

New challenges in the context of violent urban settings

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Humanitarian intervention contexts are changing. Between battle-based conflicts and asymmetric wars involving fragile States, rebellions and mercenaries, urban violence – involving paramilitary militias, gangs and other armed groups – has developed. How can humanitarian action unfold in such contexts?

Over the past decade, humanitarian actors have shown a greater interest in urban violence. This interest is reflected in their increased presence in urban settings and the high level of protection and assistance provided to the victims of this violence¹. Humanitarians have turned to this kind of violence for two main reasons. Firstly, in the complex urban setting the humanitarian consequences of urban violence are equivalent or even higher than a traditional non-international armed conflict. For instance, in 2014, 95,640 people were killed in Mexico, Brazil, Venezuela and El Salvador due to situations of violence such as urban warfare². Elizabeth Ferris states that it is becoming more difficult to differentiate between urban violence and a traditional armed conflict as the lines between them are becoming blurred³. Secondly, dramatic global urbanization has had major impacts on the world. With 54 per cent of the world's population now living in urban areas, it is ever more likely that wars will be fought in cities⁴. This rampant urbanization is in some areas exceeding the capacities of governments to respond and provide protection to dwellers affected by this violence⁵.

New wars?

Traditionally, humanitarians have made a clear distinction between urban warfare and urban violence; however, academics, such as Mary Kaldor⁶, have stated that this distinction is not so easy to define, and have developed the concept of “new wars” in an attempt to define contemporary manifestation of armed violence worldwide. The nature of new wars has less political motivations and often more economic, cultural, and social drivers. The actors of new wars are made up of diverse groups of informal militias, gangs, urban armed groups, which are linked with the fragmentation of the society, and social exclusion. Kees Koonings states that new

¹ Simon Reid-Henry and Ole Jacob Sending, “The ‘Humanitarization’ of urban violence”, *Environment and Urbanization*, vol. 26, n° 2, 2014, p. 427-442, <http://journals.sagepub.com/doi/pdf/10.1177/0956247814544616> ; Marion Harroff-Tavel, “Violence and humanitarian action in urban areas: new challenges, new approaches”, *International Review of the Red Cross*, vol. 92, n° 878, 2010, p. 329-350, <http://www.icrc.org/eng/assets/files/other/irrc-878-harroff-tavel.pdf>

² United Nations Office on Drugs and Crime, *World Drug Report 2014*, United Nations publication, http://www.unodc.org/documents/wdr2014/World_Drug_Report_2014_web.pdf

³ Elizabeth G. Ferris, *The politics of protection. The limits of humanitarian action*, Brookings Institution Press, 2011, p. 246-255.

⁴ United Nations Office on Drugs and Crime, *World Drug Report 2014*, op. cit.

⁵ Etienne G. Krug, Linda L. Dahlberg, James A. Mercy, Anthony Zwi and Rafael Lozano-Ascencio (ed.), *World report on violence and health*, World Health Organization, 2002 p. 3-19.

⁶ http://apps.who.int/iris/bitstream/10665/42495/1/9241545615_eng.pdf

⁶ Mary Kaldor, *New and old wars: Organised violence in a global era*, Stanford University Press, 2012.

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wars are characterized by “transnational (illicit) flows of commodities and people, and new urban warlike identities”⁷. In this sense, urban violence could be defined as a form of urban warfare⁸.

So, what are the challenges caused by the dynamics of a violent urban setting that affect the humanitarian protection activities carried out by humanitarian actors? And how do these strategies need to adapt to be effective in protecting urban dwellers in that setting?

In response to these questions, it is necessary to understand that the urban setting is a highly complex multiple featured environment (asymmetric levels of development, stressful population movements, density, diversity, large scale urbanizations, among others), which determines the impact on the vulnerability of its population⁹. For example, with three billion people living in cities, there has been a growth of vulnerabilities for urban dwellers, which in turn has prompted humanitarian needs related to insecurity and high levels of violence¹⁰. Fuentes¹¹ recognizes that urban violence includes diverse violent behaviours taking place in urban settings, each of which experience violence differently. There is no clear link between the size of the city and the intensity of violence. Indeed, some small and secondary cities have a high level of violence. For Koonings¹², urban violence is not only the result of the urbanization of armed conflicts but the result of socio-economic drivers as part of a protracted situation. Frequently, “urban armed actors seek to exploit often illicit economic opportunities and seek to control the urban physical and social space”¹³. Therefore, urban violence is today characterized by armed groups challenging the power of the State in its legitimate control, monopoly of territory and the use of force¹⁴. When the State fails to provide the basic public services of health and security, the consequences are huge for the urban dwellers.

