of armed conflict

In meeting the basic needs of children and other civilians:

### Parties to the conflict (states and non-state armed groups):

- Have the primary obligation to meet the basic needs of the civilians in their territory or in the territory under their control.

### Impartial humanitarian organizations:

- Have a right to offer their services, including to deliver humanitarian assistance. Such offers do not constitute interference in the armed conflict or unfriendly acts.
- Require consent of the state concerned – or for the UN, authorization from a binding United Nations Security Council Resolution (UNSCR) – to conduct relief operations. The consent of ANSAs is not legally required, but it is usually a practical necessity when they control or project influence over an area.

**The state concerned** must not withhold consent if:

- The civilian population is inadequately provided with the basic supplies essential for their survival.
- The party responsible for meeting their needs is unable or unwilling to provide the necessary assistance.

- Offers to provide the necessary assistance are made by impartial humanitarian organizations.

If these conditions are met, the withholding of consent would be unlawful as it would result in a violation of the State's other IHL obligations. IHL also specifically provides that States must consent to relief operations if refusal would result in the starvation of civilians, or if as an occupying power they are unwilling or unable to adequately supply the occupied population.

Military necessity cannot be invoked to deny a valid offer of services in their entirety.

### **In the conduct of humanitarian operations (once consent has been given):**

#### **Parties to the conflict:**

- Must facilitate the rapid and unimpeded passage of humanitarian assistance and must respect and protect relief personnel and goods and ensure their freedom of movement. The obligation to respect and protect relief personnel shall not be unrealistic or unreasonably exacting and should not be used as grounds to wholly impede the activities of humanitarian organizations.
- Have the right to prescribe routes, timings, and administrative procedures in reference to humanitarian action. However, administrative procedures must be applied in good faith, and their effect must not prevent the rapid delivery of principled humanitarian assistance.
- Can restrict the movement of humanitarian personnel and goods temporarily and geographically in cases of imperative military necessity.

#### **Impartial humanitarian organizations:**

- Must respect the affected state's sovereignty and territorial integrity, as well as the laws and security regulations in force.
- Must provide assistance according to humanitarian principles, not exceed the terms of their mission and comply with technical arrangements prescribed by the relevant authorities.
- The property and assets of the United Nations (e.g. facilities, warehouses, supplies and vehicles) are immune from search, confiscation or any other form of interference.

### **In non-conflict situations**

Human rights law instruments do not refer explicitly to humanitarian assistance and access; however, they do establish obligations that provide a basis for humanitarian access in non-conflict settings.

#### **The right to life**

The right to life includes the obligation for States to adopt positive measures to protect this right. An offer of assistance that is met with refusal might thus under certain conditions constitute a violation of the right to life.

#### **The prohibition of inhuman treatment**

Denying essential services and goods to the population may constitute cruel, inhuman or degrading treatment, and as such, would be considered unlawful.

#### **Economic, social and cultural rights**

The International Covenant on Economic, Social and Cultural Rights (ICESCR), establishes a number of rights relevant for humanitarian action, including the right to an adequate standard of living, food, housing and clothing, health and education (water is also understood to be included). In order to fulfil these rights, "The States Parties will...take steps, individually and through international assistance and co-operation, especially economic and technical...to achieving progressively the full realization of the rights recognized in the present Covenant."<sup>2</sup>

The Committee on Economic, Social and Cultural Rights has also clarified that the State is obligated to appeal for external assistance if it cannot carry out its obligations to its citizens.

#### **Other human rights treaties**

The Convention on the Rights of the Child (CRC) pertaining to children seeking refugee status or considered refugees provides that "States Parties shall take appropriate measures to ensure that a child [...] shall [...] receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights." The African Charter on the Rights and Welfare of the Child (AfCRC), with respect to children seeking or holding refugee status, as well as those who are internally displaced, states that "States Parties to the present Charter shall take all appropriate measures

<sup>2</sup> United Nations, International Convention on Economic, Social and Cultural Rights, United Nations, New York, 3 January 1976. The UN Committee on Economic, Social and Cultural Rights (CESCR) has clarified that the "maximum of its available resources" refers to those resources that are within a State and to those available from the international community through international cooperation and assistance.

to ensure that a child [...] shall [...] receive appropriate protection and humanitarian assistance in the enjoyment of the rights set out in this Charter and other international human rights and humanitarian instruments to which the States are Parties.”

Under the Kampala Convention, the primary duty and responsibility of States is to provide protection and humanitarian assistance to internally displaced persons within their territory or jurisdiction, and they “shall take necessary steps to effectively organize relief action that is humanitarian, and impartial in character, and guarantee security. States Parties shall allow rapid and unimpeded passage of all relief consignments, equipment and personnel to internally displaced persons. States Parties shall also enable and facilitate the role of local and international organizations and humanitarian agencies, civil society organizations and other relevant actors, to provide protection and assistance to internally displaced persons.”

## Principles

There are three different kinds of principle to consider when seeking to establish or maintain access to children:

- humanitarian principles;
- protection principles; and
- CRC principles.

## Humanitarian principles

The four humanitarian principles articulate both the objectives that motivate humanitarian action and the means by which to achieve them. They came into being as an operational necessity, enabling humanitarian actors to earn and maintain the acceptance of, and the ability to work among, all affected populations, parties to conflict, and other stakeholders and gatekeepers. While initially developed by the ICRC, the humanitarian principles were later affirmed by UNGA resolutions,<sup>3</sup> and have since become standard practice among humanitarian actors.

All UNICEF staff and partners should be fully conversant with the humanitarian principles, how each of them is defined and how they translate into practice in the field (see Table 4).

## Protection principles

Alongside the four humanitarian principles (humanity, impartiality, neutrality and independence), field

practitioners must also consider two protection principles that are closely related to one another: ‘do no/less harm’ and ‘conflict sensitivity.’

- **Do no/less harm** means that humanitarian action should not unintentionally bring harm to populations.
- **Conflict sensitivity** refers to a specific form of harm that is especially pertinent to humanitarian access. To ‘do no/less harm’, field practitioners must do all they can to ensure access strategies and modalities do not exacerbate social tensions or activate local conflicts.

Violations of these two principles are inadvertent, but not uncommon. They typically occur when decisions, plans or local agreements are made without sufficient contextual understanding of the realities and conflict drivers on the ground.

For example, a common error occurs, when during site selection, humanitarian actors fail to understand or consider how their decisions might impact *local conflict dynamics*. In unintentionally choosing locations that favour one group over another, significant *harm to populations* can result. In this situation, excluded individuals and communities might decide to put themselves at risk by seeking assistance among a rival population or group. Furthermore, in causing rival communities or groups to interact, without adequate forethought about how to manage that interaction, humanitarian actors risk endangering the safety of individuals and could even trigger wider intercommunal conflict. In cases such as these, and in many others, well-intentioned programming can inadvertently cause physical or psychological harm to those seeking humanitarian assistance or services.

## Convention on the Rights of the Child (CRC) principles

Principles derived from the CRC are especially relevant for UNICEF and its IPs. Below are the four principles and their implications for humanitarian access:

- 1. Non-discrimination** is quite similar to the humanitarian principle of impartiality, in that it states that children shall not be subject to discrimination (or adverse distinction).

<sup>3</sup> Humanity, impartiality and neutrality were affirmed in UNGA 46/182. Independence was later affirmed in UNGA 58/114.

**Table 4: Humanitarian principles and considerations for their operationalization**

PRINCIPLE	DEFINITION	OPERATIONALIZATION
<b>Humanity</b>	All girls, boys, women and men of every age shall be treated humanely in all circumstances by saving lives and alleviating suffering, while ensuring respect for the individual.	<ul style="list-style-type: none"> <li>■ Known as the essential principle, it is the purpose of UNICEF's humanitarian action.</li> <li>■ It requires that UNICEF seek to assist and protect any and every vulnerable child, treating them with dignity and respect, and keeping the best interests of the child as the paramount consideration.</li> <li>■ This is the fundamental consideration when determining programme criticality and is the reference point when considering tactical compromises (i.e. will the benefit for humanity outweigh the costs of the compromise?).</li> </ul>
<b>Impartiality</b>	Assistance is delivered to all those who are suffering, based only on their needs and rights, equally and without any form of discrimination.	<ul style="list-style-type: none"> <li>■ Impartiality is about assisting based on objective needs alone and should not be confused with equity (i.e. providing to all vulnerable children or an equal amount of assistance for all).</li> <li>■ There will be times UNICEF will not be able to provide assistance to all vulnerable children and will need to prioritize according to those most in need. The principle of impartiality and its targeting criteria should be used to explain why assistance might not be reaching certain people.</li> <li>■ There will be times UNICEF might need to provide assistance to certain groups to avoid creating local conflict (e.g. assisting host communities as well as IDPs/refugees or two communities in close proximity), however, this should only be done on the basis of identified needs and not as an arbitrary quid-pro-quo to continue operations.</li> </ul>
<b>Neutrality</b>	Humanitarian actors must not take sides in hostilities and will refrain from engaging in controversies of a political, racial, religious or ideological nature.	<ul style="list-style-type: none"> <li>■ Not taking sides means not taking or allowing any action that would make UNICEF's assistance or operations contribute to the military objectives of any party to conflict, for example, by transporting or aiding active fighters (i.e. those not rendered <i>hors de combat</i>) or providing information regarding other parties to conflict.</li> <li>■ Not engaging in controversies entails not making public or private statements or behaving in a way that displays a preference to a particular party to conflict, ideology, religious group or political party.</li> <li>■ UNICEF must not only be neutral, it must also be perceived as neutral, which requires careful management, particularly in relation to public advocacy (see <a href="#">Advocacy</a> below for practical tips).</li> </ul>
<b>Independence</b>	Operational decisions will remain autonomous from the political, military or other objectives of any actor where programmes are being implemented.	<ul style="list-style-type: none"> <li>■ Independence requires that operational decisions – such as selection processes for beneficiaries, staff, partners and vendors/contractors – follow internal policies and procedures without influence from any party that seeks to politicize or securitize such processes for their own objectives.</li> <li>■ It can often be the hardest to maintain in practice, but if significantly compromised, can also undermine adherence to the other fundamental principles.</li> </ul>

2. **The best interests of the child** are the overriding considerations for UNICEF field practitioners whenever planning or negotiating access arrangements, including programmatic and operational modalities. The best interests of the child take precedence over all other interests.
3. **The right to survival and development** is due to every child. States that are party to the CRC are required to ensure the survival and development of children to the full extent possible. Legally, while not a party to the CRC, ANSAs are accountable for violations of human rights (see IHRL above) that also provide children (and all people) with the right to life.
4. **The views of the child (or participation/inclusion)** make it incumbent upon those negotiating for UNICEF programmes to take account of the views of children on all matter affecting them, if doing so will not put them at risk, and to weigh those views based on the maturity and evolving capacities of the consulted children. However, staff should always avoid consulting children on controversial matters that could leave them exposed or vulnerable to harm.

## Normative dilemmas

Humanitarian actors operate in environments of both contextual and normative complexity. These complex situations frequently force humanitarian actors to confront uncomfortable trade-offs between important humanitarian and protection principles. Trade-offs of this kind are called humanitarian or normative dilemmas.

While there is rarely a single 'correct' answer when resolving dilemmas, it is not a decision that should be made lightly. When confronted with a humanitarian dilemma, a decision-making process should be followed which fully considers the short-, medium-, and long-term consequences of all potential compromises. Ultimately, humanitarian actors should seek decisions which will maximize the long-term benefit and minimize the long-term risk of harm to staff and populations.

Keep in mind, humanitarian actors are often required to justify their choices, especially when humanitarian or protection principles are involved. In these circumstances, decision-makers are as likely to be held accountable for a poor decision-making process as they are a poor decision.



# 02

## THE HUMANITARIAN ACCESS PROCESS



## KEY TAKE-AWAYS

**PROCESS MATTERS**

Following a process for humanitarian access helps staff and teams, working on access, to know what to do and when to do it. It ensures that critical tasks and processes are completed, that they build on one another, and that everyone better understands the contribution of others, as well as mutual accountabilities. The three phases of this model (Analysis, Planning, Implementation) are presented sequentially to demonstrate how they build on one another, but in reality, all three are usually ongoing simultaneously.

**PHASE 1: ANALYSIS**

Staff working on humanitarian access can be consumers, contributors, or generators of analysis. However it's done, analysis must be available to do the following: assess programme coverage and identify unaccessed populations; identify access constraints and those responsible; understand and map influencers and other gatekeepers; and understand the comparative strengths and weaknesses of different humanitarian and other relevant actors in the domain of humanitarian access.

**PHASE 2: PLANNING**

During the planning phase, access technical teams create an access strategy and an access action plan to implement it. It's in this phase that staff determine priority areas or populations to access, review access constraints in those areas and the actors responsible for them, and decide upon the access techniques and specific actions required to overcome them.

**PHASE 3: IMPLEMENTATION**

There are things to consider after devising an access strategy and an access action plan. Phased implementation should be considered if limited resources mean that not every access issue can be resolved simultaneously, or when seeking to establish a precedent, rapport, or greater acceptance by delivering more agreeable programmatic activities first. Staff should also follow a deliberate process for managing risk and should have pre-established thresholds to tell them when to escalate an issue. Finally, every strategy and action plan should have a regular review.

**NEGOTIATION**

Humanitarian access is negotiated, not imposed. Humanitarian access negotiations are conducted in line with the normative framework and bearing in mind key stakeholders' responsibilities for humanitarian assistance and towards humanitarian actors. Note that negotiation may occur throughout the three phases. Analysis should inform access negotiations, and information gained during negotiation should feed back to analysis. Negotiation itself is a form of planning whereby the humanitarian interlocutor goes back and forth between internal and external stakeholders to find a way forward. Finally, negotiation is an access technique which will be used in the implementation phase of access strategies and access action plans.

