HPG Working Paper

What's the magic word? Humanitarian access and local organisations in Syria

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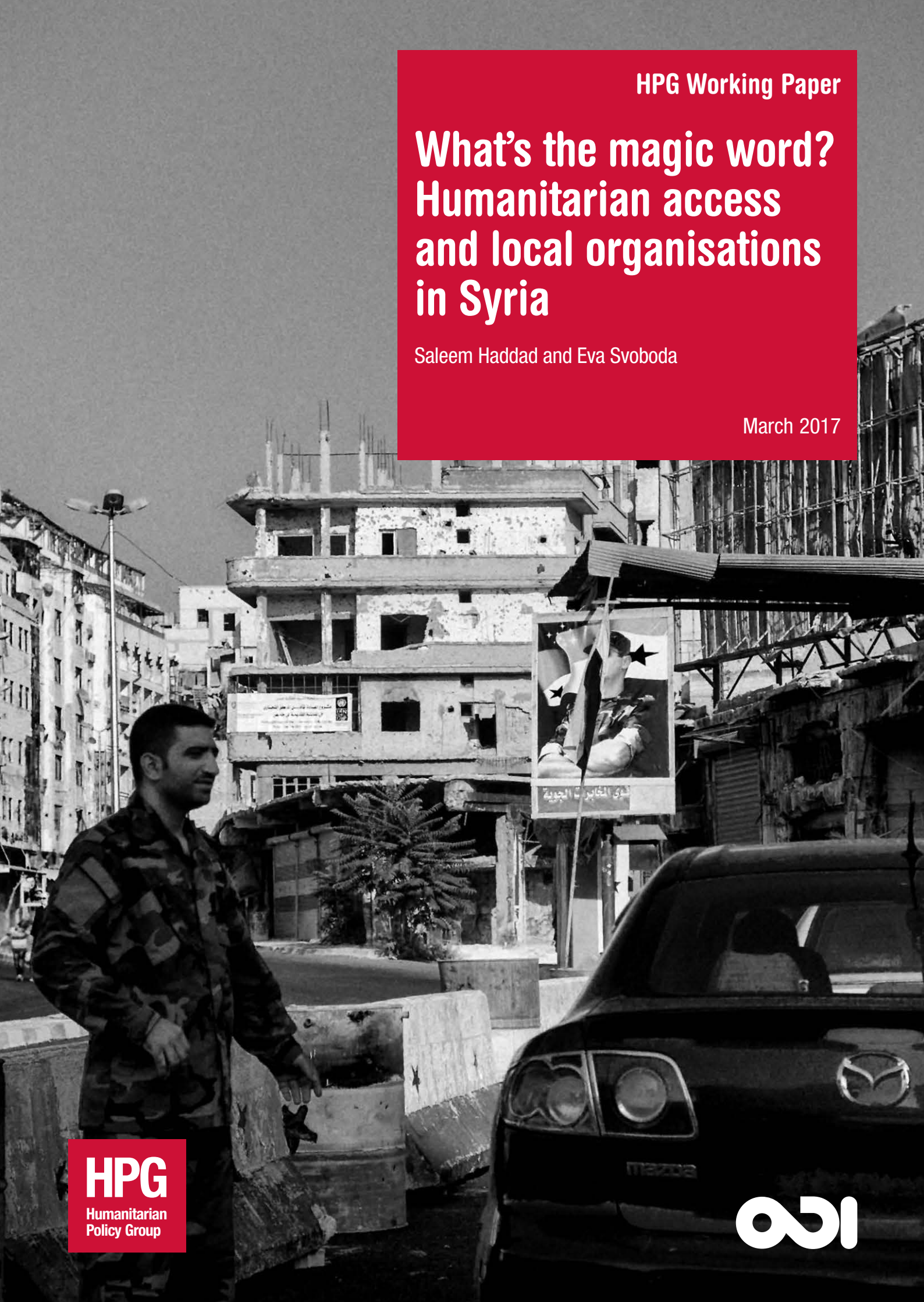

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Contents

Executive summary

In Syria, access – or more accurately the lack of it – for humanitarian agencies to provide assistance and protection to people in need has been a defining issue since the conflict began. Access in this context has predominantly been viewed and analysed from the perspective of actors that are part of the 'traditional' humanitarian system (the UN, Red Cross and Red Crescent Movement, international NGOs). Far less attention has been paid to how 'non-traditional' players, such as local organisations, diaspora groups, local councils and others, gain, maintain, but also lose or compromise on access to people in need.