The differences in modalities that guide the response of humanitarian actors stem from the lack of a standard method or framework/doctrine in these situations. Thus, the approach, justification, and response differ from one humanitarian organisation to another¹⁵.

The dynamics of protection work in violent urban settings

The humanitarian protection work developed in urban areas is complex and could be either implemented directly or integrated using multi-sectoral responses. For example, in Mexico, it encompasses an array of interrelated actions, which range from the legal to community based

⁷ Kees Koonings, “New Violence, Insecurity, and the State: Comparative Reflections on Latin America and Mexico”, in Wil. G. Pansters (ed.), *Violence, coercion, and state-making in twentieth-century Mexico. The other half of the centaur*, Stanford University Press, 2012, p. 255-278.

⁸ Alberto Concha-Eastman, “Urban violence in Latin America and the Caribbean: dimensions, explanations, actions”, in Susana Rotker (ed.), *Citizens of Fear: Urban Violence in Latin America*, Rutgers University Press, 2002, p. 37-54.

⁹ International Committee of the Red Cross, *Urban services during protracted armed conflict: a call for a better approach to assisting affected people*, ICRC, 2015, p. 13-18,

http://www.icrc.org/sites/default/files/topic/file_plus_list/4249_urban_services_during_protracted_armed_conflict.pdf

¹⁰ Elizabeth G. Ferris, *The politics of protection...*, op. cit.; International Committee of the Red Cross, *Urban services...*, op. cit.; Raimond Duijsens, “Humanitarian challenges of urbanization”, *International review of the Red Cross*, vol. 92, n° 878, 2010, p. 351-368, <http://www.icrc.org/eng/assets/files/other/irrc-878-duijsens.pdf>

¹¹ Carlos Fuentes, “Silent wars in our cities: Alternatives to the Inadequacy of International Humanitarian Law to Protect Civilians during Endemic Urban Violence”, in Benjamin Perrin (ed.), *Modern Warfare: Armed Groups, Private Militaries, Humanitarian Organizations, and the Law*, UBC Press, 2012, p. 288.

¹² Kees Koonings, “New Violence...”, art. cit.

¹³ Idem.

¹⁴ See Thomas Hobbes, *Leviathan*, Penguin Classics, 1968.

¹⁵ Simon Reid-Henry and Ole Jacob Sending, “The ‘Humanitarization’...”, art. cit.

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activities, including social inclusion, education, advocacy and transformative agendas, among others¹⁶.

In urban settings such as some Latin-American cities, protection issues have blurred lines between multiple interconnections such as emergency and development; a rights-based and needs-based approach and protection and assistance, which are all sometimes crosscut by poverty¹⁷. However, due to the nature of humanitarian organisations, very often, they do not have mandates and/or resources to cope with development, structural and chronic issues¹⁸. Many scholars have argued that due to the particularities of the urban setting, humanitarian actors need to adapt and implement new and specific modalities and strategies to respond to the protection problematic in violent urban settings¹⁹, while integrating the experience gained in conflict areas.

The characteristics of the violent urban setting make the protection issues specific and more difficult than those in rural areas. For example, access to victims, mobility of the population in need of protection, the multiplicity and diversity of urban actors creates particular challenges for humanitarian organisations²⁰. These features of the violent urban setting test the conception of protection, modalities and tools that humanitarian actors have implemented in traditional armed conflicts²¹.

The challenges of protection work in violent urban settings

Protection work challenges have been categorized for the purposes of this article as assessment, security, coordination, legal, and human resources challenges.

Assessment

At first, violent urban settings create challenges in collecting reliable data due to the complexity of these settings, which are characterised by high population densities and mobility²². In a violent urban setting, vulnerabilities interrelate and overlap. Humanitarian actors face during assessments the challenge of being capable of evaluating multi-layered and changeable urban systems²³.

Secondly, it is often difficult to differentiate between potential beneficiaries from the rest of the population as it is not always clear who needs humanitarian protection from urban violence or are dwellers living in conditions of poverty²⁴. Moreover, the heterogeneity of the population, the density of the city and the dispersal of people in need of protection make the targeting task more complicated²⁵. Some victims desire anonymity to avoid stigmatization or security problems²⁶.

¹⁶ François Grünewald, Béatrice Boyer, Domitille Kauffmann and Julie Patinet, Humanitarian aid in urban settings: current practice, future challenges, Groupe URD, december 2011, www.alnap.org/resource/7853.aspx and interviews with MSF, ICRC, and UNHCR, 2016.

