

The Role of Non-State Actors in Building Human Security
- The Case of Armed Groups in Intra-State Wars
Claude Bruderlein, Human Security Network, Geneva, 2000.

“Non-state actors, from armed groups to private corporations and NGOs play a critical role in heightening or lessening human security.” When states fail or collapse, non-state actors are the only actors left at ground level capable of delivering human security. These groups are also highly influential at the global and macro-policy levels, many civil society organizations (CSOs) having played instrumental roles in the drafting and signing of such treaties such as the Rome Statute on the establishment of the International Criminal Court, or the Ottawa Convention banning the use of landmines.

However if the role of NGOs and CSOs is often well understood, more focus should be directed towards understanding the role of non-state armed groups engaged in violent action. One of the critical shortcomings today, from a human security perspective, is the absence of a comprehensive legal framework to “engage armed groups towards compliance” to humanitarian law, which unfortunately focuses only on the conduct of state actors. Indeed “Despite the critical role of armed groups in internal conflicts, human rights law is de jure applicable only to state entities”.

The realities of today’s world may make it seem “naïve” to ask compliance to international standards from non-state armed group, but experience has shown that even a practical dialogue with such groups can be beneficial for civilian populations. Non-state armed groups are indeed often “de facto governments” in their territories, potential parties in eventual peace settlements and the authorities that are responsible for the protection of humanitarian operations within the area they control. Therefore adapted strategies are needed to approach these groups effectively, in order to obtain from them adherence to international standards.

Dialogue should be opened with arm groups that have at least a basic command structure, that are engaged in combat to “achieve political ends” and that are independent from state control. If not, talks with fragmented groups whose activities are essentially criminal and which enjoy support from government forces will probably be unproductive or counterproductive. Furthermore, opening a dialogue needs that there be a thorough analysis of the armed group’s military position and its proximity with the civilian population. From the group’s perspective, the principle of separation between combatants and civilians often makes little sense, however, if a group is in a position where it can be viable and somewhat dissociated from the civilian population, there can be an opening to suggest innovative arrangements such as specific humanitarian “corridors” or “zones of tranquility”. Other strategies to approach armed groups include surveying their leadership structure, and assessing the extent of their claim towards political legitimacy on the backdrop of their economic motives for war.

Once this approach has been fruitful and a dialogue can be opened, the humanitarian community has two choices: engage in assisting these groups to comply with international standards, or on the contrary shame them “in front of the international public and their own constituency” for the violations they commit. These two apparently opposite strategies need in fact to be combined, through responsible capacity building and adapted monitoring, meaning there is a need for coordination between those providing assistance – the humanitarian NGOs – and those from the human rights field, who essentially work by naming and shaming violators.

In any case, and in conclusion, caution and professionalism should be the overarching principle all should have in mind. For if there is much to gain from obtaining adherence of armed groups to international humanitarian standards, there can also be much that can be lost or jeopardized.