There are a variety of reasons why access may be constrained, and more often than not it is a combination of different factors that prevents aid from reaching those in need. These factors are external as well as internal. In Syria's case, the intense level of combat, coupled with a lack of adherence to principles of International Humanitarian Law (IHL), such as distinction and proportionality, mean that aid agencies are operating in a highly dangerous and unpredictable environment. Bureaucratic hurdles, counter-terrorism legislation and sanctions also potentially impinge on the ability of aid workers to reach people in need. Access can vary significantly over time, from one geographical location to another, even within the same location and depending on who is seeking or granting access.

Most international organisations operating across the border (as opposed to those based in Damascus) do so remotely. This lack of direct access has brought to the fore the role of local organisations, including professional bodies such as medical associations, faith-based charities, diaspora networks, anti-government activists and entities aligned with armed groups and business people. The common perception among traditional/formal humanitarian actors is that local groups possess a strategic advantage given their contextual knowledge and personal ties, and are thus better positioned to negotiate access. But simply being Syrian is not enough to gain access in the absence of a solid local network and the provision of effective, reliable, timely and relevant assistance that brings tangible results. While armed groups hold a powerful position in granting or denying access, there is no doubt that community acceptance is critical, and can even overrule an armed group's position. There is an important interplay between an armed group's quest for legitimacy and the ability of a community to influence its behaviour, though there are important limits to the extent to which affected communities can exert influence, notably over groups with radical Islamist views, which tend to feel less accountable to and less – if at all – concerned with the community's welfare.

Local governance structures such as local councils play a critical role in negotiations. They are not just gatekeepers to the community, but also provide logistical support, information on needs in the area they cover and in some cases operate as third-party monitors of aid deliveries. Some of the larger councils have even established humanitarian coordination offices. However, while local councils can indeed be very helpful, there are also areas where different local councils compete with each other, and as a result local aid organisations are forced to maintain lines of communication with a number of different authorities. Equally critical in securing access are affected communities themselves. They can help organisations run projects, even at times in defiance of armed groups that may oppose it. Local groups use focal points within the community who have a clear understanding of community dynamics. However, simply being Syrian is not enough to gain access. While access may indeed initially be granted due to the local connection, it cannot be maintained indefinitely. Sustained access must be earned through effective, reliable, timely and relevant humanitarian assistance.

Humanitarian assistance in Syria is deeply politicised and aid agencies, both international and local, are having to make extremely difficult decisions. This is no different from other conflicts, though the scale, duration and complexity of the fighting in Syria have – perhaps more than other conflicts – revealed with painful clarity weaknesses in both the humanitarian and political responses. Both traditional and non-traditional humanitarian actors interviewed for this research questioned whether any aid actor in Syria was able to deliver aid while maintaining strict compliance with humanitarian principles. There is an assumption that being local prevents an organisation from

adhering to humanitarian principles. This research shows that such general statements are not accurate, and that local NGOs have in fact found value in abiding by humanitarian principles to sustain access and build trust with communities.

Similar to other conflicts, humanitarian aid in Syria operates in an environment which is also marked by a growing war economy. This ranges from networks of checkpoints manned by various opposing parties to landowners charging rent from displaced camp residents to businessmen taking cuts on food. As a result, aid agencies need to continuously ask themselves how diversion can be mitigated, establish what constitutes an unacceptable level of diversion and decide what to do when that level is reached.

1 Introduction

The conflict in Syria is nearing the end of its sixth year, and prospects for a political transition, let alone peace, remain elusive. Estimates of the death toll range between 250,000 and 470,000 (Black, 2016). Currently, 13.5 million Syrians are in need of humanitarian assistance, 4.8m have fled the country and 6.3m are internally displaced.[1] The violence has torn Syria's social fabric apart, with a particularly devastating effect on children: the UN Children's Fund (UNICEF) estimates that 'one in every four schools is destroyed, damaged or occupied and more than 2 million children are out of school'.[2] Beyond the human toll, the country's infrastructure and cultural sites have suffered significant damage (Cunliffe et al., 2014).