**ENABLERS**

There are several things that can increase the effectiveness of an access strategy and an access action plan. These primarily are in the form of resources (staff time and expertise, funding, etc.), processes, and comparative strengths of UNICEF and its partners.

## Process overview

Broadly speaking, humanitarian access involves the identification of unaccessed or poorly accessed populations, the identification of associated access constraints, and the application of access techniques, or best practices, to overcome them and reach targeted populations. UNICEF's process for achieving these two objectives has three distinct phases:

### Phase 1: Analysis

### Phase 2: Planning

### Phase 3: Implementation

Each phase includes specific steps, which are accomplished by key enablers; that is, the people and organizational structures, attributes and processes that support their work (see Figure 1).

Note that while the phases build on another, implementation should be layered on top of sound planning, and planning on sound analysis; ensuring humanitarian access is an iterative process, where all three of these phases are typically ongoing on a continual basis.

## Phase 1: Analysis

### Step 1A Compare coverage gaps with access conditions



Gaining access is about improving results for children. As such, access should be analysed in relation to its impact on programme delivery, with reference to the standards set in the CCCs. This entails first identifying the gaps in geographic and programme coverage for each sector as a result of access constraints. This should be done at the FO level using coverage data at the community level or smallest possible administrative area.

There are several ways to compare coverage gaps with access conditions, depending on the time and resources available. These include:

- **The 'good enough' method:** For those areas with significant coverage gaps, consult with relevant FO and IP staff to clarify which gaps are the result of access constraints. Next determine the corresponding scale and severity of unmet needs as a result of those gaps, using available data.
- **The 'proper' method:** Overlay vulnerabilities and programme coverage gaps with a mapping of accessibility for UNICEF's programmes to determine the relative scale and severity of unmet needs within the different levels of accessibility for UNICEF's programmes. This method provides a more accurate picture of the correlation between access and programme delivery, and facilitates decision-making and an evidence base for advocacy, negotiations and reporting with external stakeholders.

Both methods are most easily done on a map. The data can be hand-drawn on an overview map, or ideally input into mapping software (e.g. Google Earth, ArcGIS, GeoNode or QGIS<sup>4</sup>). Offices without GIS capacities should contact their Regional Office (RO) or the OPSCEN/EMOPS for support.

Note that overlaying geographic catchment areas (coverage) with other layers like level of need, areas of control, and/or boundaries of communal tension can better ensure that programme delivery is in adherence with humanitarian and protection principles. This level of understanding protects humanitarian programming from inadvertently becoming instrumentalized by political or security actors (e.g. if all sites in a contested and high needs area are only under the control of a particular party or particular group). These kinds of errors can degrade UNICEF acceptance and access and cause harm to populations if they are compelled to cross dangerous boundaries in order to access UNICEF assistance among rival populations or under the control of a rival actor.

4 ArcGIS, GeoNode or QGIS are suggested software that may be useful to staff, but in no way should this be taken as an endorsement by UNICEF.

Figure 1: The humanitarian access process



### Step 1B Clarify the access constraints and responsible actors



For each area with access-related coverage gaps, FOs – in consultation with IPs and other humanitarian partners in the area – should clarify the specific contextual, internal and inter-organizational access constraints causing coverage gaps, and also the actor directly responsible for them. This can be done using the [Access constraint inventory exercise](#).

### Step 1C Map the actors



It is important to identify and understand the key actors involved in imposing access constraints. It is also important to understand how best to influence them to ease these constraints. Analyse each of the identified actors responsible for access constraints, in order to answer the following questions:

1. What are the positions, interests and motivations of the actor/s which cause them to impose a given constraint (*this could be different for different constraints*)? This information is critical when seeking negotiated agreements to reach humanitarian outcomes.
2. How is the group organized, what are the decision-making structures and who are the key internal power brokers? Hierarchical or 'vertical' organizations with strong command and control require UNICEF and partners to engage with fewer interlocutors who can pass instructions down their chains of command. In contrast, 'flat', fragmented and/or decentralized actors with weak command and control require more local engagement, and may require negotiation and coordination with several members of the group, up and down the chain of command, before humanitarian actors can confidently take action.
3. What other contacts within your network have the power to influence the actors' decision-making either positively or negatively, and how strong is their influence? In negotiations, your network of influence is often more persuasive than the arguments you present to interlocutors, so you should always know which of your contacts has influence over them.

See [Actor background template](#) for help in ensuring staff collect important and actionable information pertaining to individuals and groups of interest.

See [Relationship mapping methodology](#) for assistance in mapping the relative influence of different stakeholders upon an actor or actors of interest.

### Step 1D Conduct a SWOT analysis



An effective access approach must also consider how the profiles of UNICEF and humanitarian partners as well as external dynamics can either assist or hinder efforts to gain and expand access. A traditional SWOT analysis – an analysis of the internal **S**trengths and **W**eaknesses of UNICEF and the humanitarian community and the external **O**pportunities and **T**hreats – can help identify the enabling and constraining factors that will affect efforts to gain access and how to address them.

It is important to include other humanitarian actors in the analysis to clarify areas of potential mutual support and collaboration as well as challenges that would need to be addressed.

See [SWOT analysis instruction sheet](#) for more information on conducting a SWOT analysis.

## Phase 2: Planning

### Step 2A Determine priorities



Access efforts should be prioritized for areas with the greatest scale and severity of unmet needs, as well as their likelihood of success. CO programme teams and management, in consultation with FOs, security and operations staff, should review the analysis conducted by FOs to determine the appropriate order of priority for their efforts, to maximize the potential positive impact on vulnerable people.

### Step 2B Develop a humanitarian access strategy



A humanitarian access strategy is a planning document for a given geographical area which is intended to help offices get organized and decide upon ways of working, internally and externally with other humanitarian actors. Their purpose is organizational; their content is general and relatively static (i.e. change infrequently). See the below table for recommended access strategy sections and content.

**Table 5: Recommended access strategy sections and content**

Section	Content
<b>Scope</b>	Purpose of strategy, geographic coverage and intended audience.
<b>Humanitarian context</b>	Basic description of the emergency, most salient access constraints, their impact and the actors responsible, as well as actors with relevant influence.
<b>Guiding principles</b>	Articulation of norms and how staff will be capacitated to apply them.
<b>Internal coordination</b>	Coordination mechanisms, regular joint processes and activities.
<b>External coordination</b>	When and how to coordinate with external mechanisms and initiatives.
<b>Engagement</b>	Regular roles, responsibilities and processes, both internal and external.
<b>Strategic review</b>	Frequency and mechanism for keeping the strategy up to date.

Access strategies should be developed in consultation with IPs and key humanitarian actors, and they should be consistent with and complementary to interagency or multi-stakeholder strategies where they exist. It is often useful to have separate strategies at CO and FO levels. Both should include information about how the CO and FOs will interact with one another as relevant.

### Step 2C Set an access action plan



Access action plans are intended to be complementary to access strategies. They are operational and action oriented; their content is detailed and fluid (i.e. change constantly). Using an access action plan, field practitioners can inventory and prioritize areas, populations and constraints of concern; jointly decide on the best overall approaches to address them, assign responsibility for specific actions and track progress.

See [Access strategy instruction sheet](#) and [Access action plan and tracking instruction sheet](#). Together these tools provide a standard structure and content for creating comprehensive and action orientated approaches.

## Phase 3: Implementation

A strategy is only as good as its execution. Below are several key considerations when implementing an access strategy.

### Step 3A Phased implementation



It can be useful to phase implementation of an access strategy, prioritizing efforts on key access constraints or geographic areas with the greatest needs. This is particularly true when there are limited staff or financial resources; when attempting novel approaches and/or sensitive engagements, or; when facing particularly complex and difficult situations. A phased approach to implementation can ensure UNICEF's access efforts are focused on priority programmatic objectives and enables the review and refinement of the strategy and action plan before further implementation.

Phased implementation might also be a good idea when seeking to set a precedent for accessing an area for the first time, or when attempting to establish a positive rapport with key actors or communities for the first time. In either case, sequencing programming in a way which prioritizes more popular, or less controversial, activities could help humanitarian actors build up the relationships and acceptance necessary for a more expansive set of activities in the future.

### Step 3B Process for managing risks and dilemmas



During both planning and implementation UNICEF will need to think through and take certain calculated risks to deliver results for children in emergencies, which frequently present themselves as dilemmas that require difficult choices between potentially undesirable courses of action. Determining what risks should and should not be accepted must be done in line with UNICEF's Enterprise Risk Management Policy, and for security risks, the United Nations Security Management System, and Saving Lives Together. This can ensure that UNICEF is assuming an acceptable level of risk – or risk tolerance – based on an accurate assessment of the costs and benefits of different courses of action.

Risk management is part of UNICEF's accountability framework and is the responsibility of all managers and staff. UNICEF's risk management process follows the steps below:

- 1. Identify different possible courses of action:** Generate as many options as possible. Do not stop at two.
- 2. Assess associated risks for each possible course of action:** When assessing risk, consider it in the short, medium, and longterm. Risks need to be clarified and assessed according to their likelihood and impact.
- 3. Identify mitigation measures:** Measures to reduce the likelihood and/or impact of risks needs to be identified for each possible course of action. The remaining level of risk for each option is known as the residual risk.
- 4. Consider trade-offs:** Consider each possible course of action side by side, evaluating the trade-offs between them, the residual risk of each, and then make a judgment on the 'value-optimizing' option.
- 5. Assess programme criticality:** Assess the [programme criticality](#) for vulnerable children and other people.
- 6. Balance residual risk with programme criticality:** Balance the residual risk of the chosen course of action, and compare it with the perceived programme criticality. Where programme criticality exceeds the residual risk, then staff can proceed with the chosen course of action.

If the residual risk exceeds the criticality of the programme or course of action, then no action should be taken. Decisions to proceed or not to proceed should be made at the appropriate level of authority.

See [Managing risks and dilemmas](#) for assistance with the risk management process.

### Step 3C Escalation thresholds



Throughout UNICEF's efforts, staff will be faced with both anticipated and unforeseen situations that require difficult decisions. COs should have thresholds for escalating decisions to the appropriate level of authority. Thresholds should be based on the level of risk of different courses of action, based on the risk matrix and escalation thresholds established in [Managing risks and dilemmas](#).

### Step 3D Review and learning



Every strategy will have to undergo review and refinement. Periodically, and at key moments, involved staff should take time to reassess their approach and take corrective action based on what is working and what needs adjustment.

Ongoing review will result in a deeper understanding of 'what works', producing examples of good practice and lessons learned that can be recorded and shared. Such lessons become part of institutional memory and promote learning across the organization.

It's useful for staff to document their approach, the reasons for key decisions and the lessons learned. Sharing these insights (confidentially if necessary) with incoming staff, partners, ROs and HQ will mean they can be incorporated in revisions of UNICEF's Institutional Access Framework and this Manual. To ensure that your input is taken into account in subsequent revisions, reach out to HPS/EMOPS.


## Enablers

Enablers exist outside the three-phase access process, but contribute to its success or failure. Enablers can be related to staff and can also be related to organizational attributes and coordination processes. In this section, prominent enablers are highlighted.

### Staff

#### Staff roles, responsibilities and accountabilities

Staff should have clearly defined roles and responsibilities on access, which should include key staff positions in management, programme, security, field operations and operations (supply, administration and human resources). These roles and responsibilities should stem from the CO access strategy and action plan where these are in place, and cover specific tasks, information-sharing, coordination and joint planning. To promote better adherence, staff should be accountable for their access-related role through incorporating them into staff ToRs, PERs, work plans, and CO processes.

See  [UNICEF access roles, responsibilities and knowledge](#) for assistance in determining how best to coordinate internally.

#### Staff capacities and capacity-building

Access efforts require specific skills and capacities from different staff – both international and national. While some might have stronger capacities relative to others, all staff can benefit from periodic training and capacity-building. Experienced staff should: continue to share experiences with other practitioners engaged in access issues, mentor less experienced staff, review new research on good practices and lessons learned, and consider training opportunities to discover new tools and methods. For less experienced staff, management should work with staff to determine the appropriate capacity-build efforts, which should expand beyond one-off training workshops to include on-the-job mentoring and peer-to-peer exchanges with more experienced staff.

### Access advisers

An access adviser can be an important resource for coordinating CO access efforts, building and enabling the proper functioning of access systems, and providing expert support, augmentation and capacity-building for staff. They've also proven to be cost-effective relative to the results for children. An access adviser is most valuable for COs facing critical access constraints: when at the outset of the emergency; when establishing/ updating its strategy on access; when the CO has to take a more substantive and leading role on access given its comparative capacities and strengths vis-à-vis other humanitarian actors; or when the nature of analysing, planning, implementing, coordinating and supporting access efforts is sufficiently complex to require dedicated support.

### Third-party access facilitators

In areas that are inaccessible or difficult to access for UN and partner staff, UNICEF can hire consultants on third-party contracts that are not bound by the United Nations Security Management System (UNSMS) and therefore have greater possibilities to reach these areas. Third-party access facilitators are often helpful in assessing security and other local conditions and dynamics, establishing contact and building relationships with communities and local stakeholders, identifying basic vulnerabilities, negotiating access arrangements, assisting with distributions and monitoring, and assisting in overcoming constraints and restrictions when they arise. UNICEF should always exercise its duty of care, by providing necessary support to partners, rather than simply transferring risk to them.

### Proximity and decentralization

Maintaining proximity and presence to the communities UNICEF supports helps improve programme quality, as well as local acceptance, situational awareness and opportunities for access negotiations. Maintaining a wide network of decentralized FOs: enables proximity and presence, facilitates the tailoring of access strategies and plans to sub-national dynamics, and enables a rapid and agile local response capacity to capitalize on windows of opportunity. Maintaining a regular field presence in specific areas can also reduce the need for staff travel through insecure areas or when faced with cumbersome bureaucratic travel restrictions. The roles, responsibilities and resources required to address FO-level access constraints should be considered in the delegation of authority to FOs, which could include accountabilities for sub national contingency planning, risk management, and the maintenance of stocks and funds.

