

**Written evidence submitted by the International Committee of the Red Cross (ICRC)
(INR0063)**

Introduction

1. The International Committee of the Red Cross (ICRC) would like to congratulate the Foreign Affairs Committee (thereafter the Committee) on carrying out this inquiry into the Foreign and Commonwealth Office (FCO) and the Integrated Review (thereafter the Review).
2. The ICRC is pleased to share with the Committee some observations on some of the points that your inquiry raises. The ICRC stands ready for any further exchanges on this matter.

The ICRC

3. The ICRC is an impartial, neutral and independent organization whose exclusively humanitarian mission is to protect the lives and dignity of the victims of armed conflict and other situations of violence and to provide them with assistance. The ICRC also endeavors to prevent suffering by promoting and strengthening international humanitarian law (IHL) and universal humanitarian principles. Established in 1863, the ICRC is at the origin of the Geneva Conventions and the International Red Cross and Red Crescent Movement. It directs and coordinates the international activities conducted by the Movement in armed conflicts and other situations of violence.

The relationship between the FCO and the ICRC

4. In today's world of instability, insecurity and polarization, generating respect for IHL and principled humanitarian action is more important than ever. Over the years, the ICRC has had many interactions with FCO staff at all levels; in London, New York, Geneva as well as with Embassies in contexts both of conflict and peace. Whenever and wherever the ICRC and the FCO meet, these occasions repeatedly affirm that the UK global interests of security, prosperity and development converge with ICRC's humanitarian concerns, especially in fragile, conflict prone and conflicted affected contexts.
5. In sum, the FCO and the ICRC can look back on a solid relationship that is almost as old as the Red Cross and Red Crescent Movement itself. The UK remains one of our strongest allies in the pursuit of an international rules-based system which guarantees respect for IHL. In fact, the UK has a long history as a constructive advocate for the Geneva Conventions. The relationship between the ICRC and the UK's diplomatic services is therefore a crucial one.

Question 1 – The process of the Integrated Review

Our observations

6. Since the announcement by the Prime Minister in February 2020 that the Government would carry out the “*largest review of the UK’s foreign, defence, security and development policy since the Cold War*”¹ the ICRC has had numerous encounters with FCO Ministers and other senior FCO staff in London, Geneva and New York. On each of these occasions we were assured that engagement on the Review with external stakeholders would be welcome and appreciated.
7. The term “integrated” implies that the process aims at gathering a diversity of opinions from a wide range of stakeholders, both within the UK Government as well as outside of government, like our institution. ICRC reiterated to key government stakeholders that our institution stood ready to make our contribution to the Review a substantial part of our ongoing bilateral dialogue, whenever this process starts.

Our asks

8. We are aware, from the Prime Minister’s communication with the Chairs of the Foreign Affairs, International Development and Defence Committees, that the Review has been paused.² Subsequently we learned that it will be delayed until the end of the year according to the Secretary of State for Defence.³ Although that seems a long way away, we urge the key decision makers from the FCO and elsewhere in government to explain as early as possible how external stakeholders can engage. We also urge the Government to share the terms of reference for the Review as this will help external stakeholders like ourselves to frame our contribution and thus increase their utility.

Question 2 – Strategies in UK foreign policy

9. In the absence of terms of reference, we can at this stage only provide a set of superficial, incomplete suggestions into what this comprehensive deep dive into the UK’s approach to defence, diplomacy and development should investigate. As your inquiry puts an emphasis on the FCO, we focus on *UK foreign policy and diplomacy strategies*. Our observations and asks are neither complete nor exhaustive. Once the terms of reference for external stakeholders to engage in the integrated process of this Review, we will be able to be more specific.

¹ <https://www.gov.uk/government/news/pm-outlines-new-review-to-define-britains-place-in-the-world>

² See also <https://twitter.com/CommonsIDC/status/1243206114327625728> .