Access – or more accurately the lack of it – for humanitarian agencies to provide assistance and protection to people in need has been a defining issue since the conflict began. Indeed, the Humanitarian Response Plan 2016 notes that 'access challenges are the main impediment to the delivery of humanitarian assistance' (OCHA, 2015a). The reasons why access is limited vary, but a major obstacle is the level of violence and extreme danger (bombing, kidnapping, sniper fire). The recent evacuations from Aleppo are a stark illustration of the dangers aid workers face. Repeated calls by the UN Security Council to allow unhindered access have rarely been heeded by the parties to the conflict and, while there has been occasional progress (DW, 2014), on the whole large-scale access to people in need over a sustained period of time has been anything but satisfactory. On 31 December 2016, in a rare show of unity, the Security Council voted unanimously in favour of Resolution 2336/2016 in support of mediation efforts by Russia and Turkey to facilitate a ceasefire, and renewed its call for safe and unhindered humanitarian access throughout Syria (UN, 2016a). A welcome, though extremely fragile, ceasefire followed.

Much of the debate on access has focused on the 'formal' system (the UN, the International Committee of the Red Cross (ICRC), international NGOs). This is understandable given the volume, experience and specific mandates and missions of the individual entities that make up this system. Issues such as the legality of cross-border operations, the lack of investment in genuine partnerships with local organisations, mistrust towards local organisations and within the 'formal' system itself, as well as the implications of counter-terrorism measures on humanitarian action, have all been brought to the surface. At the same time, however, the conflict has brought to the fore the role of local organisations, diaspora groups, local councils and others. These groups have almost inadvertently filled the gap left by the limited international presence, providing both assistance and protection (Svoboda and Pantuliano, 2015). They have also been understudied: there is a dearth of information on how 'local' actors – diaspora groups, local activists, grassroots movements, faith-based groups, philanthropists – negotiate and obtain access to people in need, and what compromises they might have to make along the way. This project seeks to address this evidence gap by looking at access from the perspective of actors not part of the 'formal' system.

Why choose Syria as a case study? In terms of the consequences of the conflict, on civilians in particular and on the country as a whole, the dilemmas faced by aid agencies or the degree of reliance on local organisations, Syria is no different from other conflicts. That said, the scale, duration and complexity of the conflict have – perhaps more than other conflicts – revealed with painful clarity weaknesses in both the humanitarian and political responses. As one respondent put it: 'Money and politics co-exist in every conflict, but in Syria the scale of both makes it a particularly difficult environment and one that has pushed aid agencies to compromise more than they have done in other contexts and where the consequences of these compromises have a greater impact'. Looking at a context such as Syria, identifying challenges and exploring where improvements can be made, it is hoped that this will be helpful for operations elsewhere.

1.1 Scope and methodology

This HPG Working Paper on the crisis in Syria is part of a two-year research project entitled 'Holding the

1 See http://www.unocha.org/syria.

2 See http://www.unicef.org/appeals/syria.html.

Keys: Who Gets Access in Times of Conflict?'.[3] The research involved a review of primary and secondary sources, including UN documents, grey literature and academic publications. Fieldwork in Lebanon and Turkey took place between February and April 2016, complemented by additional phone/skype interviews with individuals based in the Middle East and Europe. Interviewees included current and former staff and volunteers of Syrian diaspora groups, associations and NGOs, local councils, staff of international aid agencies and international non-governmental organisations, and current and former UN staff. Interviews were also conducted with donors, academics, independent consultants and Syrians living abroad. Focus group discussions (FGDs) with affected people and key informant interviews were conducted in Syria, specifically in the governorates of Idlib and Aleppo. In order to allow for fuller discussions and for safety reasons the names of interviewees have been withheld. A total of 60 individual interviews (including 15 with members of civil society organisations (CSOs) and local councils inside Syria) and four FGDs were conducted. The interviews in Syria were conducted through the Masar Research Center. For security reasons the research team did not travel to Syria.[4] In addition, the paper predominantly reflects the perspectives of organisations operating cross-border, and thus in opposition-held areas, and only to a limited degree in government-held, Kurdish or Islamic State (IS) areas. The paper therefore does not pretend to explore how access is gained everywhere in the country.