It is not always possible to maintain FOs in key areas, due to insecurity or financial resources. COs can consider co-locating with other UN organizations in the area, advocating for inter-agency humanitarian hubs (drawing on responders experienced in basecamp set up and management, such as WFP). They should also consult with partners with experience operating in the area to understand how to operate there, or utilize their support for programme delivery. UNICEF can also advocate for United Nations Humanitarian Air Service (UNHAS) routes to improve access to specific locations in insecure and remote locations. For further good practice on maintaining a presence in insecure areas, see [High-security risk settings](#) in part 3.

## Coordination

### Internal coordination

Internal coordination between staff involved in access efforts is important to facilitate mutually supportive actions and information-sharing, and to ensure the relative expertise and experience of key staff is contributing to planning and decision-making. This should include coordination between management and staff, FOs and the CO, as well as across programme, security, and Communications for Development (C4D) and operations. Internal access coordination should be integrated into existing CO mechanisms and mainstreamed into planning processes to minimize the impact on existing procedures and staff time. This can include making access a standing agenda item in programme, operations and/or emergency management meetings, and including security advisers in programme and mission planning processes. COs should also consider opportunities for information-sharing across FOs to promote learning and the application of good practice.

Offices should also consider the creation of an 'access technical team,' to oversee and implement the access process, as well as the access strategy and action plan. Participants would vary, but would likely include programme, security, field operations and communications staff.

### Humanitarian partners

In line with UNICEF's access approach, COs should coordinate their access efforts with partners and inter-agency mechanisms at the national and sub national levels to promote collective action, mutually reinforcing efforts and learning, and the sharing of risks. UNICEF should actively support and contribute to common access efforts, participate in access working groups or forums, and align its strategies with inter-agency approaches as best as possible. When inter-agency access

mechanisms are either non-existent or performing poorly, UNICEF should encourage and actively engage to create or strengthen them. However, when those leading inter-agency efforts lack the necessary capacities to coordinate information-sharing and sound policies on access, UNICEF should consider alternative coalitions with like-minded organizations to promote collective action and build consensus on critical issues.

Inter-agency coordination of access requires time, consensus and a certain reliance on others, and it can be difficult to find common positions due to different capacities, risk profiles and policy guidelines. As such, staff should consistently and actively coordinate with inter-agency mechanisms while retaining the capacity to seize the moment when windows of opportunity to respond to critical needs.

### **Clusters**

Clusters should play an important role in coordinating access efforts. UNICEF leads should utilize the cluster as a forum to identify priority sectoral gaps due to access constraints. Clusters can also clarify the humanitarian and operational impact of access constraints on the sector, and identify potential solutions and collaborative efforts that can be channelled through the access working group (where they are active) and the HCT for decision-making. Given the often-instrumental role national non-governmental organizations (NGOs) play in enabling access, UNICEF leads should also actively encourage and support NGO participation in cluster activities. This should include consultation on meeting agendas and sectoral priorities and the translation of meetings and key documents into the local language/s.

### **Implementing partners**

Maintaining an open dialogue and coordination with IPs on access issues is critical. UNICEF can promote better coordination by maintaining access as a regular item in coordination and planning meetings, encouraging and initiating peer-to-peer exchanges on experiences and practices, and developing joint or mutually supportive access approaches and strategies.

Such coordination should also identify areas for mutual support. NGOs can share information on the context and actors and advise on the feasibility of different options to address constraints. UNICEF can also potentially support and facilitate access for IPs by providing security-related information (both directly and through encouraging United Nations Department of Safety and Security (UNDSS) to share within the 'saving lives together' framework), supporting risk management processes, and advocating with national authorities to ease bureaucratic impediments. It can also include logistical support such as registering with UNHAS and participating in RRM missions. Such support, however, should always be demand driven. Certain efforts might not be required or beneficial given the UN's profile with particular communities and/or stakeholders.

### **Flexible funding**

Wherever possible, flexible funding can provide additional resources for appropriate risk mitigation measures (for both security and non-security risks), improve the adaptability of programme modalities to the context, increase operational independence and avoid donor counter-terrorism conditionalities (see Counter-terrorism measures). The CO, with the support of RO and HQ, should actively seek and advocate for increased unearmarked funding, private donations and a wide donor base.

### **Application of access techniques**

The application of tried and true access techniques make successful outcomes more likely. Moreover, staff that are familiar with a wide array of techniques are more likely to find suitable solutions and actions to overcome the access constraints they face.

The next section can be used by staff to familiarize themselves with different options, or as a resource to be used directly by staff and teams in the 'Planning' phase as they identify options to overcome constraints.

# 03

## ACCESS TECHNIQUES



## KEY TAKE-AWAYS

**ACCESS TECHNIQUES**

Access techniques refer to methods and measures which have been found to be effective when seeking to establish, sustain or improve humanitarian access. These various techniques can be grouped into four broad categories: acceptance building techniques, engagement techniques, programme techniques and situation-specific techniques.

**ACCEPTANCE BUILDING TECHNIQUES**

Without acceptance there is no humanitarian access. UNICEF requires the acceptance of communities, authorities, and all others who project influence in a targeted area, with a targeted population, or along a required route or corridor. Acceptance is built over time by sustaining presence and engagement, by delivering assistance and services that meet community needs, by proper communication and advocacy and by effective engagement.

**ENGAGEMENT TECHNIQUES**

Engagement is one of the primary ways of establishing, sustaining and improving humanitarian access. There are several different forms of engagement including negotiation, advocacy, networking and constituency building, and access coordination. Staff should be familiar with the usefulness of each.

**PROGRAMME AND OPERATIONAL TECHNIQUES**

Programme and operational techniques include a wide range of measures which can be taken in response to challenges on the ground. They can involve a wide range of different partners (e.g. communities, INGOs), delivery modalities (e.g. Rapid Response Mechanism, Mobile Team) and other logistical measures (e.g. Cross-border, prepositioning), as well as alternative forms of assistance (e.g. Cash).

**SITUATION SPECIFIC TECHNIQUES**

Situation-specific techniques provide staff with possible courses of actions and measures to take when confronted with certain context-specific challenges. These challenges include high-security risk settings, UN integrated mission settings, and settings which are characterized by any of the following: political and bureaucratic impediments, counter-terrorism measures, de-facto authorities, etc.

## Acceptance building techniques

Acceptance is the result of meaningful relationships between humanitarian agencies and affected people, communities of interest, parties to conflict and other stakeholders. Achieving acceptance depends on fostering a perception of UNICEF as a trusted and reliable partner in providing the humanitarian support that is needed in a way that incorporates the concerns and preferences of communities and other local stakeholders.

Adhering to the normative framework and explaining its actions in relation to this framework are important ways for UNICEF to maintain acceptance. The motivations and behaviour of UNICEF personnel and its partners must be properly understood, or they may be interpreted based on speculation, which is often influenced by political affiliations and security concerns. Humanitarian actors need to be careful to consistently explain the normative underpinnings of their actions. Moreover, communities and stakeholders must be continually reminded of what the humanitarian norms are, so that they can use these to understand the actions and behaviour of UNICEF and its partners.

## Proximity and presence

Gaining this active acceptance of, and support for, UNICEF's operations requires staff to be present and to engage with affected people and others to understand their vulnerabilities, explain its objectives, demonstrate its commitment, and build and maintain trust. UNICEF should, where possible, maintain FOs close to affected communities to maximize the time available to visit, engage, and build a broad range of relationships with individuals and groups, such as religious leaders, local authorities and power-brokers, and focus groups composed of children in accordance with the CRC principle of inclusion and participation. In locations where UNICEF relies on its IPs to deliver its programmes, staff must nevertheless be visible and present to establish and maintain UNICEF's own relationships and reputation. UNICEF must be within reach of the people it serves, even when doing so through IPs.

## Programme delivery

Programming that address vulnerabilities and reflects the concerns of communities and local stakeholders is the most effective means to build local trust and support. Accountability mechanisms should be in place so that programmes and services are designed and implemented in collaboration with communities (e.g. local leaders, councils and community networks and committees) to create a local sense of ownership in addressing their needs. Complaints and feedback mechanisms should

also be used to identify challenges and take corrective measures when necessary, thereby alleviating problems and demonstrating a responsiveness to local concerns. It is also important that in-kind assistance is accompanied by technical advice and support to improve the quality of services and to signal UNICEF's commitment to the affected people.

At the outset of a crisis, implementing 'quick win' programmes such as immunizations or water and education services that address the immediate needs across the community can create an initial positive perception of the organization and serve as an entry point for addressing potential challenges to further programme delivery. Similarly, when communities are cautious of international organizations and/or resistant to certain programmes, UNICEF can focus on delivering services seen as priorities of the community. This builds goodwill and can open doors to discuss additional programmes. The timeliness and contiguity of programme delivery is also instrumental. Decisions to suspend programmes or withdraw staff should consider the risk of creating the impression that UNICEF is not reliable and will not 'stick with' communities when conditions deteriorate, and its support is needed most. When staff and partners are unable to reach certain areas, private contractors can be used to avoid gaps in the delivery of certain basic programmes until UNICEF staff and partners are able to safely return.

## Communications and advocacy

Acceptance and access are often related to perceptions of UNICEF's mandate, objectives and programmes. As such, communications and advocacy are essential to strengthen familiarity with, and ultimately support for, UNICEF programmes. For this to be effective, staff should have an accurate picture of the organization's level of acceptance, and the reasons why it might lack local acceptance. This can be assessed through consistent dialogue with communities, large-scale perception surveys of the local population and closely following local and social media. This information can be used by programme and Communications for Development (C4D) staff to develop tailored communications, advocacy and branding strategies to improve awareness of UNICEF's mission, dispel misconceptions and minimize the resistance of potential spoilers.

Messages should be disseminated strategically through: local media (e.g. local radio, newspaper, television, mobile messages, social media), informational flyers, notices at programme sites and in relief packages. This is particularly useful for enabling messages to reach communities in areas where UNICEF lacks direct

access, creating an entry point for dialogue and access negotiations. Engaging communities in the dissemination of key messages – e.g. local leaders and authorities, partners, goodwill ambassadors and social mobilizers (i.e. paid volunteers from within communities) – can also create a more positive disposition to key messages. For example, UNICEF can work with religious leaders to speak with communities and stakeholders who opposed programmes on religious grounds. It is also important to use local terminology to improve the internalization of certain principles (e.g. speaking about ‘zakat’ or charity in Islamic settings rather than assistance or aid). Being able to highlight UNICEF’s child-centred mandate, which stems both from the UN General Assembly as well as the UN Convention on the Rights of the Child, has also been effective in building positive recognition and support for the organization’s activities, even when the legitimacy of the UN system is under question by key stakeholders.

### Staff and partner behaviour



Staff – from both UNICEF and its partners – are the face of UNICEF at the country and field levels, and their profile, presence and behaviour are fundamental factors that will influence acceptance. All staff – from programmes to security and operations – must be professional, courteous and able to explain UNICEF’s mandate, objectives, principles and programmes in their interactions with populations and authorities. It is particularly important to include national staff in these efforts, as they often play an important role as UNICEF’s local interface and ‘spokespeople’ both in their professional and private lives. In some situations, it is also possible to recruit national staff from within communities they will be assisting or from the same ethnic or clan group. This can enable a greater understanding of community needs and perceptions, foster a positive association with UNICEF and create the conditions to effectively identify and address concerns.

## Engagement techniques

### Negotiations

Negotiations will likely be required to overcome access constraints. Other than some ad hoc field-level negotiations such as gaining passage with a checkpoint commander, access negotiations are an iterative process that requires regular analysis, planning, engagement and review throughout. The good practice tips below can assist with conducting effective access negotiations. In principle, UNICEF is prepared to negotiate with all parties when necessary to gain access to assist and protect vulnerable children. Decisions regarding initiating negotiations with armed non-state actors should be made in line with UNICEF’s Policy.

### Understanding the interlocutor

Decisions on if and how to negotiate with those obstructing access have to be informed by a solid analysis of the interlocutor in the negotiation and the group or institution they represent. Mapping the interests, motivations and network of influence of the group and interlocutor are particularly important for assessing the risks and opportunities of engagement, determining how best to establish rapport and trust. The  **Actor background template** can help staff to comprehensively explore key attributes of parties to conflict. The  **Relationship mapping methodology** can assist in understanding which actors have the influence necessary to facilitate access or to obstruct it.

This analysis must also seek to verify if the interlocutor has sufficient authority and credibility to make decisions and facilitate compliance. Particularly when negotiating with ANSAs with multiple interlocutors in the room, it’s important to pay close attention to the dynamics as the one who is leading the discussion might not be the decision maker amongst them.

### Choosing a negotiator and support team

Access negotiations should be led by those best positioned to succeed, which might not be UNICEF staff. UNICEF should draw on the comparative advantages and support of other humanitarian actors to negotiate access when they are committed and successful in pursuing access for vulnerable children in line with UNICEF’s priorities and objectives. Large-scale and politically sensitive negotiations are often best led by the Humanitarian Coordinator or OCHA, who can represent a common position and reduce the risks for the operational organizations. Similarly, field-level negotiations are often more effective when conducted by UNICEF’s IPs, who often have good contextual awareness and relationships due to their proximity and presence with local stakeholders. Different organizations might also engage with different interlocutors to achieve complex outcomes; for example, negotiating with multiple parties to conflict to create a humanitarian corridor or access for an RRM mission. However, it is generally not advisable for peacekeeping officials or special political missions staff to negotiate directly on behalf of UNICEF except in situations where the Deputy Special Representative of the Secretary-General (DSRSG) is also the HC, they have a comparative advantage to engage at the right level of seniority and it will not compromise local perceptions of UNICEF’s neutrality.