³ Defence Committee Hearing with Secretary of Defence Ben Wallace on 22nd April, 2020

10. Moreover, we would like to point out that our observations on UK diplomacy strategies go hand in hand with *UK defence* and *UK development & aid* strategies. For example, FCO Ministers have been “double hatted” for a while now, overseeing FCO and DFID portfolios. FCO legal advisors play a crucial role in the UK government’s interpretation of IHL, the law governing the rules of engagement in armed conflict. Our observations and asks on the UK foreign policy strategy considerations that we develop below should therefore be seen through an integrated lens encompassing the “3 D’s & A”, diplomacy, defence and development & aid.

UK as a responsible, innovative and assertive key protagonist in international relations safeguards IHL as a pillar of the international rules-based ecosystem

Our observations

11. In view of its mandate entrusted by the international community through the Geneva Conventions, the ICRC considers itself a stakeholder in the rules-based ecosystem. Like others we observe with some concern the dynamics in today’s competitive reorder of this system which affects also the support for IHL. Be this conflicts in Ukraine, Syria, Iraq or Yemen to name but just a few, we see states and non-state actors’ willingness to assert their interests through confrontation involving a complex blend of warfare, proxy action and other influencing methods. There is an increased competition continuum of campaigning between powers, engaging above and below the threshold of armed conflict and incorporating use of new technology, cyberspace and use of proxies. In sum, we think there is a need to safeguard the achievements of the international rules-based ecosystem and, collectively, make it fit for the challenges of the 21st century.
12. We therefore strongly believe that the position of the UK as a thought leader in this area is at stake if the UK does not proactively place the maintenance of the rules-based ecosystem at the heart of its policies. We know that these are political investments that require courage and perseverance.
13. To give an example, we have seen the FCO take an active role in championing adherence to IHL through its global leadership on the Preventing Sexual Violence in Conflict Initiative (PSVI). The UK shone a light on abuses which are often shrouded in silence, but which we encounter routinely through our work. There have been concerns that the PSVI has taken a back seat in recent years,⁴ but we have continued to work closely with the FCO on the Initiative and, although disappointed by the postponement of the follow-up PSVI Summit due to take place in November 2019, look forward to it being convened as soon as is practicable. It is essential that the UK keeps the Initiative high on its agenda, as a key part of its work to defend abuses prohibited by IHL and other bodies of law, but also to promote a survivor-centred

⁴ ICAI, 2020, [The UK's Preventing Sexual Violence in Conflict Initiative: Joint Review](#)

approach towards sexual violence in conflict.

14. The UK has a vital role in acknowledging how when international law is respected, people affected by conflict and violence are better protected – whether in the UK or overseas, and how the reverberating effects of a lack of compliance with the law can upend the international scene whether through mass displacement or wider violence.
15. For example, with regards the specific example of mass displacement, a recent ICRC study⁵ demonstrated that better respect for IHL has at least four key benefits. It is one of several ways to address the causes of displacement and prevent people from becoming displaced in the first place. It plays a decisive role in enabling humanitarian action in support of people at risk of displacement. It contributes to ensuring that people are protected during displacement. It also contributes to creating an environment conducive to safe and dignified return.

Our asks

16. We urge the UK to continue to stress the importance of international law, including assisting the ICRC in bringing states together on particularly important IHL issues, within international fora. Through its bilateral relationships, the UK could encourage states and non-state actors to comply with the law, being explicit about why it is important on a wider basis that they do so. Further, the UK should continue to look at its own practices to ensure that it leads as an example of best practice to other states.

UK as a leader in responsible support relationships in armed conflict

Our observations

17. The ICRC defines a support relationship as one in which an actor provides support to a party to armed conflict that increases the latter's capacity to conduct armed conflict. The UK engages in support relationships to parties to armed conflict. The ICRC makes no judgement here as to the quality of these relationships or the decisions made to enter into one. While all support relationships carry an inherent degree of risk to civilians and those *hors de combat*, they also have the potential, exercised or not, to positively influence the respect of IHL and thereby reduce the negative impact of armed conflict on affected populations.
18. However, the ICRC regards all too frequently insufficient emphasis on respect of IHL in the external support provided to parties to armed conflict as a key factor in the scale of human suffering witnessed over the last 20 years.