¹⁷ Elizabeth G. Ferris, “Ten Observations on the Challenge of Humanitarian Work in Urban Settings”, Brookings, 2011, www.brookings.edu/opinions/ten-observations-on-the-challenges-of-humanitarian-work-in-urban-settings/

¹⁸ Idem.

¹⁹ Donald Brown, Camillo Boano, Cassidy Johnson, Janani Vivekananda and Julian Walker, Urban crises and humanitarian responses: a literature review, University College London, april 2015, p. 18.

²⁰ Ibid., p. 23.

²¹ Elizabeth G. Ferris, The politics of protection..., op. cit.

²² François Grünewald et al., Humanitarian aid in urban settings..., op. cit.

²³ Elena Lucchi, “Humanitarian interventions in situations of urban violence”, ALNAP Lessons Paper, London, 2014, p. 13-15, available at www.alnap.org/resource/9810

²⁴ Elizabeth G. Ferris, “Ten Observations..., art. cit.; Elizabeth G. Ferris, The politics of protection..., op. cit.

²⁵ UN-Habitat, Meeting humanitarian challenges in urban settings, 2011, see <http://www.fmreview.org/sites/fmr/files/FMRdownloads/en/urban-displacement/zetter-deikun.pdf>

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Furthermore, differentiating between victims and perpetrators is complicated by the fact that both live in the same social conditions, sometimes in the same area of the city or even are close neighbours²⁷.

Victims (migrants, internal displaced persons, urban dwellers...) are not only moving but are less visible within the density and diversity of urban contexts, which makes it more difficult to gain access to them. Moreover, in some urban areas, including in Mexico, there is the “law of silence” – in these areas people in need refuse to talk due to fear of reprisals, as victims and perpetrators often live side by side²⁸.

Security

Humanitarian organisations are more exposed to criminality and gangs²⁹; and urban armed groups and individuals find it hard to believe that humanitarian actors are both neutral and independent³⁰. Furthermore, as humanitarians may be less well-known than urban armed actors, the population may mistrust or not even understand their roles or the humanitarian principles involved. Conversely, humanitarian actors used to contexts where there is an overt political nature may understand less a context where there is no political nature, which in consequence can cause a greater risk of confusion and attacks³¹.

The criminality of the gangs makes any contact with them fraught with difficulties, and clearly represents a security challenge to the humanitarian actors. Thus, the urban setting blurs the lines between communities and armed actors. However, there are methods related to security implemented in contexts of traditional armed conflict that are valid in and transferable to violent urban settings such as the ICRC doctrine. However, it is important to adapt the modalities³².

As a consequence, dialogue with armed actor and criminal gangs is particularly difficult. Indeed, gangs have unique features, modus operandi, methods of warfare³³. It is not easy to understand the complexity of these actors due to the diversity of groups, blurred lines with the rest of the population, and multiplicity of motivations (illicit activities, business, political, social, cultural)³⁴. There are also a high number of governmental forces with which humanitarian organisations need to engage in order to provide protection programs to dwellers and to maintain perception of neutrality.

Coordination with other protection providers

Urban settings could have a higher presence and diversity of actors and institutions at local, national and international levels³⁵. Humanitarian organisations confront challenges to coordinate

²⁶ Idem. And Interview with ICRC Focal point on Youth & Urban Violence, July 2016.

²⁷ Athena R. Kolbe, “Revisiting Haiti’s Gangs and Organized Violence”, HiCN, Working Paper 147, June 2013, <http://www.hicn.org/wordpress/wp-content/uploads/2012/06/HiCN-WP-147.pdf>

²⁸ Interview with ICRC Focal point on Youth & Urban Violence, July 2016.

²⁹ Elizabeth G. Ferris, *The politics of protection...*, op. cit., p. 252.

³⁰ ICRC Conference, “Urban violence: what role for traditional humanitarianism?”, an event co-hosted by the International Committee of the Red Cross and the All Party Parliamentary Group on Conflict Issues, 2013, <http://www.icrc.org/eng/assets/files/2013/urban-violence-summary-report.pdf>

³¹ Idem.

³² Interview with ICRC Focal point on Youth & Urban Violence, July 2016.

³³ Athena R. Kolbe, “Revisiting Haiti’s Gangs...”, art. cit., p. 4.

³⁴ Elizabeth G. Ferris, “Ten Observations...”, art. cit.

³⁵ International Committee of the Red Cross, *Urban services during protracted armed conflict...*, op. cit.

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with urban actors to avoid duplication and have a consistent protection intervention³⁶. Also, working with an array of governmental institutions is a principal challenge not only because they might not know about the humanitarian work, but because it can compromise the principles of neutrality and independence³⁷.