There will also be situations where UNICEF is best positioned and/or needs to negotiate directly. This is

often the case for specialized topics such as access for child protection and education activities, and when UNICEF's comparatively stronger relationships with government can assist in negotiating the lifting of bureaucratic impediments. In such situations, the negotiator has to have the right profile and support to be effective. Key national staff can be important to include in the negotiating team, and potentially as negotiators – particularly for operational-level negotiations – given they often have a better understanding of the local dynamics and sensitivity, can build rapport with their interlocutor given a shared nationality and language (and potentially ethnicity or religion), have existing ties within networks of influence and understand local approaches to negotiating. However, national staff can also be exposed to greater risks given family ties in the community and challenges around extraction and relocation if threatened. The risks for staff need to be carefully considered at the outset and managed throughout the process. It is also important to recruit international staff with specialized skills for analysis or negotiations and experience in the country or region. This can help overcome some of the limitations internationals commonly face in building relationships and understanding local dynamics, which can adversely impact the success of the negotiation.

It might be advantageous to negotiate indirectly through community leaders or other local actors – particularly when there are unacceptable security and/or reputational risks for UNICEF. However, this should not be pursued if there is a reasonable concern that: it will create security risks for those engaging or the community they come from; they might accept inappropriate compromises that are not in the best interest of children, such as the exclusion of groups from receiving assistance, or limitations on critical programmes, or; they might use their role for personal gain.

### **Deciding on the means of persuasion**

Those negotiating need to identify the best means of persuasion for the interlocutor, which often requires addressing some of their interests and/or concerns. A common approach is to try and identify particular programmes that are in the interest of both the vulnerable population and the interlocutor – e.g. when it will address priority needs across a wide section of their communities. When the interlocutor's group relies on popular support, it can be useful to highlight the benefits UNICEF's programmes will provide, both directly to the vulnerable community under their control, and indirectly to the local economy through the hiring of staff, the renting of vehicles and facilities and the procurement of supplies. UNICEF's child-centred mandate can often be an effective leverage point as it invokes a common

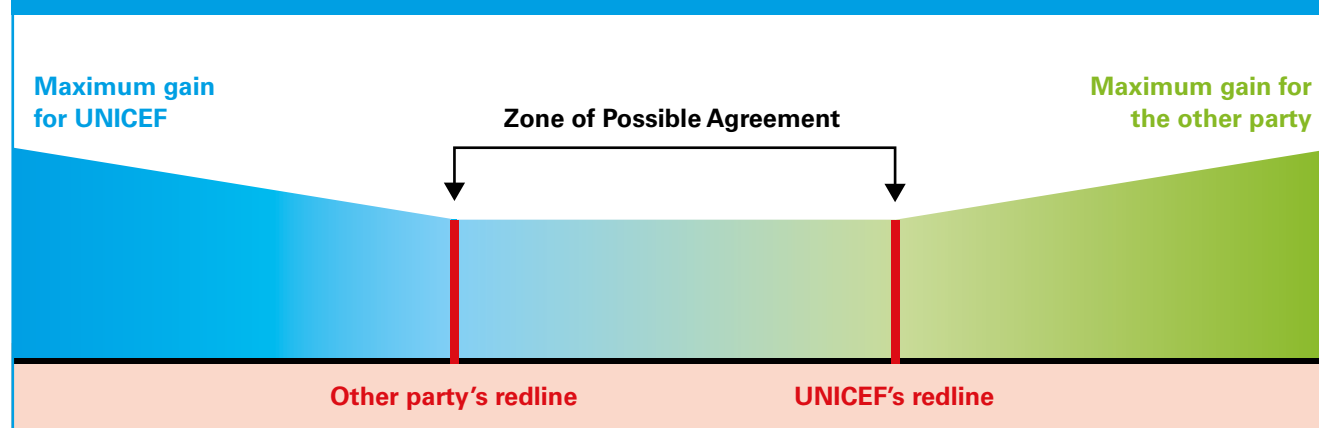
sympathy for children and is viewed as a type of assistance that is less likely to be used to advance their opponents' military and/or political objectives. It might also be possible to address their concerns and interests, even if not through UNICEF's programmes – e.g. by coordinating with other humanitarian or development actors to provide the necessary assistance, such as general food distributions, paving roads or building new health centres.

How one communicates is just as important as what is communicated. The messages or arguments used in the negotiation should be adapted to the audience and the local context if they are to be accessible and have traction. Negotiators must remain sensitive to whether their counterpart may or may not be receptive to certain language and concepts. Making direct reference to international laws during negotiations, for example, may be perceived as a threat. Negotiating counterparts may also not acknowledge the relevance of international laws or be in ideological opposition to them. In many situations, negotiators will find more currency in exploring the overlap between international laws and laws, norms, or values more relevant to the context and negotiating counterpart. Translating provisions into more locally acceptable language and concepts can be an effective way of negotiating. This can include adapting UNICEF's terminology to local norms and ethical/religious frameworks. For example, in Muslim majority countries, assistance can be replaced with 'zakat' (charity) or secure access with 'aman' (safe passage).

### **Determining positions and redlines**

UNICEF should determine its negotiation position before engaging. Staff should consider both the opening position and where acceptable compromises could be made to reach an agreement without accepting unprincipled or dangerous arrangements. This area of acceptable compromise is called the 'zone of possible agreement' (ZOPA). This will need to balance between UNICEF's legal obligations and humanitarian principles, the ideal access arrangement, and what is likely acceptable to the interlocutor.

It is also critical to agree internally on UNICEF's redlines and be ready to adhere to them. The intensity of negotiations and the pressure to deliver in the moment can lead to poor decisions and unacceptable compromises if redlines have not been established in advance. Staff should not hesitate to decline a 'bad deal' even if it could lead to coverage gaps or delays, unless absolutely necessary given the programme criticality. Reaching an agreement at any cost can not only create risks for UNICEF's acceptance, reputation and

**Figure 2: A practical scale for considering negotiation positions**

programmes, but also undermine UNICEF's credibility with the interlocutor, who could assume UNICEF will make similar compromises with those they oppose.

As part of this, it's important to consider the Best Alternatives to a Negotiated Agreement (known as a BATNA) – or how to proceed if negotiations breakdown. It might be necessary, for example, to increase public advocacy to build pressure to continue discussions and the flexibility to reach an agreement, or to expand communications with the affected population to explain why a programme was suspended and UNICEF's desire to continue/return once conditions permit. This can mitigate programme and reputational risks and build indirect pressure on the interlocutor.

### Structured and sustained negotiations

Often access negotiations require parallel and coordinated negotiations at different levels within the responsible group's hierarchy, as well as across different groups over a period of time. In countries with highly centralized power structures and hierarchical political cultures, it is necessary to negotiate and gain authorizations at the highest political levels (either civilian or military). At the same time, local-level authorities and commanders often have considerable discretion over policy implementation and operational matters, and if supportive of UNICEF's objectives, can serve as an internal advocate within their bureaucracy and hierarchy. In many conflict settings, hierarchies and command and control tend to weaken and ANSAs are increasingly fragmented and operate in loose and shifting alliances, making it necessary to negotiate policy decisions with senior leaders and related understandings for implementation with local leaders and field commanders.

Those negotiating should identify the various power brokers or actors whose consent will be required to implement any agreement. They should also engage with them concurrently through different negotiators if necessary, while maintaining close coordination over the timing, messages and terms of agreements at the different levels and across groups.

### Building rapport and managing power dynamics

The better a negotiator can establish rapport and trust, the more likely the interlocutor will share a more honest account of grievances and have the confidence and inclination to change their behaviour. However, the aim is not to be their friend; too close a relationship can cloud one's judgment and make a negotiator less willing to exert pressure when required. The interlocutor needs to like the negotiator, but also respect them. This requires balancing between rapport and assertiveness and speaking on personal terms but also stating hard truths when necessary. This might cause frustration in the moment but will show integrity – and a willingness to walk away from the negotiation when necessary. That willingness creates incentive for interlocutors to become more agreeable to better humanitarian outcomes. Being overly deferential will be taken advantage of and lead to either unacceptable compromises or failed negotiations. See the section on negotiation skills below for further tips and good practices.

### Confidentiality and reporting lines

Discretion, information controls and levels of decision-making are also important components of negotiations, particularly for sensitive and high-risk negotiations. When UNICEF is directly negotiating, the negotiator should have an agreed level of autonomy to explore ideas and make certain decisions, with close oversight from, and

certain decision-making reserved for, supervisors. For high-risk negotiations, it is good practice to have a direct reporting line to the Representative or Deputy and strict confidentiality while maintaining openness with those in the negotiating team. Only limited and pre-agreed information can be shared with partners, donors, and the public. It might also be useful to maintain discretion, for example by meeting in neutral and low-profile locations, using the same support staff (drivers and translators), and avoiding travel to meetings with an escort. Such measures can improve the stature of the negotiator in their interlocutor's eyes, protect sensitive information, manage expectations, mitigate risks and shield other staff from the risks associated. When necessary to insulate negotiations, efforts should also be made to share information critical for programme staff to operate, continue to build the capacity of other staff to engage on access issues, and put in place a contiguity plan to avoid gaps or dependency on specific individuals.

### Follow through

In order to maintain integrity and credibility, UNICEF should never commit to things it cannot deliver. If negotiating for a specific programme, or if humanitarians agree to conduct a specific activity, they must be prepared to do so without significant delays. Failure to deliver will likely doom any future negotiation. This does not mean the negotiator must turn down or accept certain proposals on the spot. It can be an effective tactic to ask to consult with management before responding. It displays a connection to senior leadership (and therefore seniority), trust that your commitment is not made lightly, and provides time to consult with the negotiation team and management to determine the appropriate response. It also ensures the resources are there to follow through on the potential agreement.

### Learn and coordinate with other negotiators

Confidentiality and discretion does not mean negotiations should not be consultative or coordinated processes, involving other relevant colleagues. Staff negotiating should seek to exchange experiences and good practice with other humanitarian negotiators, and where possible, consult with staff and management previously involved in similar negotiations. Coordination is particularly important when negotiating with the same interlocutor over similar or the same issue (not all negotiations can or will be inter- or multi-agency) to build synergies where possible and avoid contradictory messages or conflicting positions.

### Negotiation skills

A negotiator needs to be able to convey interest while observing their interlocutor's choice of words and how

they are spoken to identify interests and motivations that can inform the arguments used to persuade them. Below are several key active listening techniques often used in high-risk negotiations.

- **Minimal encouragers:** A good negotiator will subtly encourage their interlocutor to speak more. The more they speak, the more likely they are to reveal their underlying interests and motivations. Use minimal encouragements to keep the interlocutor speaking, such as 'and?', 'so?', 'go on', 'and after that'.
- **Echoing and mirroring:** Identify key words and repeating them back to the interlocutor in a way that indicates interest, increases their comfort level and prompts them to continue speaking. It can also be used to test if you properly understood the key words. Mirroring involves observing their choice of words, emphasis, tone and body language and matching their energy and way of speaking. This can create a sense of affinity and similarity which is essential for building trust.
- **State your impression and summarize:** Stating your impression is another effective way to test the meaning behind what is being said. This can include starting the response with 'it sounds like', 'it appears to me', 'I sense that', allowing the negotiator to probe and test the interlocutor's state of mind and meaning without incorrectly attributing emotions that are not there. Summarizing can also ensure a shared understanding of what has been said and improve adherence to what has been agreed.
- **Questioning:** Use open questions such as 'tell me' or 'explain to me' to maintain a neutral tone and to encourage the interlocutor to continue speaking. Closed questions will close the discussion; do not ask 'are you satisfied with this arrangement?', but, 'what are your thoughts about this arrangement?'. It is also useful to use leading questions to point the interlocutor toward answering the issue or question you need addressed while leaving the impression they are making the choice.
- **Posture and attitude:** Your posture and body language will often convey more than what you are saying. Your posture and positioning need to show interest and concern for their point of view and respect for them as an individual. Don't let your body language convey discomfort or anger. Instead, maintain a comfortable and confident composure and maintain eye contact.
- **Assertive communication:** It is key to find the right balance between being too accommodating or demanding. The negotiator's communication needs

to be understanding but firm. To do so, it is useful to use statements, such as ‘my preference is’, ‘what concerns me is’ and ‘we are here today to...’.

- **Dealing with difficult people:** A negotiator has to be ready to manage tensions. Responding to anger with anger is likely to escalate the situation, yet giving in to calm the situation can prompt further demands. Remaining sympathetic yet firm can calm the situation without conceding ground. Separate negative behaviour from the interlocutor by stating, ‘I feel...when you...because...’. In heated moments, sitting quietly for several moments can disorient the interlocutor and prompt them to calm down. And when necessary, disengage. If a negotiator is angry, nervous or the situation is not conducive, continue the discussion at a later date rather than provoke failure.

## Advocacy

Advocating for the rights of children is a core part of UNICEF’s mandate, and is a key accountability in the CCCs. Private and public advocacy can also be valuable tools for bringing about positive change in access conditions. Not speaking out can embolden spoilers and further reductions in humanitarian space. On the other hand, speaking out about rights violations, including the denial of humanitarian access, can jeopardize UNICEF’s relationships with key stakeholders and create risks for the continuation of programmes, the safety and security of the affected population and humanitarian staff, and the imposition of further access restrictions.

These risks do not negate the principle that UNICEF should speak out publicly whenever there is sufficient evidence of grave violations of children’s rights. Rather, they reinforce the need to manage the process carefully. Decisions to pursue public advocacy should be made in line with UNICEF’s Decision Making Procedure for Public Advocacy on Grave Violations of Child Rights in Complex and High-Threat Environments. This includes consultation with the RO (and EMOPS if necessary), approval from the Regional Director not to speak out and Executive level involvement before speaking out on particularly grave violations (e.g. genocide) or in sensitive contexts.

