

CAFOD Submission to IDC Inquiry

Humanitarian access and adherence to international humanitarian law

January 2025

CAFOD is the official aid agency for the Catholic Church in England and Wales; part of the global Caritas confederation of national organisations, each governed by their national Bishops' conference and linked to national Catholic commissions on health, education, and peace/justice issues. CAFOD partners with diverse local NGOs in its operations, including faith-based groups and others working on humanitarian, development, peace building, human rights, and other issues regardless of religion or culture. Local leadership of crisis response (referred to by some as 'localisation') and the strengthening of capacity of local and national civil society actors is at the heart of CAFOD's mission and way of working. Note: Throughout this submission, civil society actors are referred to as local and national non-governmental organisations (NGOs), local actors and local and national agencies (LNAs) interchangeably.

Priority recommendations:

1. FCDO should agree a standardised approach to budgeting of safety and security management by downstream LNA partners, including funding for training, staff capacity, equipment and systems (e.g. through a standardized percentage of programme costs for safety and security management). Coordination with other donors to promote an aligned approach to this would help.
2. Aligned with the Government's prioritisation of "genuine respect and partnership" with the Global South,¹ FCDO should embed partnership approaches to safety and security management into a wider strategy and actions to promote 'Risk Sharing' and equitable and empowering partnerships with LNAs on humanitarian action. In doing so, FCDO should build on the Grand Bargain Risk Sharing Framework;

¹ Labour Party 2024 Manifesto <https://labour.org.uk/change/britain-reconnected/#international-development>

piloting and systematizing partnership approaches to risk management across all its funding, and holding intermediary agencies accountable for practicing a partnership approach (and resourcing of this) with LNA partners.

3. FCDO should expand and refine its use of Accountable Grant Agreements as a funding modality which can enable partnership-based approaches to safety and security management with LNA partners. In contrast to FCDO's procurement of Commercial Contracts, Accountable Grants allow for dialogue between the donor, any international agencies involved and LNA partners on safety and security, alongside other issues.
4. FCDO should develop, implement and measure progress on an institutional strategy to promote local leadership ('localisation') in humanitarian action; framed within a wider organizational strategy and metrics to promote locally-led and equitable partnership approaches to programming. As part of this, FCDO should:
 - a. Recruit and performance manage staff overseeing aid funding programmes with expertise and commitment to supporting LNAs, and equitable partnership approaches to supporting their frontline humanitarian efforts – especially in Embassies where there is a significant reliance on LNAs due to access constraints facing international agencies.
 - b. Recruit and performance manage Special Envoys and similar diplomatic roles in ways that encourage a structured and meaningful approach to policy dialogue with LNAs, especially those local actors rooted in communities and with understanding of specific thematic issues of relevance to assistance and protection (e.g. faith leaders, womens' rights activists, etc.).
5. FCDO should use its diplomatic reach and convening power to create spaces for confidential direct policy dialogue by LNAs with governments, UN agencies and other relevant stakeholders on access and protection issues, for example at

country level, regional level, the UN Security Council and in fringes of UN/donor conferences.

How has the level of risk for aid workers changed in recent years and where does responsibility for their protection lie? What protections are available and are they adequate?

CAFOD's long-term experience as a partnership-based agency working in over 30 countries around the world, many of them for decades, corroborates findings from others that there are increasing levels of risk for humanitarian organisations; including LNAs. For example, in a number of protracted crisis contexts, the local church and church-linked faith-based organisations (FBOs) have a unique level of respect, trust and acceptance as they are rooted in the local community in ways that traditional humanitarian agencies, including international agencies and national organisations, are not. As such, faith groups maintain a presence or access when few or no other agencies have access, and there are examples in contexts as diverse as Syria, Colombia, South Sudan and others where UN agencies and secular humanitarian agencies have turned to our partners to negotiate and enable access for their work too. Yet in some such contexts, changes in the leadership of armed groups, the rise of war economies and/or wider violent informal economies have impacted negatively on their space to operate safely. In Colombia, for example, our experience is mirrored by analysis from Humanitarian Outcomes which points to a trend of LNAs taking on a greater number and share of aid worker casualties. In 2024, the (provisional) number of LNA victims (225) shows an 89% jump from the previous year, and the ten-year trend is an average annual increase of around 47%. Undoubtedly there is a complex web of local, national and international dynamics that shape these trends in each context. But across the countries that we operate in, our LNA partners tell us that the double-standards applied by Western governments, including the UK, in respect for IHL – especially through supplying arms to conflict parties despite questions on their adherence to IHL – also impacts on respect for IHL in conflicts where the West is not or less directly involved. In addition to

Gaza, several other countries saw a rise in LNA incidents from 2023 to 2024, including Lebanon, Nigeria, Cameroon, Sudan and Syria, and LNAs are the organisation category with the highest victims if one excludes UNWRA in Gaza, which we count as a UN agency.