This paper uses the terms 'traditional' or 'formal' broadly for UN agencies, international NGOs and the ICRC, and 'non-traditional' or 'local' for Syrian organisations working locally or transnationally. Respondents pointed out that the terms 'traditional', 'non-traditional', 'formal', 'informal' and even 'local' are a simplistic and often inaccurate way of describing organisations that are very diverse in terms of origin, mission and scope. For example, diaspora groups are distinct from purely local civil society organisations in terms of origins and geographical reach, but when operating on the ground they often face the same challenges; thus, both diaspora groups and local civil society organisations are discussed together under the heading 'local'.

Finally, the paper looks not only at 'purely' humanitarian organisations, but also takes a broader view and examines organisations that were originally established to engage in activities other than purely saving lives. Some organisations on which this research is based may have started as peace-building, development or human rights organisations, but have gradually moved into humanitarian assistance more by necessity than by choice in response to the sheer scale of emergency needs and limited funding for non-relief activities. Others continue to work on their core activities and, while their negotiations are not for the strict purpose of humanitarian access, they too need to be able to navigate similar challenges. As a result, their experience also forms part of this study.

3 A parallel case study explores local access in the conflict in Ukraine.

4 In itself a telling illustration in a study dealing with access issues.

2 Defining access

Although there is no universally agreed definition of humanitarian access, it is generally understood to mean access by aid agencies to people in need, and people's ability to access services (OCHA, 2009). The *Practitioners' Manual on Humanitarian Access in Situations of Armed Conflict* defines access as follows:

> *Access by humanitarian actors to people in need of assistance and protection AND access by those in need to the goods and services essential for their survival and health, in a manner consistent with core humanitarian principles* (FDFA/OCHA/CDI, 2014).

Similarly, the Global Protection Cluster Working Group's *IDP Handbook* notes:

> *Humanitarian access should be understood both from the perspective of the affected population having access to protection and assistance, as well as the humanitarian actors having access to those requiring assistance and protection. The freedom of movement of the affected population is, thus, essential to ensure adequate access to humanitarian assistance* (GPCWG, 2010).

While there is general agreement that access should be a two-way street – access for humanitarian agencies to affected people, and affected people's access to assistance – beyond that there is a lack of clarity on what constitutes *good* access. Is it when access can be sustained over a long period regardless of what can actually be done in terms of alleviating suffering? Is it still considered good humanitarian access when agencies are told what they can and cannot do, as opposed to delivering what is actually needed? If agencies work where they can (where it is easier or safer to work), as opposed to where they should (where the greatest needs are, but also the greatest risks), does this constitute good access? This debate is not new. Aid agencies have had to deal with limitations on access, whether imposed by belligerents or donors or indeed imposed by themselves, at least as far back as the Spanish Civil War (Jackson and Davey, 2014). Syria is no different, though the number and fragmentation of state and non-state actors involved directly or indirectly in the conflict make it a particularly challenging environment.

Most local organisations interviewed saw access as an 'international' term. Indeed, much of the debate, certainly at the start of the conflict, centred on access by international organisations and staff, and had very little to say about the assistance provided by Syrian organisations. 'Syrians have access in their communities. What are you waiting for? Just give them the supplies and you have access to populations in need through them' one respondent said, not without a hint of despair. While the solution to problems of access is clearly not that simple, statements like this illustrate how far the debate on access has become polarised, as well as politicised.

2.1 Access constraints

In situations of armed conflict access is regulated by International Humanitarian Law (IHL).[5] Primary responsibility for meeting the needs of civilians lies with the party to the conflict with control over these populations. If this party is unable or unwilling to meet these needs, offers to carry out relief operations may be made. Once such offers have been accepted, parties must allow and facilitate the rapid and unimpeded passage of relief consignments, personnel and equipment. While access is contingent on the consent of the state, it is also clear that IHL does not confer an unlimited right to deny aid.[6] However, there is a lack of clarity on what precisely constitutes wilful withholding of assistance, and there is no mechanism to overcome such wilful denial.[7]

There are a variety of reasons why access may be constrained, and more often than not it is a

5 Art. 3(2) common to the four Geneva Conventions; GC IV, Arts. 10 and 59(2); AP I, Art. 70(1); AP II, Art. 18(1) and (2).

6 The Commentary to AP I, art. 70 clarifies that such denials should remain exceptional; states may not refuse access to humanitarian relief for arbitrary or capricious reasons.