The text below highlights good practices for private advocacy and managing the potential tensions between public advocacy and other efforts to enable principled access for UNICEF’s programmes.

### Sequencing private and public engagement

Changing the behaviour of those constraining access is only possible through the correct balance of relationships and persuasion – and pressure when necessary. UNICEF

should always seek to build acceptance with all key stakeholders to create the space to raise concerns in advance of potential access issues. They should engage privately through negotiation and advocacy first when confronted with access constraints. Public advocacy on access issues should be pursued to reinforce private engagements when: private efforts have failed to produce results, when it can complement and reinforce such engagement, or when faced with a verified grave violation that warrants immediately speaking out (e.g. lack of access to a besieged area or large-scale displacement). If it is necessary to speak out, the good practice on coordination and indirect advocacy below can assist in mitigating the associated risks. Regardless of the approach, it is essential it is adhered to by all staff at all levels of the organization.

### Private advocacy

There are a number of private advocacy tools that can be pursued before turning to public efforts. UNICEF can seek to elicit the support of those who can influence the responsible actor – including through indirect advocacy with the affected population, local government officials, key diplomatic missions and Member States, regional or religious organizations, and private sector actors. Such efforts should be coordinated across the country, regional and HQ levels, including through eliciting the direct support of other potentially influential actors, such as the Emergency Relief Coordinator, Under-Secretary-General (USG) for Children in Armed Conflict and the Secretary-General on major issues. In doing so, the messages, and how they are delivered, need to be tailored to the audience based on a clear understanding of their interests and concerns (see [Acceptance building techniques](#) for tips on how to do so). At critical times, UNICEF can also issue private démarches to the concerned State.

### Coordinating negotiations and public advocacy


To strike the proper balance between private and public efforts, it is important to have close coordination between those leading these respective efforts. Management should ensure regular information-sharing and the coordination of efforts between those engaging in access negotiations, private advocacy and public advocacy. This can enable better collaboration and agreement on when to use public advocacy, how to time public efforts and use the right messages to complement ongoing access negotiations. If it is necessary to speak out on grave violations even if they might risk private efforts to gain access, negotiators should be consulted as part of the decision-making process. They should have sufficient forewarning to mitigate any risks with their counterparts (e.g. advanced

warning and explaining the rationale or even extracting staff or partners who might be put at risk).

### Remaining solution-focused

When it is beneficial and/or necessary to speak out publicly on grave violations or access constraints, UNICEF must be mindful of the message it is trying to convey. Messages should be solution-oriented and include specific actions needed to improve access conditions. They should not simply convey concern or outrage. Messages should try and focus on the results required to effect positive change and avoid singling out a specific party to conflict. Whenever possible actions of concern from all parties to conflict should be addressed. Messages should be compelling and not overly technical, legal or demanding in tone. Staff should also identify opportunities to publicly highlight positive behaviour and not just where corrective action is necessary.

### Ensuring the evidence-based

It is also particularly important that public statements are based on verified evidence to prevent inaccurate statements that can compromise UNICEF's relationships, programmes and reputation. For access issues specifically, statements must be based on an accurate understanding of the challenge and highlight the specific impact of the constraint/s on the affected population (e.g. the number of girls and boys without what type of assistance for how long, and the short- and long-term impact that will have on their health, well-being and development). Access tracking and analysis is critical for building the evidence base to create a more compelling and child-focused case for behaviour change on the part of the responsible actor/s. (See  **Access-incident tracking methodology** for how to do so.)

### Indirect and collective public advocacy

When public advocacy is required, using indirect and collective approaches can be options to help mitigate the risks. At the country level, UNICEF can channel key messages through the HC, the HCT or through coalitions with other humanitarian actors. Public advocacy can also be led from the regional or HQ levels to reduce potential pressure on the CO, either directly by UNICEF senior management and/or through other channels such as the Emergency Relief Coordinator, USG for Children in Armed Conflict and the Secretary-General on major issues.

### Grievance file

Staff should be prepared to respond to potential questions or concerns and even anger with UNICEF's public messages. It is good practice to anticipate potential concerns of different actors and prepare

responses in advance – known as a grievance file – to not be caught off-guard and to be able to respond quickly while staying on message.

### Other engagement modalities

Negotiation and advocacy are two of the most valuable engagement techniques at the disposal of field-practitioners seeking humanitarian access. However, they are not the only means. Networking, constituency building, and access coordination are all activities which support effective negotiation and advocacy.

**Networking** is required to identify and establish: contact with negotiation partners, sources to collect and triangulate information, and actors which can provide credible security guarantees in advance of movements or programme implementation. It is important to view these contacts as long-term working relationships in which to invest, rather than short-term transactional ones. They are also working relationships between the humanitarian organizations and outside contacts, rather than being personal ones. Longer-term relationships between humanitarian organizations and contacts encourage greater acceptance and favourable attitudes which lead to greater willingness to cooperate.

**Constituency building** is a critical task which reinforces humanitarian negotiations. The purpose of humanitarian negotiations is to come up with options that appeal to external interlocutors, so that agreements with positive humanitarian outcomes become easier for them to accept. Building influential constituencies of support and requesting their intercession on behalf of humanitarian positioning can change the incentives for interlocutors making an agreement which maximizes humanitarian outcomes harder to reject.

To build constituencies in support of humanitarian negotiations, field practitioners should consider their pre-existing networks, expand their networks when possible, and build on the contextual understanding and networks of other humanitarian organizations or colleagues. Where available, practitioners can refer to the Relationship mapping tool. If humanitarian interests align with those of influential non-humanitarian actors, they might be willing to intercede with non-humanitarian negotiators on behalf of humanitarian outcomes, and in difficult negotiations they may open doors that would otherwise be closed.

**Access coordination** with non-humanitarian actors is usually necessary when implementing programmatic or operational modalities. These modalities (or technical arrangements) are frequently the outcome

of negotiations. To ensure implementation of technical arrangements humanitarian practitioners must not make any agreements without first getting the buy-in and acceptance of all necessary internal stakeholders. Internal stakeholders include functional areas within the negotiator's organization, but can also include IPs or other humanitarian organizations. Many technical arrangements require coordination with non-humanitarian entities for either implementation (e.g. notification systems) or monitoring compliance for programmatic ground rules. Issues will occur when coordinating implementation which frequently lead to further negotiation over possible solutions.

## Programme and operational techniques

Programme design can have considerable impact on the ability of humanitarians to gain and maintain access – either positively or negatively. It is important to consider how the services offered, the choice of IPs and the operational model can address access constraints and to adapt the programme accordingly. The good practice discussed below provides a range of options and considerations for how a programme can be designed to better enable access.

## Partner considerations – principles

### Partner access assessment

UNICEF's IPs will typically have a considerable bearing on the ability to deliver programmes for children in access-challenged areas. Different potential partners are likely to have as good or better access than UNICEF in hard-to-reach areas. Staff need to include access considerations as part of their partnership strategies and selection processes to ensure the right profile. This should include an assessment of their capacities, quality of access, and associations that might compromise the principled delivery of services (e.g. checking staff and board of directors against sanctions lists). This should clarify the reasons they have better access. It could be due to positive factors, such as local acceptance and a lower risk profile, but could also be due to ties to party to conflict or a willingness to accept compromises to enable access, which could provide short-term gains but entail long-term risks.

### Diversity of partners

Staff should consider a combination of partners for flexibility and to reach areas controlled by different parties to conflict or distinct ethnicities. They should also seek to test capacities and approach of potential new partners, e.g. by starting with small-scale programmes in a specific area before expanding the partnership. In some contexts, it is possible to have joint partners

in different aspects of programme delivery, with one better suited to transport goods to an area because of their ability to gain clearances, while another is better positioned to conduct actual distributions.

### Quality of partnerships

Investing in quality partnerships improves access outcomes. UNICEF should foster open dialogue with partners on the challenges they face. This is because partners, particularly local ones, are often hesitant to discuss access constraints and approaches or might not be comfortable asking for support. UNICEF should acknowledge the complexities of gaining access when discussing the initial partnership, and mutually agree on the appropriate level of shared accountability for risks, information-sharing and coordination on access. Examples of coordination include having access as a standing issue during partnership meetings, increased face-to-face meetings, reporting access incidents, developing shared or complementary approaches and explaining how UNICEF exercises its duty of care to support partners where possible.

### Capacity-building

While partners might have better access due to situational awareness and local acceptance, they might lack capacities in other important areas, such as risk management and the ability to advocate, negotiate or coalition build with national authorities. Before signing a partnership agreement, COs should discuss and agree with partners on capacity building requirements (topics and levels) and technical support that moves beyond one-off trainings to include on-the-job training, mentoring and knowledge transfer. This would potentially include awareness of policies and principles, risk and security risk management, staff tracking and logistics management.

## Partner considerations – partner options

### Government partners

Government partners are often able to enable service delivery at scale through national institutions where UNICEF and partners do not have access due to insecurity or other impediments. Working through governments can increase coverage and strengthen social services. It also improves UNICEF's leverage to advocate for access to more sensitive areas, including opposition-controlled areas and child detention centres. It can also help alleviate bureaucratic and other impediments. On the other hand, partnering with the government who is a party to conflict, or is perceived critically by the population, can compromise perceptions of neutrality and relationships with communities and

ANSAs, creating challenges to safely operate in certain areas. A dependency on government partners can also lead to tensions between either objectives and principled service delivery. If the criticality of the programmes warrants the additional risks, staff can mitigate the potential negative effects by having agreed protocols for discussing the partnership with external actors, transferring in-kind assistance (potentially unbranded) to government partners outside the area of operations (i.e. leaving them responsible for supply logistics), limiting capacity-building activities and conducting them away from service locations, or working directly with local authorities (see below).

### **Local authorities**

In situations where partnering with the national government could compromise adherence – real or perceived – to the humanitarian principles, or in the absence of a single central authority, it might be possible to work directly with local authorities to enable service delivery in high-risk settings – such as municipal or local councils. Local officials tend to have more consistent interaction with the affected population, and so might be perceived better, or at least more tolerable, than national counter-parts. In some non-state controlled areas, social services may still be run by former government technocrats (who might even still be paid by the government) and therefore can be acceptable to work with by all parties to conflict. When working with local authorities, it is important to assess their principles and affiliations (e.g. to armed groups), to have programme consultants liaise between partners and local authorities and verify programme quality – particularly when recruiting from the area or former government employees. It is also important to include local authorities in capacity-building and awareness-raising on programme implementation, quality standards, as well as the humanitarian principles and international law.

### **International NGOs**

INGOs are often strong partners for enabling programmes, including in areas where UN staff presence and movement are limited or restricted. They often have a lower risk profile to enable a regular presence or visits to programme sites, and strong technical capacities and codes of conduct for quality and principled programme delivery. Many INGOs are also increasingly investing in analysis capacities, strategies to build acceptance and risk management frameworks, creating the potential for improved access conditions. They also may have more institutional funding for effective security management. At the same time, they can suffer from similar limitations to those of the UN, including a higher risk profile given

the presence of international staff compared to local actors, limited situational awareness and local-level relationships, and a reliance on local partners.

### **Local NGOs**

NNGOs will often have greater access in hard-to-reach areas due to local knowledge, established ties with communities and stakeholders and more agile operations. However, NNGOs do not always have a lower risk profile as they have greater exposure in insecure areas with weaker risk management frameworks, and they are not always accustomed to rigorous reporting. NNGOs also typically have less response capacities, difficulties in maintaining quality standards, entail greater financial risks and have less familiarity/adherence to the humanitarian principles. The pre-vetting of NNGOs should pay attention to their capacities and principles/ethics, risk management approach, and how their ethnic make-up and other ties to local influencers might affect a response or impact community perceptions. Also to be considered is their acceptance and access to areas outside of their identity grouping. UNICEF should avoid partnerships with NNGOs with known ties to local authorities (either state or de-facto authorities) that could hinder their impartiality and/or acceptance. When necessary to partner with a NNGO that might entail certain reputational risks, these can be mitigated by including disaggregation of beneficiary data by ethnicity/tribal/clan affiliations, beginning with short-term projects, distributing funds in small amounts but greater frequency, and ensuring regular coordination remotely and in person. Investing in quality partnerships can also mitigate risks while strengthening response capacities (see above) and provide support for operational costs associated with security risk management, logistics and training.

### **Community-based programming**

UNICEF can also partner directly with communities for programme delivery in remote or insecure locations, such as volunteer organizations, local leaders, religious councils or relief committees. Working directly with communities can facilitate participatory programmes, strengthen local acceptance, overcome potential concerns and identify local solutions. However, local actors often don't have capacities or experience with programme delivery and can be increasingly susceptible to community pressures. Often this will limit their programme delivery to smaller scale programmes that don't require considerable technical expertise, such as some nutrition assistance and NFIs. It can be useful to include local communities in monitoring, particularly where there are concerns with local corruption or diversion, and when community members work as

social mobilizers (i.e. liaisons between humanitarians and communities) to ensure support and participatory programmes.

### Private sector

Private sector actors often have different operating modalities and risk profiles when operating in high-risk settings such as greater ability to move and operate discretely. However, they will often have fewer technical capacities which limit the type of assistance they can provide to distributions that do not require substantial technical knowledge and small-scale infrastructure repairs. Local contractors can also entail increased risks due to poor financial controls and security management and limited or no familiarity or adherence to the humanitarian principles. Their ability to move in insecure and challenging areas, for example, can frequently be due to a willingness to 'pay for access'. Working with private sector actors should be accompanied by strong monitoring protocols and sensitization on the humanitarian principles. See [Field monitoring in access-challenged areas](#), below, for potential options.