However, accurate coordination with institutional actors is not always possible and sometimes the lack of coordination has negative effects on the capacity of governmental institutions to lead protection activities as the primary actor³⁸.

Legality

In situations of urban violence legal frameworks are more controversial³⁹. One of the challenges is to conduct a legal analysis and assessment so as to apply the adequate framework. The applicable legal frameworks in most contexts of urban violence are the International Human Rights Law and domestic law. This situation implies some challenges: “humanitarian actors have less ability to negotiate in domestic issues”⁴⁰, as they should better understand national frameworks, mechanisms and systems to implement protections activities⁴¹. Nevertheless, there is currently a debate on whether the situation of urban violence in some contexts fulfil the criteria to be classified as a Non-International Armed Conflict (NIAC), which would mean that International Humanitarian Law (IHL) would be applicable. Until this is resolved, humanitarian actors are unable to clarify some legal obligations of the armed groups such as the distinction between those who are directly involved in the violence and those who are not⁴². This debate has offered multiple arguments regarding intensity of the violence, the sophistication and organisation of the armed groups and the warfare methods used.

Furthermore, there are legal challenges regarding protection of migrants and people moving because of criminal violence. Albuja affirms that “existing norms and praxis do not fully respond to the complexity of human mobility in situations of intense criminal violence”⁴³. Although new interpretations of the Refugee Law could offer a broader protection for people fleeing urban violence, in practical terms the law is rarely implemented. Furthermore, even when national laws are being developed specifically to protect people moving from criminal violence, the impact of the new legal measures remains insufficient⁴⁴. Complementarity of the Refugee Law, International Human Rights Law (IHRL)⁴⁵ is still limited, and access and promotion of the human rights of the migrants in transit need to be further developed. Moreover, the political climate in many countries creates resistance to protection measures for asylum seekers escaping criminal violence⁴⁶. What is more, the responsibility of protecting urban dwellers falls on the shoulders of

³⁶ Interview with Marc Bosch, Programme Manager for Latin America, Colombia, Venezuela, Bolivia, *Médecins Sans Frontières* - OCBA, July 2016.

³⁷ *Idem*.

³⁸ UN-Habitat, Meeting humanitarian challenges..., *op. cit.*

³⁹ François Grünewald et al., Humanitarian aid in urban settings..., *op. cit.*

⁴⁰ Elena Lucchi, “Humanitarian interventions...”, *art. cit.*

⁴¹ François Grünewald et al., Humanitarian aid in urban settings..., *op. cit.*

⁴² Sebastián Albuja, “Criminal violence and displacement in Mexico”, *Forced Migrations Review*, n° 45, February 2014, p. 28-31.

⁴³ *Idem*.

⁴⁴ *Idem*.

⁴⁵ Pierre Apraxine, Anne Duquenne, Sabine Fetta and Damien Helly (ed.), Urban violence and humanitarian challenges, European Union Institute for Security Studies and International Committee of the Red Cross, Joint Report EUISS-ICRC Colloquium, Brussels, 19 January 2012.

⁴⁶ Sebastián Albuja, “Criminal violence...”, *art. cit.*

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the State as one of the main responsible of protection⁴⁷. Because this is the case, if States do not have the political will to implement protection mechanisms, the task of humanitarian actors becomes more difficult.

Human resources

Using short missions for humanitarian international staff does not allow enough time to understand urban violence operations, build a rapport with communities, armed actors and other stakeholders. Developing personnel competencies entails much time and organisational resources, and an organisation's credibility rests on the ability to foster trust and dialogue with the different actors⁴⁸. To tackle this challenges, there is a paucity of adequate candidates who are highly motivated and with the necessary experience to work in this setting.

Recommendations

Our recommendations follow the same division previously established.

Assessment

Considering the complex nature of the context, it is recommended to analyse and integrate into the analysis the roots of urban violence, multiplicity of actors and their motivations. The data collection should go beyond using homicides rates; instead, baseline surveys should be implemented on protection concerns. Moreover, involving the communities during assessments and developing a bottom-up approach is highly recommended⁴⁹.

Security

It is vital to conduct a risk and security assessment, prior to any violence operation, and involve local and national organisations. This would help understand the specific dynamic in the city and what strategies to use when engaging the armed groups, it can be done in a direct or indirect ways. As in other settings it is important to engage communities, build up trust and implement a community-based approach, while working with local organisations and institutions. This should go hand-in-hand with trainings and diffusions on humanitarian principles, which is part of a specific discourse and communication strategies to promote and defend humanitarian principles in urban violent settings. Third parties (communities and other interlocutors) can pass messages and discuss security guarantees to provide assistance and protection to the populations.