7 For a discussion on the legality of cross-border operations see Gillard and Slim (2013).

combination of different factors that prevents aid from reaching those in need. These factors are external as well as internal. External factors in the case of Syria are in no small part related to the conduct of hostilities. The intense level of combat, coupled with a lack of adherence to IHL principles such as distinction and proportionality, mean that aid agencies are operating in a highly dangerous and unpredictable environment. Aid workers have been specifically targeted by belligerents on all sides. In addition, the emergence of Islamic State and its brutal enforcement of its rule has sent a chill through the humanitarian community. Following a spate of gruesome killings of foreigners in 2014, most international aid agencies who had operated from Turkey but had staff based inside Syria or regularly travelled there decided to withdraw. Bureaucratic hurdles may also affect humanitarian access,[8] as can donor requirements such as vetting, and other procedures related to counter-terrorism legislation (Howe, 2016). Last but not least, individual aid agencies' own decisions determine to some degree their access. Interviewees felt that the humanitarian sector has become risk-averse, with some organisations adopting self-imposed limitations on where they operate, due to security risks, to prevent any potential violations of counter-terrorism laws or to avoid potential reputational risks.

A number of groups and individuals involved in the conflict in Syria are on the UN's list of terrorist entities, most notably IS and Jabhat al-Nusra (a group linked to Al-Qaeda). In December 2015, the UN Security Council unanimously approved a resolution endorsing an international plan to end the war, which also calls for the listing of groups in Syria that should be labelled terrorist (UN Security Council, 2015). However, rival powers were pushing to have opponents declared terrorist entities, resulting in a list of 163 groups but no agreement on who should and should not be there (Miles and Irish, 2016). Several countries, including the United States and European Union (EU) member states, have also imposed sanctions on the government of Syria. As a result, transactions such as exporting and importing goods may be considered illegal. Although there are exemptions for humanitarian and other not-for-profit activities in Syria, in reality the distinction between what is authorised and what is not can be blurred.

The 'terrorist' designation has legal as well as operational implications for humanitarian agencies. Counter-terrorism legislation considers the group or individual as criminal. IHL on the other hand regulates the behaviour of all parties in equal fashion. At its core it strives to balance the principle of military necessity with that of humanity, and places limits on the waging of war. The application of a counter-terrorism framework to conflict threatens to erode those limits, and the ability of people affected by conflict to receive humanitarian protection and assistance. More specifically, counter-terrorism legislation and sanctions have had a significant impact on humanitarian organisations' ability to transfer funds to Turkey and Lebanon. In terms of access, although counter-terrorism laws do not prohibit discussions with designated terrorist groups, and IHL clearly provides for humanitarian actors to offer their services to all parties to a conflict,[9] some humanitarian actors have been instructed not to engage with proscribed groups either by their own organisation or by donors. Failure to engage with armed groups significantly hinders the ability of aid actors to reach people under their control, and can effectively exclude victims on one side of the conflict from humanitarian assistance.

2.2 Two systems of access

Access can vary significantly over time and from one geographical location to another, within the same location and depending on who seeks or indeed grants access. Since the beginning of the conflict access in Syria has been full of 'ebbs and flows' (HPG interviews). Organisations in Damascus operate under the strict guidance of the Syrian government, which stipulates that aid must be predominantly delivered through the Syrian Arab Red Crescent (SARC). Convoys need the government's authorisation, which might be granted with delays or not at all.[10] Many organisations considered government control a restriction they could not accept, and as a result a geographical division emerged between organisations with a base in Damascus – chief among them UN agencies – and those conducting cross-border activities, primarily from Turkey (SAVE, 2015a).

8 See http://reliefweb.int/report/syrian-arab-republic/under-secretary-general-humanitarian-affairs-and-emergency-relief-36.

9 See https://www.icrc.org/eng/war-and-law/treaties-customary-law/geneva-conventions/overview-geneva-conventions.htm.

10 In 2015, 75% of requests for cross-line convoys went unanswered. For more details see OCHA (2016c).

Starting at the global level, access is regularly discussed in the UN Security Council, though progress has been limited given the divisions among Council members. Security Council Resolution 2165 of 2014 authorised cross-border operations by UN agencies from Jordan, Turkey and Iraq without requiring the Syrian government's consent. Although the Security Council stated that it would take further measures in the event of non-compliance, no mechanism was established and as a result violations have gone unpunished. However, the Resolution may at least have helped to rebalance the distribution of aid between government and opposition areas: according to one diaspora organisation interviewed for this study, prior to the Resolution 90% of assistance was going to government-held areas, but afterwards that had fallen to about 70%.