### Direct implementation

In situations where there are critical needs, but available partners do not have the capacities or profile to respond (e.g. because they are not accepted by one or more communities), UNICEF should consider directly implementing programmes where security conditions still allow for UN staff movement and the right profile to do so. In situations of limited UN staff movement, UNICEF can still continue certain direct programming through consultants, or potentially national staff when they have a lower risk profile than internationals, are prepared for the risks and are fully supported.

## Programme considerations

### Inclusive programmes

The accessibility of relief items and services for vulnerable groups needs to be considered through the programme cycle. This would include, but not be limited to, ensuring needs assessments and targeting criteria do not unintentionally exclude potentially vulnerable groups (e.g. children, women, people with disabilities or other special needs). It also means that programmes are designed in such a way that individuals are not unwilling or unable to participate.

### Integrated programming

Integrated programming not only provides a more complete and appropriate set of services for improved results, it can be an important avenue for building confidence and positive relations with vulnerable

people that can improve access. Delivering a package of related services, rather than individual or uncoordinated assistance, can better meet priority needs and avoid potential concerns with programme gaps. It can also make affected communities less resistant to bundled services, such as polio vaccinations. Packaging programmes can also enable the delivery of sensitive programmes in a more discreet manner, for example, by integrating certain education and child-protection services at child-friendly spaces and centres. Integrated programming can be achieved by coordinating multi-sectoral activities within UNICEF and/or with other humanitarian partners or integrating the relevant components of a sector in another sector's activities, for example, by using health partners and facilities to enable certain child protection monitoring and activities.

### Sequenced and incremental programming

The sequencing and roll-out of different programmes can also facilitate access. Frequently, an immediate offer of assistance in response to a crisis – rather than requests for meetings to discuss a response – can also help build initial trust and confidence in UNICEF's ability and intentions, creating the conditions for better relationships and access. Staff should try to identify and prioritize critical programmes that meet the immediate needs of a large segment of the vulnerable population (e.g. immunization campaigns, water and sanitation services and back to school campaigns). These can serve as quick wins and an entry point to build trust and relationships to gradually expand the range of programmes and services. Incremental programming can also be effective within a specific sector. For example, WASH activities can be initiated with disinfecting water supplies in one area and then expand to small-scale rehabilitation of infrastructure and eventually large-scale repair and supply activities. Humanitarians can gradually demonstrate results and build trust, enabling UNICEF to conduct similar activities in other areas (including areas controlled by other parties to conflict).

### Sustainable programming

Sustainable programming seeks to complement in-kind assistance with technical guidance and capacity-building, rather than focus on supply-driven assistance or one-off activities. It is another way to build relationships and acceptance that can facilitate access. Sustained programmes not only enable more complete and robust services, they also increase the level and frequency of interaction and engagement between the affected communities, local stakeholders, UNICEF and/or its partners and signal that UNICEF is a consistent and reliable partner that is 'here to stay'. Taken together, this can create the space and positive atmosphere

to advocate and negotiate for further access. While sustainable programmes are particularly difficult in access-challenged areas, several approaches can address the potential limitations, including working with IPs with sufficient capacities and access, complementing partner efforts with third-party consultants or private sector contractors and using technology to provide remote support. Also see High-security risk settings, below, for additional good practice for operating in insecure areas.

### Equity programming

In conflict contexts, there are often vulnerable people under the control of opposing parties to conflict and there can also be tensions and conflict between different communities that UNICEF seeks to serve. Providing a greater volume of assistance, or the perception that UNICEF's assistance favours one party or identity group, can greatly erode its acceptance and access. While UNICEF and partners should prioritize impartiality over equity, there are several approaches that can assist in addressing such situations. To enable assistance and services on either side of the contact line, it has been possible to negotiate simultaneous distributions or services to vulnerable people under the control of both sides. Staff can also seek to provide assistance across identity groups to avoid perceptions of partiality and non-neutrality, particularly if the identity groups are in conflict. Similarly, when passing one community to reach another leads to animus by the non-recipient community, staff can attempt to identify beneficiaries or staff (even temporary staff) from the concerned community in order to continue serving the other. Staff should also consider providing assistance to the host community in IDP or refugee settings where needs exist (even if not as severe) and it would assist in diminishing tensions or concerns between the two communities. Equity programming needs to be undertaken carefully so as not to compromise perceptions of UNICEF's impartiality or neutrality and not to further aggravate tensions, for example, by not providing similar levels of assistance to both communities. In such situations, it is critical that UNICEF explain the principle of impartiality and the needs-based criteria for determining entitlements to communities prior to programme implementation in order to obtain their understanding and acceptance of the programme design.

### Cash-based transfers

Under the right preconditions, cash-based transfers should always be considered alongside other transfer modalities in emergency situations, including functioning markets, beneficiary preference, agreement from national and local authorities, a safe and accessible cash delivery mechanism (for recipients), and safe

and traceable payment mechanisms (for UNICEF). Cash can also assist in overcoming certain access constraints in various situations, such as:

- when staff access is difficult and/or unpredictable;
- where there is a high risk of involuntary diversion post-distribution;
- where there are tensions between IDP/refugees and host communities, when populations are mobile or likely to be displaced;
- when facing logistical difficulties transporting in-kind assistance.

Cash programming can assist in such situations because it can be implemented remotely and through local service providers. Furthermore, there is limited or no transportation requirement; limited or no visibility during transportation and distribution phases; no requirements for beneficiaries to move to distribution points when using digital money. It may also strengthen local markets. In remote locations where markets are not functioning, vouchers can be used to compensate for the lack of markets. The private sector can also be useful for transportation and delivery of cash.

## Operational considerations

### Rapid Response Mechanisms

RRMs can enable better programme coverage in access-challenged areas, with different models better adapted to different settings. Direct RRM (the South Sudan model) are effective where there are limited or no partners, and where a permanent UNICEF presence is not possible due to insecurity in the area, the remoteness of the location or environment and/or security challenges along transport routes. A partner RRM (the DRC model) is more effective when speed and agility are required to respond to emerging needs and crises, and/or access conditions are sporadic and unpredictable. Both models can also be useful for facilitating access for others. As first responders, they can initiate acceptance building efforts, provide information and data for advocacy, clarify access conditions, and identify potential options to overcome constraints. It can also demonstrate that humanitarian assistance can reach those in complex, often dangerous environments and pave the way for a more permanent presence by UNICEF and/or its partners. An RRM, however, does not enable sustained programmes. Child protection activities are limited to referrals. Health and nutrition activities that require more than one visit are not possible. When utilizing an RRM model, it is important for the team to conduct an access constraint inventory as part of their preparedness, and

to initiate efforts to ease or overcome those identified before they deploy. It can also be useful to decentralize RRM structures when different parts of the country require different operational hubs and response capacities.

### **Mobile teams**

The use of mobile teams can be similarly effective for providing a first-level response in areas with limited or sporadic access, high security risks, where there are no fixed service facilities, the population's location is unclear or they face multiple displacements. It also allows greater flexibility to determine distribution locations and conduct multiple and smaller distributions. Mobile teams also often have a lower risk profile and greater agility given their low profile, flexibility in determining service locations, and the ability to rapidly vacate a location if security conditions deteriorate. They can also facilitate a level of integrated programming by incorporating other sectors in medical mobile teams (e.g. child protection and nutrition activities).

### **High/low visibility**

Visibility of the UNICEF brand can present both opportunities and risks depending on the context. High visibility can be an important security risk mitigation measure where UNICEF has or can build good local acceptance that can reduce the likelihood of targeting or harassment. However, a lower profile might be more appropriate where humanitarian actors are targeted by armed actors or criminal groups, have limited local acceptance or when their presence is limited to an area controlled by one party to conflict. Visibility can be reduced by moving in different coloured or model vehicles (i.e. not the typical UN-SUVs) – particularly in high crime areas, limiting branding on offices, accommodations and assistance and programme sites, transporting supplies via private transport companies, emphasizing the programme and not the agency in press releases or when approached by the local media, and reducing the number and movement of international staff (for considerations on public advocacy, see Advocacy, above). Before shifting to a low-profile approach, it is important to assess the specific nature of the threat, which can sometimes be reduced by the type of branding used. For example, branding can be adjusted to the local language, with or without UNICEF's logo.

### **Cross-border**

Cross-border operations are another option to enable access when insecurity or armed actors limit or prevent access to specific areas from within the country. As a UN entity, UNICEF requires the consent of the state to conduct cross-border operations, or a binding

United Nations Security Council resolution authorizing them. While it might be possible to partner with those conducting illegal cross-border operations, this entails considerable programmatic, reputation, and potentially legal risks that would be difficult to justify.

### **Opportunistic distributions**

For some types of activities – such as immunizations or non-food items (NFIs) – it can be possible to find opportunistic times and locations for assistance activities, such as at muster points when people are evacuating a conflict or besieged area, along displacement routes or during community/religious gatherings and events. Staff can also use door-to-door distributions rather than at large sites when there is a risk of diversion or an attack on the distribution site.

### **Pre-positioning and contingency stocks**

For programmes in remote locations, those with poor supply routes, or insecurity, it can be useful to pre-position stocks in field locations as long as they can be effectively secured. It is also important to try and maintain a buffer stock for emergency supplies in the event of new emerging needs and in advance of critical events such as military operations.

### **Alternative transport assets**

It may also be possible to identify different transport options to enable access. COs can encourage and support UNHAS to expand air asset capacity to better facilitate the response in areas where ground movements are limited or prohibited due to insecurity or environmental factors. It may also be possible to move supplies via all-terrain vehicles, water routes or pack animals when roads are inaccessible and/or bridges are damaged, or small boats to pass certain flooded areas.

### **Remote programming**

Remote programming might be required in high-risk areas or when UN access is denied by the relevant authorities. Remote programming should be a temporary last resort when other avenues to enable UNICEF staff access have been exhausted and the programme criticality justifies the added risks. Decisions to adapt remote programming modalities should be taken in-line with UNICEF's programme guidance on Remote Programming in Humanitarian Action. When remote programming is warranted, planning should include an exit strategy with concrete steps and benchmarks. It is important to pre-screen organizations in advance for a roster of qualified partners to facilitate the transition to remote programming. This should consider their capacities, security profile (risk profile and not

simply assessing whether they have a higher risk tolerance), and ties that might compromise UNICEF's principles and/or partners. If regular programming (not one-off activities), the partner should be an impartial humanitarian organization and adhere to the humanitarian principles or a consistent ethical framework. COs should also consider a remote support model whereby remote programming is part of a long-term strategy to build and transfer programmes to local capacities. This would entail delegated responsibilities, capacity-building, technical advice, advocacy and donor relations. Staff can also be seconded or imbedded for more consistent support. Remote programming should also include a component of community participation, with pre-agreed structures for collaboration between the partner and community members. There should also be sufficient means in place to verify the quality of programmes and the partners' conduct, including through the use of third-party contracted facilitators and third-party monitors. See [Field monitoring in access-challenged areas](#), below, for good practice options.

## Situation-specific techniques

### High-security risk settings

Security is one of the primary challenges for humanitarian access in most complex emergencies. Security-related constraints can stem from the external operating environment (e.g. armed hostilities or violence against humanitarian actors) and approaches to risk management within the United Nations Security Management System (UNSMS). The good practices below can assist in addressing both types of constraints.

#### Situational awareness and acceptance

Effective security management requires accurate and timely information and the support of the local population. When communities have positive relationships and trust with humanitarian actors, they are more likely to share information about the context and actors, provide timely information on security conditions and even shelter staff from an attack. Similarly, with acceptance from parties to conflict, the latter are more willing to agree to secure access arrangements (see below). In addition to the points in the section [Acceptance building techniques](#), it is important to maintain a wide key informant network and non-traditional sources of information – including national staff, local leaders, community organizations, contractors and individual community members.

#### Programme security

Programme delivery in insecure areas can be improved through close collaboration between programme and

security staff. Security officers should move beyond a focus on the safety and security of UN personnel to a holistic approach of understanding the needs of programmes. Similarly, programme staff should view security advisers as a means rather than an obstacle to facilitate programme delivery. Security and programme sections should work together regularly to clarify the objectives of different programmes, the exact nature of security risks to the programme and to identify mitigation measures that can enable them to go forward. This should include having the security adviser participate in programme and crisis management team meetings, involving programme staff more in security planning during the design of programmes, as well as integrating this collaborative approach in workplans and staff performance evaluation reports (PERs). It is also important to collaborate with other like-minded security professionals from operational agencies, including NGO organizations like the International NGO Safety Organization (INSO).

#### Third-party facilitators

In areas too insecure for UNICEF staff, it is possible to maintain a limited presence by working through local third-party contracted access facilitators. Third-party access facilitators have been critical for expanding programmes into hard-to-reach areas as they come from the areas, speak the local language, understand the dynamics and can more safely move throughout the area. This is true particularly when they are former senior ranking military and police officers or have strong links to local authorities and stakeholders. As such, they can be a critical means to directly gather information on the status of the vulnerable population and access constraints, building relationships with local communities, leaders and authorities, negotiating access arrangements with key stakeholders, and addressing challenges as they arise. Third-party facilitators can be particularly effective in building relationships and solving problems when they are former military or government officials.

#### Access arrangements in insecure settings

It is often advisable to seek security arrangements with parties to conflict in order to enable regular, or at least temporary or periodic access in high security risk areas. The following are several types of arrangements that can be sought (sometimes in conjunction with one another), and key considerations around their use:

- **Local security guarantees:** Often the most sustainable arrangement is for staff to seek explicit guarantees from parties to conflict to not harm humanitarian personnel or assets in the areas they control. This can be effective where there are lower levels of active hostilities yet high residual risks.