⁵ <https://www.icrc.org/en/publication/displacement-times-armed-conflict-how-international-humanitarian-law-protects-war-and>

19. In sum, actors engaged in support relationships should better account for the risks posed to those not, or no longer, participating in the conflict. While such partnerships are sometimes a way for actors to share the burden of the war effort, this should not mean they feel less responsible for the impact of the war on those not fighting.
20. The ICRC sees an opportunity for the UK to steer both in individual partnerships but also collectively in designated alliances, improvements to the management of support relationships to positively influence partners' behaviour for the benefit of victims of armed conflict. The FCO plays a significant role in the assessment of risk and management of UK support relationships, as noticed during a UK inter-departmental (FCO, MoD, DFID) - ICRC roundtable on UK's role in the conflict in Yemen, organised by the FCO.

Our asks

21. The ICRC asks decision-makers to consider how they will work with partners involved in armed conflict to foster better respect for IHL and thereby better protection of civilians and persons *hors de combat*. An Integrated Review that explicitly identifies this topic as a matter of concern will provide needed momentum on this important topic. As well as improving the UK's own processes and practices in support relationships, this will also set an example for others to follow and be a positive influence for respect of IHL globally.

Counter Terrorism (CT), restrictive regimes and humanitarian exemptions

Our observations

22. The UK's support as stated in the UK Humanitarian Reform Policy⁶ in ensuring that neutral, independent and impartial humanitarian organisations, such as the ICRC, are able to do the work needed to protect persons from the effects of conflict and violence means that the UK needs to be a voice for preserving the space for such organisations to act.
23. Counter terrorism measures as well as sanctions regimes can potentially curtail the work of humanitarian organisations, even if such organisations are not the target. When humanitarian organisations cannot talk to non-state armed groups, enter certain territories to assist populations or import lifesaving equipment, it is the people who need protection who lose out.

Our asks

⁶ DFID, 2017, [Saving lives, building resilience, reforming the system: the UK Government's Humanitarian Reform Policy](#), page 4 in particular.

24. We urge that when developing law and policy on counter terrorism and sanctions, the UK bears in mind its obligation under IHL to facilitate the work of neutral, independent and impartial humanitarian organizations and ensures that such measures do not impede the work of such organizations, including the ICRC. The UK should devise effective mitigating measures, such as humanitarian exemptions benefiting impartial humanitarian organizations. Further, we encourage the UK to use its presence on the international stage to voice the importance of preserving the space in which organisations like the ICRC are able to act.

UK in its climate change reduction strategy focuses on the double vulnerability of climate change and armed conflict

Our observations

25. The UK Government has decided to make climate change reduction one of its top priorities. With this in mind, the ICRC would like to highlight the humanitarian consequences when climate change intersects with armed conflict. This spiral, called the double vulnerability of climate risks and conflict, needs to be part of a foreign policy geared towards climate change reduction.

26. Research confirms that those suffering most from climate change do not live in contexts where exposure is highest, but where capacities to respond are lowest, especially in conflict contexts.⁷ The situation in Africa is particularly concerning. According to the Notre Dame Global Adaptation Index, which summarizes a country's vulnerability to climate change and other challenges in combination with its readiness to improve resilience, worldwide 9 of the 10 countries considered the most vulnerable to climate change and the least ready or capable to adapt are actually in Africa. 7 of those 9 African states are affected by armed conflict.⁸

27. These countries and people grappling with the effects of conflict are particularly vulnerable to climate impacts. For example, in Northern Mali, where the ICRC has been operating for more than a decade, a mix of environmental degradation, demographic growth, climate risk, conflict, lack of infrastructure and weak governance greatly challenge adaptation pathways. Climate risk exacerbates existing threats to food, health, economic insecurity, which in turn can increase the risk of armed conflict. In such situations, ICRC distributes adapted seeds, provides support to drip irrigations, installs, repairs or donates solar-powered water pumps and systems to help communities access water for drinking or for farming and herding.