At the start of the conflict Turkey opened its borders, both to humanitarian agencies providing assistance and to Syrians seeking refuge in the country. As the conflict has dragged on Turkey's attitude has changed, and since mid-2015 agencies operating from Turkey have faced restrictions on their cross-border activities.[11] A limited number of aid agency staff – initially seven, now five per agency – are permitted to cross into or out of Turkey, using the two official border crossings at Bab al-Hawa and Kobane (HPG interviews). As a result, bringing staff out of Syria, for example for training, has become more difficult. The Turkish authorities also require Syrian staff to produce a valid passport, which is not always possible as Syrians living in opposition-held areas are not able to renew their passports when they expire. Because of these restrictions, many Syrian organisations with a base in Turkey are concerned about the emergence of two parallel organisational structures – one in Turkey and one in Syria – and are worried that their work is increasingly being implemented by less experienced staff managed remotely from Turkey (HPG interview).

As of 2016 the border between Lebanon and Syria has been closed, including for refugees. Lebanon's position throughout the conflict has been one of non-engagement,[12] and the country does not allow cross-border operations (Howe, 2016). Although there is some support from international humanitarian organisations to Syrian organisations in south and central Syria this is done remotely, discreetly and on a much smaller scale than cross-border aid from Turkey (*ibid*.). In addition, unlike cross-border operations from Turkey, the Syrian government is in control on the other side of the border with Lebanon, while Hezbollah – an ally of the government – controls the area of Lebanon bordering Syria, making it doubly challenging for organisations that are or are perceived to be opposed to the government in Damascus (HPG interviews). While the border between Lebanon and Syria is closed for assistance activities, it has stayed open for commercial use and private trips. One can in fact travel from Beirut by car all the way to Damascus (a distance of around 140km).

Once the border is crossed, for example from Turkey, each step of the way needs to be negotiated with whoever holds a particular stretch of territory. How 'easy' or difficult that is depends very much on who is in charge: some armed groups are more receptive to the idea of humanitarian assistance than others, though dialogue between command structures and groups on the ground is usually not systematically organised. Knowing who's who among armed groups is a challenge in itself. There has been a huge proliferation of armed groups in Syria, with some estimates at well over 1,000, including remnants of the Free Syrian Army (FSA), umbrella groups, Islamist groups and Kurdish military factions, as well as militias allied with the government (Elhamoui and al-Hawat, 2015). Humanitarian organisations must therefore establish good terms with a diverse selection of armed actors, each with their own ideology and doctrine. As one employee for a local NGO explained, 'you need to know which checkpoint to turn down the music, and the right language to use with each actor'. Although some organisations have decided to beef up their capacity with dedicated staff skilled in conflict analysis, only a handful of agencies have the sophisticated network and set-up to allow for almost real-time feedback on the situation in a given area. This is crucial in terms

11 Believed to be driven by security concerns, Turkey's attitude towards allowing Syrians to come to Turkey has also been linked to national and international political events. For example, borders tend to be closed during elections. Turkey's position on the Kurdish question has also influenced how the border is managed in areas with a predominantly Kurdish population. As a result of the agreement between Turkey and the EU in March 2016, Turkey is requiring Syrians to have a visa before coming to Turkey. Visas are however very difficult to obtain.

12 Lebanon has maintained a position of disassociation in an effort not to antagonise the Syrian government. It is important to note, however, that Hezbollah is heavily involved in the conflict on the government side.

of the safety of staff as deliveries can be suspended or routes changed at short notice.

This breakdown of the multiple layers and actors influencing access illustrates the complexity of access negotiations and the skills required to conduct them. More often than not, contacts need to be sustained over a prolonged period, and once negotiations are concluded successfully it is not uncommon to have to renegotiate new terms. There is concern that concessions gained in negotiations could be lost if contacts are not maintained and cultivated (HPG interviews). While Resolution 2165 was undoubtedly a step in the right direction, and a recognition of the difficulties Syrians face in accessing aid, in reality any resolution is only ever as good as its implementation by the parties to conflict. Sadly, the Resolution's calls for 'immediate and unhindered delivery of humanitarian assistance directly to people throughout Syria' (UN Security Council, 2014) have not been heeded.