These should be blanket guarantees not to attack or harm humanitarian actors, and not authorizations for particular activities or missions. It is also important to verify that the interlocutor has the authority to provide such guarantees and has sufficient command and control to ensure compliance in the field. Compliance and sustainability of such guarantees is also improved when in writing, particularly if programmes require regular field missions that must pass multiple checkpoints.

- **Notification systems:** Staff can seek specific arrangements to notify parties to conflict of humanitarian facilities, programme sites and movements so that armed hostilities do not endanger personnel or beneficiaries or impede humanitarian action. Notification arrangements are most effective with national military forces with stricter command and control structures, and when there is an aerial component to the fighting. This entails providing GPS coordinates of humanitarian sites to be included on no-strike lists and notifying the time and route of specific movements in insecure areas. It is important to ensure notification procedures are clearly understood by all relevant components of the military or armed group, that sufficient yet minimum operationally relevant information is shared to avoid confusion or misunderstandings in the field, and that procedures are streamlined to avoid delays. However, humanitarian actors should not seek the 'authorization' from parties to conflict through notification systems, which provides them a level of control beyond what is acceptable in IHL and humanitarian principles. Notification should also be coordinated centrally on behalf of the wider humanitarian community, for example by OCHA (or the Logistics Cluster for cargo movements).
- **Days of tranquillity:** This mechanism has been used primarily to enable children to have access to health care during conflict, for example to undertake national immunization campaigns, or other exclusively humanitarian activities. 'Days of tranquillity' require the agreement of all relevant parties to refrain from impeding the mobility and work of medical and other personnel during designated days.
- **Humanitarian pauses:** These are agreements by parties to conflict to temporarily cease hostilities exclusively for humanitarian purposes. They are often used during periods of intense hostilities, and particularly in urban contexts for a defined timeframe. They often cover a specific geographic area where the humanitarian activities are to be implemented. It is important to try and seek regular pauses (e.g. specific hours of the day) rather than one-off arrangements,

and to ensure sufficient time for the necessary programmes.

- **Humanitarian corridors:** These are designated and recognized passageways for the secure movement of humanitarian personnel, particularly in areas of regular and/or intense hostilities. An agreement for humanitarian corridors should be sought with all parties to conflict in the relevant area and should have as few limitations as possible (e.g. limited dates and times for secure movement).
- **Armed escorts:** As a last resort, staff can use armed escorts to enable critical programmes. Any decision to use armed escorts should be taken in line with the IASC guidelines on the use of armed escorts. This entails exploring all other alternatives first, ensuring certain criteria is met (e.g. that it is the only means to enable life-saving programmes), and that their use is temporary and accompanied by a clear exit strategy. The section [Managing risks and dilemmas](#) can also assist with assessing the risks of using or not using an armed escort.

### United Nations Security Management System (UNSMS)

The below practices can assist with navigating and making best use of the UNSMS, including the Programme Criticality Framework.

#### *Influencing the SRM process*

There are several steps that can positively influence the Security Risk Management (SRM) process to ensure the correct identification of risks and the appropriate risk profile and appetite are applied to UN humanitarian AFPs when deciding on security mitigation measures. UNICEF security advisers can encourage and conduct joint missions with UNDSS to ensure up-to-date security assessments and to influence their analysis and recommendations. Security advisers and focal points can also identify and share relevant information and analysis about the actual state of threats and vulnerabilities for UN humanitarian personnel and use this to inquire about UNDSS's analysis and/or request specific revisions. The Representative/Deputy and security adviser should also seek to ensure the Designated Official (DO) and UNDSS are familiar with the concept of acceptance and recognize it as a security risk mitigation measure in their analysis and decision-making. It can also be useful to advocate for agency and/or programme-specific SRMs (ad-hoc SRMs) to capture the distinct risk profile of specific organizations and programmes and apply more appropriate and enabling mitigation measures.

### ***Collective positioning***

UNICEF representatives and security staff can also seek to influence security decision-making through proactively engaging with the DO and in the SMT in coalitions with like-minded UN agencies to build as wide a consensus as possible in advance of important discussions with the DO and UNDSS and within the SMT.<sup>5</sup> For example, UNICEF security staff can encourage and participate in informal group discussions with other AFP security officers/advisers to discuss challenges and approaches and to formulate common positions and strategies for engaging with UNDSS in the Security Cell (where operating) and with the DO in the SMT and bilaterally.

### ***Documenting and elevating***

UNICEF staff should also insist that security-related discussions within the SMT and decisions by the DO are dually noted for record for proper accountability and to enable continued engagement and follow-up on contentious decisions. If a CO disagrees with the position of the DO or UNDSS, they can elevate the issue to UNICEF's Security Coordinator to raise either informally or formally with the Secretariat, or to the Executive Director to raise with the Secretary-General if necessary.

### ***Programme Criticality Assessments***

Sound Programme Criticality Assessments (or PCAs) are critical for making informed decisions for UN staff access – and are mandatory in areas with high and very-high security levels. Prior to a PCA, programme staff should carefully assess the criticality of all programmes and associated activities (assessments, monitoring and/or logistics), and identify any activities or programmes that might enable PC1 or 2 activities (e.g. enabling staff movement for activities related to building acceptance and/or access negotiations). CO management should advocate with the RC/HC to conduct and periodically update PCAs if this is not being done. Field-based staff can also consult with trained PC facilitators within UNICEF via EMOPS, and advocate for them to be included in PC facilitation teams deployed to assist with PCAs. Information and training are also available through the PC Secretariat.

### ***Political and bureaucratic impediments***

Political impediments – e.g. travel authorizations and limitations on partner selection – are one of the most pervasive access constraints. According to IHL, the host government can impose administrative processes to conduct relief operations; however, they must be applied

in good faith, and their effect must not prevent the rapid delivery of principled humanitarian assistance. The good practices below can assist in addressing such situations.

### ***Early and proactive engagement***

It is important to engage as early and proactively as possible to prevent the establishment of bureaucratic measures, or to lift/ease new or existing impediments. Accepting cumbersome and unpredictable policies and procedures sets a negative precedent that becomes increasingly difficult to counter the longer they are in place and enables them to be used to limit or prevent humanitarian access. It also often leads to the expansion of impediments to additional aspects of programmes and operations (e.g. from national staff permits to permits for all staff and specific programmes), and the imposition of increasingly restrictive procedures over time.

### ***Strategic inter-agency engagement***

Political impediments are often applied to the entire UN or humanitarian community in country, albeit at times in different ways. It is also one area where the acceptance of certain impediments by some organizations will have an adverse carry-on effect on other agencies' ability to negotiate better arrangements. As such, it is often most effective to advocate for and support the development of a common inter-agency position (HCT or UNCT depending on who the constraints are applied to) and senior centralized intervention through the RC/HC and OCHA (or the DSRSG in an integrated setting). It is also important to leverage support and 'good offices' of key diplomatic missions and donors to raise concerns with the government. This approach can increase leverage in negotiations, ensure the actions of some organizations do not have an adverse impact on others, and limits the exposure of operational agencies to potential retaliatory measures. See the sections on [Negotiations](#) and [Advocacy](#) for more specific tips and good practices.

### ***Multi-tiered bilateral relationships***

Support for a common inter-agency approach should complement, and not replace, agency-specific efforts to build relationships and channels of communication with counterparts at all levels. UNICEF senior staff should foster strong relationships with government counterparts and can use this to softly reinforce the messages being advanced by the RC/HC; for example, by highlighting the programmatic benefit of easing procedures. It is often equally important for technical staff to actively build relationships and identify entry-points with provincial and local government and military authorities. Subnational

<sup>5</sup> For more information and the definitions for PC1 and PC2-PC4 activities, please visit the UN Programme Criticality website.

authorities often have certain responsibilities and control to expedite authorizations and permit access and a greater sensitivity to needs and concerns in their area. Moreover, they are often more agreeable in allowing specific missions and activities even when national, policy-level efforts, have stalled. They can also assist in finding policy solutions that would be acceptable to the central government and advocate from within their institutions to positively change policies.

### Access tracking

Having accurate evidence of the programmatic impact of access restrictions is particularly important for advocacy and negotiations addressing political impediments.

The responsible actors will often attempt to down-play or deny the adverse impact of their regulations and procedures, and so solid analysis and examples are important to substantiate humanitarian positions and messages and demonstrate due-diligence and rigour in one's approach to operations. Such evidence also helps mobilize diplomatic and donor engagement. Staff can contact EMOPS for support in developing standardized templates for tracking and analysing different political impediments.

### National staff profiles

The selection, profile and efforts of UNICEF's national staff are essential to an effective approach. The identification and recruitment of national staff should include consideration of their local networks and existing ties/relationships with relevant government agencies. National security advisers that are former military or national security, and administrative officers who are previous government employees often have strong informal relationships and networks and can better clarify procedures, expedite processes and advocate for policy changes. They can also be effective in understanding the interests behind imposed constraints, can direct one, and sometimes provide access, to key influencers, and can explain the best means of persuading them.

### National agendas and plans

It can also be effective to promote and incorporate children's rights and specific programme outcomes into national and subnational frameworks and plans. This can help elevate both the level of government ownership and the level of prioritization among other programme outcomes, making them a partner in finding ways to facilitate programme delivery. For example, UNICEF has had success in easing bureaucratic impediments by establishing the eradication of polio and malnutrition as a government public health priority. In another example, UNICEF has had child focused social services in national development plans.

### Operational work-arounds

There are several measures UNICEF can take internally to potentially bypass or streamline processes. For areas where travel permits are required, opening a FO or establishing a permanent presence in areas can reduce the number of permits required, or alleviate the need for them entirely. COs can also improve their internal mission planning process, including development mission planning standard operating procedures (SoPs) and an online planning system, in order to better anticipate lead time for approvals for critical field missions.

### UN integrated settings

The presence of a UN Integrated Mission can create both opportunities and risks for access. In Complex and High Threat Environments, staff should maintain regular and sustained engagement at all levels of the Mission to maximize the Mission's contribution to creating an enabling environment for humanitarian access while maintaining an operational distance where necessary to minimize the risks for UNICEF's adherence to the humanitarian principles and staff security. Below are several good practice options that can assist in such situations. See UNICEF's Technical Guidance on working with integrated presences for more information.

### Engagement with the Mission

At the country level, UNICEF should work collectively and bilaterally to advise and influence the DSRSG/RC/HC and Mission personnel to prioritize the appropriate level and type of support on access. This can include:

- Actively supporting common humanitarian positions and engagement strategies with as broad a coalition as possible on critical issues where the Mission might adversely affect access – either within the HCT, UNCT or alternatively with like-minded organizations;
- Actively working and advocating with AFPs within the SMT to influence the DO and UNDSS to adapt an appropriate risk management approach for UN humanitarian agencies within the UNSMS (see High-security risk settings, above, for more information on engagement within the SMT);
- Advising the DSRSG when to use the Mission's 'good offices' to advocate on access and to prioritize the allocation of Mission resources where appropriate to facilitate access;
- Coordinating UNCT and Mission communications to ensure they reflect the distinction between UN actors and convey consistent messages about needs and the obligations of different actors;

- Developing country-specific civil-military coordination guidelines to establish clear and agreed roles and responsibilities on access issues, amongst others;
- Actively participating in coordination forums and encouraging broad humanitarian and Mission participation to strengthen understanding of respective mandates and principles and to improve coordination; and
- Engaging with the Joint Mission Analysis Cell and Operations Centre (JMAC and JMOC respectively) and the Protection and Civil Affairs Units, to exchange information on the context and stakeholders and facilitate introductions to actors when appropriate.

HQ can support by mobilizing senior management, advancing global advocacy campaigns or messages, seeking HQ agreement for a common position with other UNCT members (or even within the IASC), conveying messages to the Secretariat, as well as providing technical guidance and support.

### Operational distance

The necessary coordination and support with the Mission should be maintained alongside an effective separation of profiles and activities in the field in order to maintain operational independence. Distance also helps to minimize the risk of UNICEF or the UN appearing out of alignment with humanitarian principles, particularly neutrality, which could damage acceptance with communities and stakeholders. This should entail limiting public and visual signs of collaboration to help maintain the distinction between the 'black' and 'blue' UN. To this end, offices and facilities should not be co-located, uniformed or armed personnel should not enter UNICEF premises, and meetings should be conducted in neutral locations (such as OCHA). In many cases, this has also included limiting or selectively using mission assets, particularly armed escorts. This can include seeking DO authorization for the use of armoured or unmarked vehicles, using mobile patrols and area security measures rather than direct escorts, and limiting the use of armed escorts to situations when it's imperative for security. Staff should also avoid joint field missions or road movements.

### Influencing the Mission mandate and structure

At the country level, UNICEF should actively engage in strategic assessments and reviews of Mission mandates to influence recommendations on the appropriate level of structural integration and activities of the mission. This can include advocating for common positions within the UNCT and encouraging sufficient consultation with HCT members. They should also contribute to the design of

country-level Integrated Strategic Frameworks and civil-military coordination guidelines to set the parameters for coordination and roles and responsibilities. Given the centralized decision-making structure within a UN mission, HQ-based staff should also participate in integrated strategic assessments and reviews, including participating in Integrated Technical Assistance Missions and raising critical issues to the Secretary-General's Executive Committee. UNICEF should also utilize its unique role as a member of the Integration Working Group and Steering Group to influence policies, to advocate for a DSRSG/RC/HC with a strong humanitarian background, separate political and humanitarian support structures for the HC, and to ensure the policy on Integrated Assessment and Planning (IAP) is incorporated into the different UN entities' trainings and inductions. Staff should also participate in the Integrated Task Forces (ITFs), which oversee the implementation of the IAP to safeguarding humanitarian space and influence the internal Mission Concept and Mission Structure documents.