In terms of where responsibility for the protection of LNA humanitarian aid workers lies, CAFOD has worked with its local partners to advocate for the concept of 'Risk Sharing' through the Grand Bargain process, and through wider policy dialogue with donors and international agencies. Our work on this goes back several years, including through supporting research by Global INGO Security Forum (GISF) on partnership approaches to safety and security management in, for example, Syria and Colombia. In 2020, ICRC, UN agencies and INGOs had sought through the Grand Bargain process to table a discussion about risk sharing between donors and international agencies with a particular focus on contexts where sanctions and counter-terror restrictions were in place. CAFOD worked with local partners and the Charter4Change network to instigate policy dialogue with LNAs on what 'risk sharing' could mean for them? Through that process, a Grand Bargain Risk Sharing Framework was developed and has been piloted by some donors and international agencies. For example, US INGOs engaged with stakeholders in Sudan to explore what 'risk sharing' could look like to support local civil society, especially the informal Emergency Response Rooms active in parts of the country. Dutch INGOs participating in the Dutch Government funded 'Dutch Relief Alliance' have also used this Risk Sharing Framework to review their approach to partnerships with LNAs across a range of risk issues, including safety and security. Until now, FCDO has participated in the Grand Bargain deliberations on the framework, and joined a few context-specific exchanges about this at Embassy level, but there has not yet been any systematic piloting or roll-out of the Grand Bargain Risk Sharing Framework by FCDO so far.

CAFOD takes a tailored approach to duty of care and security management, in line with our capacity strengthening and localisation approaches. We encourage open

conversations on security risk management and duty of care, and invest where both CAFOD and the partner agree it is needed. CAFOD's partnerships model emphasises flexibility and the needs of the individual partner, giving agency to local organisations in how they best address duty of care. CAFOD also helped to develop the recent Global Interagency Security Forum toolkit entitled Partnerships and Security Risk Management: a joint action guide for local and international aid organisations.

How could UK ODA funding be made more relevant and accessible to support protection of workers, both local and international?

To better support the protection of LNAs, as well as the INGOs that partner with them, FCDO should both ensure dedicated funding to support this, but also look at how it can diversify its funding modalities and implementing partners to ensure equitable and empowering partnerships with LNAs – in line with the current Government's approach to "genuine partnership." Protection of LNAs cannot be addressed in a silo without also considering the wider power dynamics and quality of partnerships within which cooperation on safety and security happens.

The trend over recent decades under both FCDO, and prior to that DFID, saw UK aid increasingly shift towards transferring large-scale funds to large-scale UN agencies and INGOs; with minimal attention given to implications of this for how those international agencies partnered with downstream LNA partners. In a limited number of contexts, FCDO has developed more targeted, contextualised funding modalities recognising the extent to which humanitarian action is reliant on LNAs, and partnership with them not treated as an afterthought. But this has been the exception to the rule in FCDO funding. Funding through the UN system or through commercial contract funding modalities intrinsically involves highly top-down, bureaucratic ways of working that devolve risk downstream to the implementing partners. As such, by definition, FCDO's increasing

reliance on procurement of Commercial Contacts as a method of funding is not compatible with more equitable and empowering approaches to partnership with LNAs.

In our experience, FCDO adopts a very limited approach to what can be funded in relation to safety and security management. For example, standard language used by FCDO in grants is along the following lines: *“Health safety and security: The partner (i.e. INGO) is responsible for all security arrangements in relation to this arrangement including the health, safety and security of any person employed or otherwise engaged as part of this agreement including those employed or engaged by any downstream partners. FCDO funds cannot be used to fund any project specific insurance premiums intended to cover medical expenses injury or disablement and death unless by exception explicitly approved by FCDO in writing in advance.”* FCDO’s stipulations for Commercial Contracts tend to go into more detail on what is expected in terms of safety and security management, and wider risk management, but the approach promoted is highly top-down with the risks falling onto the implementing partners. For this reason, CAFOD recommends that FCDO expands and refines its use of Accountable Grant Agreements as the more effective modality to fund civil society organisations, including LNAs. However, this should be accompanied with the development of policy, guidance and performance management of staff overseeing these grants and any intermediary agencies channelling funding to LNAs to assess if a partnership-based, collaborative approach is adopted, or not.

Experience in Ukraine highlights also how wider efforts are needed to support local leadership of crisis response, and equitable partnerships by international agencies with LNAs. In Ukraine, CAFOD has supported LNAs and their networks to organise dialogues on localisation over the past two years, including two Ukraine National Localisation Workshops in 2023 and 2024. One of the priority issues emerging from this has been that whilst it is local networks and groups of volunteers doing the last mile delivery of humanitarian aid in frontline areas and Russian occupied territory, they are also those

with the least amount of flexible funding or overheads cost support. As such, these groups have struggled to pay for security management/risk analysis support and equipment. Over the past year, there have been some improvements. For example, the Ukraine UN Humanitarian Fund included limited support for duty of care to LNAs in its funding. However, funding through the UHF is short-term, and cannot substitute for longer-term partnerships providing adequate overheads cost support, capacity-strengthening and flexible funding.