3 Access and the 'formal' humanitarian system

While this Working Paper focuses on local organisations, it is important to acknowledge that they do not operate in isolation and that, despite the limited physical presence of international organisations with international staff, they remain significant players in terms of the provision of humanitarian assistance in the Syria response (OCHA, 2016a). As such, this report would be incomplete if it left out the 'formal' or 'traditional' system. The 'formal' system is by no means a monolithic group, and there are important differences in working modalities, mandates and scope. At the same time, the research identified some broadly applicable general trends.

3.1 Cross-border access: issues and challenges

Following the Security Council's decision with Resolution 2165 to authorise cross-border operations, humanitarian organisations based in Syria, Turkey and Jordan decided to embark on a Whole-of-Syria (WOS) approach. At the core of this approach is an improved operational planning process, greater coherence between the various geographically dispersed aid operations and improved information-sharing (UN OCHA, 2014). While this has had some effect, the response continues to be plagued by difficulties both internal to the humanitarian system, and external.

For most international organisations operating cross-border, remote management is the rule rather than the exception. This is by necessity not by choice, largely due to high levels of insecurity, in particular the threat posed to foreign staff by IS. The gradual closure of previously open border crossings from Turkey and the introduction of a cap on how many staff can pass through a particular crossing have further limited the comings and goings not just of the few remaining international aid workers, but also Syrians.

Remote management has in part been made possible – or at least made to seem less 'remote' – by the use of technology. Organisations based in Turkey explained that they regularly use Skype, Whatsapp, Viber and in particular screen sharing for remote training sessions (provided of course there is an internet connection). For example, courses on medical and surgical techniques (telemedicine) are made available online and are accessible to health professionals unable to travel. According to the Syrian American Medical Society (SAMS), 'with webcams guided by onsite supervising personnel, SAMS's volunteer doctors can directly monitor vital signs, medication dosages, and even patients themselves in real time from across the globe. Doctors in the US can even guide doctors and nurses in besieged areas through invasive procedures like surgeries' (SAMS, 2015). In another example provided by respondents, mine risk education and training on protection work is delivered via Skype. Technology also plays a crucial part in monitoring and evaluation (M&E): projects are commonly documented in videos and photographs, and GPS is used for surveys and assessments.

Syrians were very clear that the ability to keep in touch, exchange information and seek and receive advice via social media platforms was indispensable. When used regularly it was also an important source of moral support. The use of technology, however, does not diminish the security risks local staff are exposed to. Most respondents expressed disappointment at the fact that many of their international partners did not provide more support in terms of training, risk mitigation and analysis. While far from satisfactory, some progress has been made. In Lebanon, international and Syrian aid agencies have started a more structured discussion through a taskforce with donors on issues such as insurance, duty of care and more broadly on how organisations operating inside Syria can be better supported. It is hoped that this will also lead to more consistency in approach among international aid agencies when dealing with situations such as staff kidnapping and deaths.

The importance of partnerships between international and local organisations has long been recognised, though this often remains on a rhetorical level. Genuine partnerships rather than contractual arrangements are not yet the norm. Lack of trust is in part to blame. Local Syrian organisations, many newly established at the start of the conflict, had no proven track record when the need arose to look for local partners amid diminishing access for international agencies. There were questions as to the ability of local organisations to adhere to humanitarian principles, and whether they had the capacity to operate at scale. For their part, local organisations complained that training and capacity-building were being neglected, the bureaucracy around funding was cumbersome and unwieldy, staffing requirements were impossible to meet, accountability arrangements were unequal, registration processes were confusing and cultural and linguistic differences impeded mutual understanding. Lack of trust was an issue between international and local organisations, as well as among international agencies operating cross-border and cross-line from Damascus.

3.2 Negotiating access for principled humanitarian action

Individual aid agencies often prefer bilateral negotiations with belligerents given the sensitive nature of such work (Jackson, 2014). There is, however, merit in considering a concerted and coordinated approach. This can help in preventing belligerents from playing one aid agency off against another. It can also help agencies address issues of concern to the humanitarian sector more generally, such as counter-terrorism legislation and its impact on humanitarian aid.

