

Power of humanity
Council of Delegates of the International
Red Cross and Red Crescent Movement



**COUNCIL OF DELEGATES
OF THE INTERNATIONAL RED CROSS
AND RED CRESCENT MOVEMENT**

War in cities

Draft elements of resolution

**Document prepared by
the International Committee of the Red Cross
in cooperation with the Norwegian Red Cross
and the International Federation of Red Cross and Red Crescent Societies**

Geneva, March 2021

Background

The draft elements of the proposed resolution on war in cities seek to provide an outline of the possible substance of individual paragraphs, without providing a definitive draft text.

Each paragraph is followed by a rationale explaining why it would be useful to include such a paragraph in the resolution.

This document is being shared for consultation with the members of the Council of Delegates of the International Red Cross and Red Crescent Movement in order to gather a first round of comments and feedback, and to gain an initial understanding of whether the proposed approach would be acceptable and garner consensus.

When providing comments and feedback on this document, please consider the following questions:

- Do you agree with the basic content proposed for the preambular and operative paragraphs of the proposed resolution?
- Are there any elements that are missing or should be included in the resolution?

Detailed comments on the wording of the draft elements of this resolution are not expected at this stage. There will be opportunities to comment on specific wording at later stages, both during informal consultations and once the draft zero of the resolution is available.

Introduction

Armed conflicts in urban areas have devastating and unacceptable humanitarian consequences. Today, the reality of war in cities affects tens of millions of people, people who are at risk of being killed and injured, whose access to essential services has been cut off, who have been displaced from their homes and are living in undignified conditions with no idea when they may return. Even after battles end, social divisions caused by the fighting linger, making it difficult for cities and their inhabitants to heal, which risks fomenting a new wave of violence. The consequences of war in cities are not just the direct ones: death, injury and loss of home and assets. Urban populations are dependent on the market and service delivery system to meet their essential needs. War in cities negatively affects access to this system, impeding people's ability to meet a broad range of needs, from getting access to food and medical care to sending their children to school.

The International Red Cross and Red Crescent Movement (Movement) is at the front line, responding to the humanitarian consequences of urban warfare. Every day, around the world, Red Cross and Red Crescent volunteers and staff respond with courage and dedication to the needs of people affected by urban conflict. Urban settings are not new to the Movement. However, the scale of the humanitarian consequences witnessed in situations of urban warfare has in recent years created daunting operational, resource and diplomatic challenges.

Protracted armed conflicts are today increasingly fought in urban areas, a trend fuelled notably by the rate of the world's urbanization: the urban population grows by roughly 1.4 million people every week and will constitute two-thirds of the world's population by 2050. The UN estimates that 90% of the additional 2.3 billion urban dwellers will be in developing countries in Asia and Africa, with the majority of the growth happening in small- and medium-sized cities. Cities have been engines of economic prosperity throughout history, and people have always been attracted to them by the opportunities and connections they offer. Urbanization has continued to shape how societies function and organize themselves physically, socially and economically. Today, however, the unprecedented rapid urban growth forces newcomers, the poor and the marginalized communities to settle in the most hazardous areas, facing multiple risks stemming from a lack of access to basic services, from exclusion from governance and

protection systems, and from the uncertainties of a lack of land and property rights and sustainable livelihoods. When war comes to cities, the needs of the urban populations affected are exacerbated further, and the humanitarian response by the Movement and others may be hampered by difficulties gaining access when front lines are in or around the city. These factors create stark humanitarian dilemmas, in many cases forcing the Movement to balance what should be done with what can realistically be achieved to address urgent needs.

To ensure civilians are better protected and there is more respect for international humanitarian law (IHL) than has been evident in many recent conflicts, the Movement needs to step up its preventive and operational responses. At the 33rd International Conference of the Red Cross and Red Crescent in December 2019, a spotlight session on urban warfare was, notably, attended by the National Societies of Afghanistan, Somalia and Norway, as well as the International Committee of the Red Cross (ICRC), and underscored the humanitarian consequences of war in cities and the challenges they raise for the Movement's response. It built on a Movement consultation held in Oslo in October 2019 entitled: *War in Cities: Towards a Comprehensive Response* by the International Red Cross and Red Crescent Movement. Over the past year, the ICRC and the Norwegian Red Cross have been considering how best to translate the urgent concerns and concrete proposals put forward in Oslo into concerted commitments that can be adopted by the entire Movement.

An action plan on war in cities could build on the success of, and the lessons learned from, our coordinated global efforts on Health Care in Danger, mental health and psychosocial support, the Movement Strategy on Landmines, Cluster Munitions and other Explosive Remnants of War and similar Movement initiatives. It could also draw on the Movement's urban approach in general, and the urban resilience approach, in particular. Such an action plan could have two main objectives:

- **to further strengthen the Movement's capacity to carry out operational responses, including protection and assistance activities, in order to address the humanitarian consequences of war in cities, while respecting the "Minimum Protection Approach"¹ described in the Protection within the Movement Framework**
- **to further strengthen the Movement's efforts aimed at increasing respect for IHL and preventing the humanitarian consequences of war in cities through public communication and humanitarian diplomacy activities.**

This second objective would build on existing Movement positions and messaging and develop them as necessary.