28. In sum, our experience shows that the environment and vulnerable societies are becoming ever more fragile because of climate change and armed conflict combined.

⁷ See for example Katie Peters, Leigh Mayhew, Hugo Slim, Maarten van Aalst and Julie Arrighi, *Double vulnerability – The humanitarian implications of intersecting climate and conflict risk*, January, 2019.

⁸ See <https://gain.nd.edu/our-work/country-index/download-data/> for further information.

There is a need for decisive foreign policy leadership in protecting these populations from this double vulnerability in order to avoid both immediate humanitarian needs as well as more long-term development reversals.

Our asks

29. The UK's climate change policy should take a lead in focusing on the reduction of the double vulnerability of climate change and conflict through encouraging better adherence to the law as a means of protecting vital infrastructure to withstand this double vulnerability. Additionally, as the natural environment becomes ever more fragile as a result of climate change, protecting it within situations of armed conflict is even more vital. The UK should integrate greater environmental protection into its policies concerning situations of armed conflict. Understanding the environment as a civilian object to be protected by the rules of IHL, and how rules of proportionality within attacks need to consider the vulnerability of the environment when looking at the reverberating effects of such attacks is essential and needs continued vigilance in light of the current, and future, needs of the natural environment.

UK's support to the Sustainable Development Goals (SDGs) in the Covid-19 recovery phase puts a focus on SDG 16 Peace, Justice and Strong Institutions

Our observations

30. Today's Covid-19 pandemic has brought daily life to a standstill in all parts of the world. It challenges everyone to re-think priorities and adjust policies. Looking ahead, the Covid-19 recovery phase will occur in a context of scarce resources. Priorities must be set. One of those pressing challenges is the double vulnerability of the pandemic and armed conflict and the risk that this combination derails one of the UK's key foreign policy and development commitments: achieving the Sustainable Development Goals (SDGs) by 2030.
31. Like pandemics, armed conflict and other situations of violence don't know borders. For war-torn countries, the stakes couldn't be higher. The development gains these fragile countries have made towards attaining the SDGs could be lost; development reversals are likely and fragile governments could be further destabilised.
32. The focus on the SDGs is likely to be challenged in those areas where governments have less leverage, e.g. in non-international armed conflict where armed groups and alternative governance structures are competing with central governments and structures. These hard to reach spaces risk becoming fragile "SDG blind spots", notably if independent, impartial humanitarian action geared towards achieving sustainable impact is hindered. The ICRC is witnessing this in contexts like Afghanistan, Nigeria and Somalia
33. In sum, the pandemic will exacerbate existing crises, cause "*a reversal of development gains*"⁹ and increase levels of global poverty. Underlying instability and

underdevelopment will worsen the impact of Covid-19 whilst hampering recovery. Actively tackling this double dimension, the cumulative impact of Covid-19 in contexts already exhausted and weakened by protracted conflicts, should be a priority for future UK foreign policy and the FCO at the helm of UK diplomacy in the ten years ahead of the fulfilment of the SDGs.

Our asks

34. In its efforts to achieve the SDGs, especially in the post-Covid-19 recovery phase, the UK's foreign policy should advocate for better political and financial support to contexts where development reversals caused by the double vulnerability of the pandemic and armed conflict are real, and thus make the fulfilment of SDG 16 on Peace, Justice, Strong Institutions its priority. A particular focus should be placed on supporting independent, impartial humanitarian action geared towards sustainable impact which can enable to avoid "SDG blind spots".

May 2020

⁹ DFID, 2017, [Saving lives, building resilience, reforming the system: the UK Government's Humanitarian Reform Policy](#), page 6