Coordination with other protection providers

An appropriate response to the urban violence problematic is to coordinate and work with local partners, thereby building networks with several organisations in the public and private sector. Care should be taken when selecting partners as not all are well perceived of or respected or even knowledgeable on humanitarian principles⁵⁰. A stakeholder matrix tool would be a useful tool to identify relevant partners.

⁴⁷ Elizabeth G. Ferris, *The politics of protection...*, op. cit.; Pierre Gentile, "Humanitarian organizations involved in protection activities: a story of soul-searching and professionalization", *International Review of the Red Cross*, vol. 93, n° 884, 2011, p. 1165-1191, <http://www.icrc.org/eng/assets/files/review/2011/irrc-884-gentile.pdf>

⁴⁸ Elena Lucchi, "Humanitarian interventions...", art. cit., p. 9.

⁴⁹ Interview with ICRC Focal point on Youth & Urban Violence, July 2016.

⁵⁰ Elena Lucchi, "Humanitarian interventions...", art. cit.

In urban settings, protection should be integrated in the strategy, and the response should be multi-sectorial, including relevant actors from different sectors of the community, that can influence behaviour and promote change. This multi-sectorial collaboration should be integrated into all phases of the programme management cycle, from the assessment until implementation and monitoring⁵¹. It is also important to foster community-based protection and then involve host communities. Humanitarians have been able to expand their reach by supporting social and community networks through small entrepreneurs or faith-based organisations, among others⁵².

Additionally, when targeting the protection of migrants and refugees in violent urban settings, it is particularly critical to involve the host community and create initiatives that benefit not only the newcomers but also the local population⁵³.

Legality

Advocacy and a transformative agenda need to be included in the project design so as to influence urban policies⁵⁴. One of the main challenges identified was the application of the law to protect people. Humanitarian organisations can work on building national capacities to implement adequately laws. As the work in cities requires a better knowledge of domestic laws, training delegates (mobile staffs) on this should be considered. In most of the urban violence contexts, International Human Rights Law governs. Therefore, promotion of Human Rights and Human Rights dialogue with the authorities is essential for the protection of victims.

Human resources

It is recommended to use missions longer than 18 months because time is needed to understand the setting, build trust with the interlocutors, and cultivate relationships and institutional positioning. In general terms, a mid/long-term approach, for at least five years must be considered. Positive protection impacts on urban violence require considerable knowledge, time and resources as this problematic has social and structural roots⁵⁵. For organisations to tackle urban violence problems they should design operations that move out from pure emergency mode⁵⁶.

Furthermore, humanitarian staff should be trained to operate on urban issues; and the organisations should find strategies which would enable lessons learnt to be passed on to new staff. Finally, humanitarian organisations need to lay down guidelines and policies related to the work on this particular violence.

This article has tried to show that understanding protection work dynamics and challenges in the complex context of violent urban settings should enable the humanitarian community to adapt and implement operational measures to provide suitable protection to the populations, and cope with the realities of violence today.

⁵¹ Interview with ICRC Focal point on Youth & Urban Violence, July 2016.

⁵² UNHCR Interview, July 2016.

⁵³ Idem.

⁵⁴ Interview with the Program Manager for Latin America, Colombia, Venezuela, Bolivia, *Médecins Sans Frontières* - OCBA, July 2016.

⁵⁵ Idem.

⁵⁶ Elena Lucchi, “Humanitarian interventions...”, art. cit.

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However, further research regarding operational solutions to challenges for humanitarians in urban violent settings, and a deeper analysis on legal, and ethical challenges, is needed to better understand the new role of humanitarian organisations working on this question and their adaptation needs. Additionally, it could be interesting to explore the view of different urban community actors, regarding the work of humanitarian organisations in these settings, in order to enhance protection strategies that consider dwellers as an agent of their own protection. Indeed, empowerment of these inhabitants would continue being a major task for humanitarian and national actors.

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He has a Master's degree in Advanced Studies in Humanitarian Action and postgraduate studies in International Humanitarian Law and Human Rights, as well as a Bachelor's degree in Social Work. He focuses on cultural anthropology and the future of humanitarian action. Over the past ten years, Oscar gained significant experience working for the International Committee of the Red Cross (ICRC) in diverse roles and environments such as Deputy Head of Sub-Delegation and Office in Colombia and Protection Delegate in Afghanistan, among others. Currently, he is working as ICRC Field Coordinator in Mexico.

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