The points below outline the draft elements of a resolution and the proposed content of the 2021–2025 Movement Action Plan to Prevent and Address the Humanitarian Impact of War in Cities. The content of the resolution and action plan will be further elaborated in an informal process of four consultations, as announced in the letter entitled "Towards the 2021 Council of Delegates – informal consultations on war in cities", co-signed by the ICRC and the Norwegian Red Cross and sent to all components of the Movement on 21 January 2021.

Preambular paragraphs(PP)

PP1: The preambular paragraph could express concern at the devastating harm to civilians caused by war in cities and describe those consequences.

¹ The Movement's minimum standards for protection (i.e. the Minimum Protection Approach) approved by the Protection Advisory Board, made up of the ICRC, International Federation of Red Cross and Red Crescent Societies (IFRC) and the National Societies of Norway, Nigeria, Sweden, Lebanon, Turkey, Australia and Belize.

Rationale: The suffering that civilians experience in situations of urban warfare is what is driving the elaboration and future implementation of a Movement framework on war in cities.

PP2: The preambular paragraph could express concern that the humanitarian impact specific to conflict in urban areas adds to and exacerbates the suffering that people have to endure in all armed conflicts, and describe the consequences.

Rationale: The Movement's engagement on war in cities should be rooted in an understanding of the Movement's wider efforts to prevent and alleviate the suffering caused by armed conflict.

PP3: The preambular paragraph could identify the main drivers and causes of harm to civilians in situations of urban warfare and describe them.

Rationale: The Movement's efforts to mitigate the suffering caused by urban warfare should be based on a clear understanding of the principal causes of that suffering.

PP4: The preambular paragraph could refer to the Fundamental Principles of the International Red Cross and Red Crescent Movement, recall that a core element of the mission of the Movement is to protect and assist the most vulnerable, including in situations of armed conflict, underscore the fundamental importance of access for mounting an effective and principled humanitarian response, and note that the components of the Movement have unique capacities to provide humanitarian protection and assistance in situations of urban warfare.

Rationale: The Movement framework on war in cities should be situated within the Movement's mission and experience, and recognize the devastating harm to the Movement's own staff and volunteers caused by urban warfare.

PP5: The preambular paragraph could recall the ICRC's analysis of this humanitarian issue in its 2019 report entitled *International Humanitarian Law and the Challenges of Contemporary Armed Conflicts*, reaffirm the Movement's position on the use of explosive weapons in populated areas (in Resolution 7 of the 2013 Council of Delegates), and note as a source of inspiration the outcome document of the 2019 Movement consultation War in Cities: Towards a Comprehensive Response by the International Red Cross and Red Crescent Movement.

Rationale: The need to develop a comprehensive Movement approach to war in cities was a key finding of the 2019 Oslo consultation on war in cities attended by 17 National Societies, a variety of ICRC units and the IFRC. The resolution should build on the Movement's past and ongoing work in this area.

PP6: The preambular paragraph could reiterate the basic premise of international humanitarian law (IHL) that war must be waged within certain limits and stress that respecting and ensuring respect for IHL is more challenging – but equally important – when war is waged in urban areas.

Rationale: The Movement framework on war in cities should be based on the Movement's ongoing efforts to ensure respect for IHL and build on the ongoing multilateral process to draft a political declaration on explosive weapons in populated areas, which will likely be adopted before the Council of Delegates.

Operative paragraphs (OP)

OP1: The operative paragraph could call on parties to armed conflict to uphold the rules of IHL in all situations of urban warfare and describe the rules most relevant to such situations.

Rationale: To recognize that changing the behaviour of States and of parties to armed conflict with regards to urban warfare, including by promoting protective interpretations of IHL, is crucial in efforts to prevent and reduce the humanitarian consequences of urban warfare.

OP2: The operative paragraph could call on State political and military leaders and other parties to armed conflicts to take action to prevent the appalling humanitarian consequences of urban warfare and propose or make commitments to this end at the 34th International Conference of the Red Cross and Red Crescent.

Rationale: To anticipate using the 34th International Conference in 2023 as a vehicle through which to obtain strong commitments by States in line with the Movement's positions and concerns.

OP3: The operative paragraph could reiterate the call for all parties to armed conflict to allow and facilitate rapid and unimpeded humanitarian access to populations affected by war in cities, while noting that each party to armed conflict bears the primary obligation to meet the basic needs of the population under its control.

Rationale: To address the fundamental importance of access for mounting an effective humanitarian response to situations of urban warfare, in line with IHL and the 2015 and 2019 ICRC reports entitled *International Humanitarian Law and the Challenges of Contemporary Armed Conflict*.