Are the levels of support, including psychological support, for those affected by trauma in the delivery of ODA adequate and how could the Government better enable provision of these services?

As already described, LNAs are often working in the most challenging and high-risk parts of countries in crisis and face the most acute levels of stress and trauma in their work. Mental health of LNAs' staff is also obviously impacted by how the wider crisis impacts on them personally outside of their work (e.g. conscription and loss of family members, displacement, etc.). In Ukraine, reflection on localisation issues with LNAs has brought to the fore how their staff (many of whom in Ukraine are new to the aid sector) also generally lack access to both (a) adequate training on working safely with traumatised populations and avoiding secondary trauma, as well as (b) comprehensive staff wellbeing initiatives through their organisations. This finding mirrors the broader trend highlighted a research report led by national NGOs titled 'The Status of Frontline Humanitarian Workers' (Greenway et al. 2024), which found that psychological support, such as counselling and critical incident debriefing, is generally only offered by larger INGOs, while additional support for mental wellbeing such as Rest & Recuperation leave is not available to national staff (p.33).

Importantly, CAFOD's LNA partners also have valuable experience in contextualised approaches to supporting staff well-being, stress and trauma counselling in humanitarian

contexts, which could be built on. For example, in Lebanon, CAFOD provided funding to a Syrian refugee-led organisation called House of Peace to implement support to LNAs and volunteers involved in the Lebanon Port explosion response. This experience has been built on in responses to subsequent crises in Lebanon. In the Sierra Nevada de Santa Marta of Colombia, CAFOD has given support to CINEP to implement programmes that support and build on ancestral knowledge and spiritual healing of Indigenous and Afro-descendant communities, which combines their spiritual healing and protection mechanisms with psychosocial support. If the FCDO were to develop a wider strategy on support for locally-led humanitarian action (localisation), this could identify how these kinds of local expertise could be leveraged and reinforced across different contexts.

What is the FCDO's record of using its diplomatic levers to promote access to aid, protection of aid workers? How might its approach be improved?

Whilst there are some positive examples in some contexts, for example engagement with Special Envoys, the challenge is that there is no systematic approach by FCDO in using diplomatic levers to promote access to aid and protection of aid workers; the approach depends on the understanding and willingness of individuals, rather than a clear policy or practice by FCDO. As one individual is rotated out of a context or role, then that will and understanding can leave and not be replaced. CAFOD calls on FCDO to adopt a consistent approach. If FCDO were to adopt a wider organisational strategy to promote local leadership across humanitarian and wider programming, this could help with clarity of vision, commitment and metrics to measure progress on this.

The UK has played, at times, an important role in the UN Security Council through diplomacy in support of humanitarian access and wider respect of IHL; bringing the voice and expertise of LNAs into this. For example, the UK is the penholder for the UN Resolution on Colombia which established a UN Verification Mission to Colombia that monitors implementation of the peace accord with former FARC guerrillas, as well as

being part of the Monitoring and Verification Mechanism together with the Colombian Episcopal Conference, the Colombian Government and the ELN guerrilla. As part of that effort, the UK is able to support sustained attention to the ongoing conflict situation, including its impacts on human rights defenders and other local leaders who are often at the forefront of providing aid to their communities. An excellent practice has been inviting civil society representatives to speak to the UN Security Council when the UN Mission presents its regular report. In relation to the example of Colombia, CAFOD wishes to amplify our local partners' recommendation that the UK works with others to create a space for representatives of the Wiwa Peoples of the Sierra Nevada de Santa Marta, who are at risk at physical and cultural extermination in one of the up-coming UN SC sessions to highlight their current challenges and opportunities to support their protection and assistance efforts.² Given the wider erosion of respect for IHL, engagement by the Foreign Secretary and Prime Minister is also needed to convene dialogue with leaders at the highest levels both on specific country contexts, and on wider efforts to address impunity for IHL violations, promote humanitarian access and support for humanitarian action. The Foreign Secretary has spoken of his desire to reset the UK's partnerships with governments and other actors around the world. Whether in Ukraine, Sudan, or Yemen, it is local humanitarian aid workers, civil society activists, women human rights defenders and faith leaders who are the first responders to crisis around the world. They deserve enhanced support from the UK.

² See 'A Call From The Heart of the World: Vulnerability in the Sierra Nevada de Santa Marta: Armed Conflict, Mining, and Climate Crisis', CINEP, November 2024
[A CALL FROM THE HEART OF THE WORLD](#)