### Community engagement and communications

Communication strategies are also important to clarify UNICEF's independence from the political and military objective of the mission. UNICEF should prioritize staff's direct engagement and dialogue with local communities and stakeholders, and adherence to the humanitarian principles and conflict sensitive approaches to programme delivery. This explains and demonstrates that UNICEF is focused solely on humanitarian objectives on behalf of children. Staff can also use opportunities to pass messages through partners with good networks as well as during workshops or informal meetings with local and international NGOs and key stakeholders who can act as ambassadors for UNICEF's principled programming. (See [Acceptance building techniques](#), above, for more information.)

### Quick Impact Projects (QIPs)

QIPs – small-scale projects that build confidence in the mission and/or peace process – can cause confusion between humanitarian action and military objectives implemented by humanitarian organizations. UNICEF can also advocate for QIP committees with humanitarian representation to ensure their appropriate use.

### Counter-terrorism measures

Some ANSAs present where UNICEF operates are listed on the UNSC Sanctions List and/or lists maintained by individual Member States. Pursuant to UNSCR 1267, UNICEF only recognizes the UNSC Sanctions List. UN Sanctions prohibit the provision of material support to designated ANSAs, which includes financial assets and economic resources provided with the intention

or knowledge that they are to be used to carry out a terrorist act, among other measures. UN Sanctions do not prohibit UNICEF from speaking with a designated entity, and UNICEF will engage when the purpose is to pursue a strategic humanitarian objective and no material support is provided.

The distinct risks of engagement, however, need to be adequately managed. Engagement can harm relationships with host governments and donors, lead to restrictions on access, staff being declared *persona non grata*, and challenges with fund raising. Suspicion or evidence that UNICEF's assistance has been diverted to designated entities can also damage UNICEF's reputation and have implications for individual staff vis-à-vis criminal or civil laws in their home country.

### **Familiarity with UN sanctions regimes**

Staff operating in contexts with designated ANSAs should be familiar with the current sanctions regimes, including what is prohibited and if there is any humanitarian exemption clause. Staff should also be familiar with which groups the government and donors may list, and that relevant information on the issue flows between staff members at different levels.

### **Risk mitigation and due diligence**

The presence of and engagement with designated ANSAs requires a more robust risk management strategy to ensure that resources will be delivered directly to beneficiaries, and that no payment of taxes or levies will be made to the ANSA. According to UNICEF's Minimum Standards for Comprehensive Risk Management and Due Diligence in CHTEs, this should include assessing the non-security risks, linking planning to the SRM and PCA processes, using multi-source monitoring and internal management measures.

### **Common inter-agency approaches**

Common approaches at the HCT or UNCT level can promote consistency, reduce the risks and resource expenditures for individual organizations, and supports efforts to share risks with others – such as donors. This can include common positions on engagement, the sharing of good practice and establishing comprehensive vetting procedures of local partners. In very high-risk settings, UNICEF can advocate for the establishment of a UN Risk Management Unit that can serve as a dedicated support capacity for risk analysis, risk management training and advice and to promote better information-sharing and dissemination of good practices.

### **Understandings with the host government and donors**

While initial contact and/or exploratory talks with a designated entity might need to be done discreetly, once committed to engagement, UNICEF should notify the host government at the appropriate level (typically the Representative) of the engagement, its humanitarian objectives and risk mitigation measures. UNICEF should also seek to establish understanding with donors on due diligence requirements, in close consultation with the Regional Director and EMOPS Director, who will coordinate HQ-level consultations, as needed (e.g. with Legal Office in OED and PPD). Any discussions regarding UNICEF's engagement should, however, consider necessary information controls. These include confidentiality of the details of the engagement, interlocutors and/or meeting arrangements.

### **Global engagement**

At the global level, UNICEF can advocate for exemption clauses for humanitarian action when new UN sanctions regimes are being established or existing regimes are being amended/updated. COs can also request support from HQ when faced with specific challenges related to the implementation of UN sanctions. HQ can engage with the relevant sanctions committee to find a solution.

### **Donor conditionalities**

Many major humanitarian donors have added conditions in their partnership and funding agreements aimed at preventing the transfer of resources to designated terrorist entities. These can include requirements to vet partners and contractors against national or multilateral designated terrorist lists – and in some cases the vetting of beneficiaries – as well as additional due diligence, monitoring, and reporting requirements. Such conditionalities can create onerous compliance controls, divert resources from programmes and damage perceptions of UNICEF's adherence to the humanitarian principles.

### **Guiding principles**

As guiding principles to donor conditionalities, UNICEF will:

- Only vet partners/contractors against the UN Sanctions Lists (and not donor or host government lists);
- Only vet first tier partners;
- Not allow unilateral decisions by donors on the locations or beneficiaries of UNICEF's action; and
- Not share personal info and data with external actors.

### **Mitigation measures**

In order to reduce or avoid a potential dependency on grants with donor conditionalities, the CO, with the support of the RO and HQ (PPD/EMOPS), should:

- Identify flexible funding to compensate for the restrictions linked to donor conditions;
- Apply only agreed upon frameworks/agreements; and
- Negotiate additional resources to address donor conditions/requirements.

### **De-facto authorities**

ANSAs that control territory often function as de-facto authorities for public administration, including for social service delivery. Providing for the needs of vulnerable people in de-facto controlled areas can present considerable risks to UNICEF's programmes and reputation when de-facto authorities seek state-like relations with humanitarian actors to strengthen their control and legitimacy, while States seek to prevent steps that would recognize or entrench the ANSA's authority. Below are several good practice options that can help in such situations.

### **Multi- and bilateral engagement**

De-facto authorities will typically seek to impose political and bureaucratic impediments on humanitarian actors. Thus, it is important to actively support a common humanitarian approach with as wide a coalition as possible (either in the HCT, UNCT or with likeminded organizations) to maximize leverage and prevent the actions of some organizations from compromising a more principled position. At the same time, a common approach (which often entails centralized intervention with the authorities through OCHA or another agency) cannot substitute for the technical coordination required for programme implementation, and its effectiveness can be reinforced by direct engagement with both government and de-facto authorities. As such, UNICEF should foster and maintain its own relationships with de-facto authorities in line with common humanitarian positions.

### **Structuring the engagement**

Properly calibrating UNICEF's engagement with de-facto authorities and the host government is essential for managing perceptions and relationships. Typically, engagement with de-facto authorities should be limited to technical coordination with service-oriented ministries. In highly politicized and sensitive situations, UNICEF can limit engagement to technical staff who might have been, or still are, government employees rather

than the Minister, who is often a political appointee. It is also useful to designate a different staff member as the primary interlocutors with the de-facto authorities and with the government. The de-facto interlocutor should be sufficiently senior – e.g., having the right title and a direct reporting line to the Representative – yet not at the same level as the primary government interlocutor. This can establish the appropriate status with de-facto authorities and minimize risks for other staff and partners. It also avoids direct contact between the Representative and de-facto authorities, containing potential criticism of legitimizing the de-facto authorities. A direct communication line to the Representative can also enable the rapid sharing of information, the compartmentalization of sensitive negotiations, and the elevation of critical issues for senior-level decision-making, while also improving the consistency and coherence of UNICEF's messages and engagement with both sides.

### **Gaining acceptance (or tolerance)**

It can be difficult for AFPs to gain the acceptance of de-facto authorities due to perception of being aligned with the government, yet there are several ways UNICEF can build acceptance, or at least tolerance, for its presence and programmes. If the legitimacy of the UN system is questioned, UNICEF can also invoke its mandate from the Convention on the Rights of the Child, which has been almost universally ratified and may be seen more favourably. Similarly, while de-facto authorities might be sceptical of western humanitarian organizations, they are often dependent on popular support. When faced with limited capacities and resources, they are also reliant on external assistance to provide the social services necessary to maintain public support. As a child-focused actor working across a range of sectors, UNICEF can try to gain recognition of its role as a trusted technical partner for service delivery to the population, while not directly or formally strengthening their institutions or legitimacy that could create risks for its broader relationships and operations. The points below provide potential tips for how to do so.

### **Operational parameters or redlines**

UNICEF should place strict and realistic limits on programmes and operations in de-facto controlled areas and remain clear and consistent with its position and the justification for it. For example, if required, UNICEF can seek registration rather than accreditation and decline other state-like requests, such as formal project approvals or travel permits or audits. One good practice is to provide critical supplies and technical expertise to professionals working within their respective sectors without directly supporting the

de-facto authorities overseeing the relevant de-facto ministries. For example, UNICEF can work directly with doctors and deliver supplies to them rather than to the hospital administration, and build the capacity of NGO partners to provide services. Similarly, UNICEF can avoid activities if they require potential dual-use items such as an excavator or security support from the de-facto authorities.

### Programme modalities

The quality and sustainability of UNICEF's assistance can greatly assist with mitigating potential resistance from de-facto authorities by strengthening relations and acceptance with the vulnerable population and gaining confidence as a consistent and reliable provider of necessary services to the population. UNICEF should have evidence-based discussions, informed by sound vulnerability assessments, to demonstrate its seriousness in addressing the needs of children. As far as possible, UNICEF should seek to complement one-off, supply driven assistance, with the provision of sustained technical expertise and professional capacity-building. In situations where certain programmes have less support from the de-facto authorities (e.g. protection), UNICEF has had success with integrating basic programmes in discreet locations, for example, using children's education centres for child-friendly spaces, psychosocial support, nutritional feeding programmes and basic health services. Given partner presence might be limited in such situations, it can be effective to deliver certain programmes directly through staff and third-party consultants. The careful identification of local partners with strong local networks and relationships can also alleviate concerns and facilitate programme delivery.

### Field monitoring in access-challenged areas

Field monitoring is essential to quality programming, which can contribute to UNICEF's acceptance and access. Field monitoring where UN staff access is limited or prohibited will often depend on third-party monitoring. The design of a third-party monitoring approach should be done in line with the UNICEF Guidance on Field Monitoring. The good practice discussed below complements the guidance with options to facilitate internal oversight of third-party monitoring in access-challenged areas.

Many of the below approaches involve the use of technology. Before applying any of these, in addition to a technical evaluation of their feasibility,<sup>6</sup> it is necessary to assess the potential risks (e.g. they could compromise

staff and beneficiary security if perceived to be used for non-humanitarian purposes) and secure agreement with communities and key stakeholders before their use. It is equally important to ensure proper data privacy when using these or other tools.

### HAC programmatic visits

All of these remote oversight options cannot replace the quality of face-to-face interactions and beneficiary-level monitoring. UNICEF Monitoring and Evaluation (M&E) staff should always seek to conduct direct field visits (both planned and unexpected) whenever security and access conditions permit.

### Digital data collection and sharing

Several tools can be used to improve information-sharing between field monitors and UNICEF staff. Digital data collection applications (via mobiles or tablets) enable the real-time sharing of monitoring data from the field with UNICEF, which can be complemented with a communications component for real-time problem solving. Such tools can increase oversight of monitors and be used discreetly in sensitive areas while enabling proper data protection. The use of cloud-based shared drives and systems can similarly improve the quick and reliable access to monitoring data.

### Remote observation

Mobile video applications, such as Skype or FaceTime, can be used by field monitors during distributions and other activities that can be streamed in real-time for UNICEF staff and/or partner management to remotely monitor activities or can be recorded with Global Positioning System (GPS) and time stamps for subsequent observation as well as capacity-building efforts.

### Mobile monitoring

Mobile monitoring via SMS or instant messaging applications provides an opportunity to augment and validate third-party monitoring, and enables direct interaction and information flows with affected people in access constrained areas. They can also be used for complaints and feedback hotlines and sharing information on entitlements or key advocacy messages (which should be multi-agency where possible to reduce beneficiary confusion and under-utilization and improve accountability). It is critical, however, that mobile monitoring does not include questions beyond direct programme issues that could be construed as intelligence gathering (e.g. inquiries about the security situation or actors present in the area).

6 For more information on the technical application of these tools, see: Dette, Rahel & Steets, Julia & Sagmeister, Elias, *Technologies for Monitoring in Insecure Environments*, The Global Public Policy Institute, Berlin, September 2016.

### **Online communication**

Online communication platforms can also improve communications with partners where UN staff access is limited or prohibited and provide secondary monitoring for additional oversight. Interacting with communities and following issues on social media, for example, can be used to validate third-party data and assess community perceptions of UNICEF, its partners and programmes.

### **Remote sensing**

Remote sensing can also improve independent and verifiable data collection in hard-to-reach and inaccessible areas. The progress and results of certain infrastructure projects and programmes, as well as environmental factors such as damage and flooding, can be effectively observed through satellite/aerial photos. Satellite/aerial photos, and particularly thermal imagery, can also be used to identify the location and number of potentially affected people in hard-to-reach or inaccessible locations, and can also strengthen advocacy efforts. However, certain tools such as drones can create ethical and security risks which need to be properly assessed before they are applied.

### **Logistics tracking**

GPS devices on vehicles or RQ/bar codes on relief supplies enables the real-time tracking of staff and supplies in access constrained or inaccessible areas. This can reduce the risk of diversion during transport (however, only to the final delivery point and not distributions/post-distribution) and improve staff security. RQ and bar codes can also be used in partners' storage and warehouse locations for better stock management and real-time internal oversight. However, such tools might harm relationships with partners if seen as a sign of mistrust and should be explained and their use mutually agreed before using.

### **Secondments and accompaniment**

When third-party monitoring capacities need strengthening or when working with new partners, UNICEF can temporarily embed or second staff to the monitoring partner to assist with capacity-building, quality control and direct oversight. UNICEF can also hire third-party consultants with monitoring expertise to accompany, assist and observe field monitors for additional oversight and support.



United Nations Children's Fund  
3 United Nations Plaza  
New York, NY 10017, USA

[www.unicef.org](http://www.unicef.org)  
[www.corecommitments.unicef.org](http://www.corecommitments.unicef.org)

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