OP4: The operative paragraph could reiterate the call for States to avoid using explosive weapons with wide area effects in populated areas, in line with Resolution 7 of the 2013 Council of Delegates. The operative paragraph could also call on States to endorse or sign and to implement the political declaration on explosive weapons in populated areas, if it has been adopted at the time of the Council of Delegates.

Rationale: To reflect international developments and increase State support for a comprehensive approach to protecting civilians from the humanitarian consequences of the use of explosive weapons in populated areas.

OP5: The operative paragraph could adopt the 2021–2025 Movement Action Plan to Prevent and Address the Humanitarian Impact of War in Cities proposed below and commit all components of the Movement to implementing it.

Rationale: To strengthen the comprehensive Movement response to war in cities in the coming years through the adoption and implementation of the Movement Action Plan. Development of the action plan began during informal Movement consultations.

OP6: The operative paragraph could invite the ICRC to support and coordinate the implementation of the Movement Action Plan and to report on its implementation at the 2023 and 2025 Councils of Delegates.

Rationale: To ensure support for, coordination of and effective implementation of the Movement Action Plan. Other Movement components could be included, depending on the outcome of the consultations.

OP7: The operative paragraph could invite those components of the Movement in a position to do so to dedicate resources to ensure the Movement Action Plan is implemented effectively and invite States to support the Movement in this regard.

Rationale: To highlight the resource implications of implementing the Movement Action Plan and specify the intended sources of the resources to be mobilized.

Annex: Provisional structure of the 2021–2025 Movement Action Plan to Prevent and Address the Humanitarian Impact of War in Cities

1. Objectives and rationale

- To further strengthen the Movement’s capacity to carry out operational responses, including protection and assistance activities,² to address the humanitarian consequences of war in cities
- To further strengthen the Movement’s efforts aimed at increasing respect for IHL and preventing the humanitarian consequences of war in cities through public communication and humanitarian diplomacy activities

2. Preventing the humanitarian impact of war in cities

2.1. Documenting the human costs

- Commitment to identifying information gaps related to specific objectives and purposes and collecting, sharing and raising awareness of human stories describing the lived experiences of civilians in situations of urban warfare
- Commitment to improving, based on the gap analysis, and in line with applicable guidance, including the “Minimum Protection Approach”, the collection, sharing and awareness of data on the humanitarian impact of urban warfare in order to strengthen trend analysis, communications, advocacy and operational activities
- Commitment to data protection and do no harm principle
- Contribution by the different components of the Movements to these efforts

2.2. Raising awareness through public communication

- Commitment of Movement components to engaging in a communications initiative on war in cities and e.g. establishing a resource centre or repository of key messages and resources
- Description of the objectives, expected types of resources and working procedures of the initiative
- Contribution by the different components of the Movement to these efforts

2.3. Influencing through humanitarian diplomacy

- Commitment to raising awareness among key audiences of the humanitarian consequences of war in cities
- Commitment to raising awareness among key audiences of the key drivers of civilian suffering in urban warfare
- Commitment to engaging the public and political and military authorities to clarify and strengthen the international legal and policy framework related to the conduct of hostilities in urban areas by promoting protective interpretations of IHL and shaping the legal and policy debate
- Commitment to engaging the public and political and military authorities on the fundamental importance of access for mounting an effective humanitarian response to situations of urban warfare
- Commitment to engaging the public and political and military authorities on the central role that the use of explosive weapons with wide area effects in populated areas plays in causing unacceptable levels of civilian suffering in urban warfare and to promoting a policy of avoiding their use

² Ibid.

- Commitment to engaging the public and political and military authorities in policy discussions to strengthen the protection of civilians in situations of urban warfare
- If appropriate/adopted, commitment to promoting the political declaration on explosive weapons in populated areas

3. Strengthening the Movement's operational response

- Commitment to significantly enhancing the Movement's operations in contexts affected by urban warfare through innovative actions, identifying best practices and other guidance, and heightened support and training for National Societies operating in affected contexts
- Commitment to developing an easily accessible repository of all relevant tools, guidelines and frameworks that can be used by National Societies operating in contexts affected by urban warfare and to further developing this resource over time based on needs
- Commitment to establishing a peer-to-peer forum of National Societies operating in affected contexts that could allow, for example, experiences and lessons learned to be shared to better protect and assist affected populations, feedback on their experience implementing existing Movement guidelines to be provided and additional needs and areas for improvement to be identified on an ongoing basis
- Commitment to increasing safety for National Society staff and volunteers both through "soft" protective measures (better risk awareness and training on safer behaviour) and "hard" protective measures (e.g. protective equipment, adapted security rules and other support required by National Societies)
- Commitment to taking steps to support building National Societies capacities in contexts affected by urban warfare and to mobilizing additional resources to support implementation of this Action Plan