The role of coordinating and leading on negotiations often falls to OCHA. In Syria, OCHA in Damascus has occupied a difficult position from the start as the government has sought to maintain control of the coordination of humanitarian assistance across the whole country (Sida et al., 2016). OCHA did not have a formal presence in Turkey until Resolution 2165 was passed despite the significant presence of international and Syrian organisations in the country. In OCHA's absence, and thus without the well-established coordination role it plays in conflicts, organisations in Turkey created their own coordination structures, such as the Syrian NGO Alliance (NGA).

With OCHA's arrival in Turkey a more concerted effort began to negotiate access with armed groups on behalf of the humanitarian community as a whole. These discussions were conducted on the basis of a protocol entitled 'Engagement with Parties to the Conflict to deliver Humanitarian Assistance in northern Syria'[13] The protocol emphasises the critical role of the humanitarian principles (humanity, neutrality, impartiality and operational independence). In addition, it states what information organisations will provide and stipulates when they will not accede to demands from armed groups. Organisations agree to provide publicly available information on themselves and to share information on planned humanitarian activities in areas controlled by a party to the conflict. Among the things that organisations will not do is provide information on beneficiaries, accede to demands to select staff or allow armed escorts. The protocol helps aid agencies set clear boundaries when negotiating with armed groups, at least with those who are receptive to the idea of humanitarian assistance. While some agencies continue to negotiate bilaterally rather than through OCHA, they recognise the importance of the protocol as the basis for their own discussions (HPG interviews).

In addition to the protocol, some 30 armed groups have signed a 'Declaration of Commitment on Compliance with IHL and Humanitarian Assistance', a document drafted by OCHA in early 2014.[14] Signatories assume responsibilities related to the conduct of hostilities (distinguishing between civilians and combatants, respecting schools and hospitals, protecting relief workers), as well as among other things agreeing to facilitate arrangements to undertake immunisation campaigns, adopt expedited procedures for relief operations and investigate allegations of violations of IHL. IS and Jabhat al-Nusra (JAN) have not signed the declaration.

13 See https://www.humanitarianresponse.info/en/system/files/documents/files/jop_protocol_for_engagement_with_parties_conflict_eng_final.pdf.

14 See https://www.humanitarianresponse.info/system/files/documents/files/High_Level_Group_Update-2014_01_17%20(Priority%207)Declaration%20of%20Commitment.pdf.

4 'Non-traditional' actors and the humanitarian response

While there were at least 54 international humanitarian organisations operating in Syria in 2014 (SAVE, 2015a), very little direct implementation is done by international organisations using international staff. The overwhelming majority of these operations are carried out through local staff and local Syrian partners. According to the Humanitarian Response Plan, the 'majority of cross-border assistance is provided by over 185 Syrian NGOs and over 50 international NGOs as well as other members of the Red Cross/ Red Crescent movement'.[15] OCHA in Turkey states that 92 Syrian organisations are providing relief in 203 out of 271 sub-districts, while 42 engage in non-relief activities (capacity development and empowerment of civil society organisations, peace-building, governance, rule of law and the use of various media tools) in 186 sub-districts (OCHA, 2016b). Many of these groups are unregistered, registered in a neighbouring country or registered with local authorities in areas outside the government's control.

4.1 The evolution of 'non-traditional' humanitarian actors

The vast majority of local groups currently operating in Syria were created after the 2011 uprising. Prior to the conflict the government had a monopoly on civil society, and the only groups allowed to operate with relatively few restrictions were government-controlled organisations under an umbrella framework headed by the president's wife, and a small number of faith-based charities supporting the poor, orphans and the disabled (Khalaf, Ramadan and Stolleis, 2014). Following the uprising, many Syrian activists established informal groups and coordination mechanisms for mobilising and campaigning against the government. These soon developed into Local Coordination Committees (LCCs) to organise demonstrations, manage public relations and build up fundraising networks in Syria and abroad. By mid-2012, LCCs in areas outside government control had begun to take on administrative functions, delivering services and providing aid, as well as acting as the interface between military actors and the wider community, and in some cases even mediating local humanitarian access arrangements and ceasefires. Meanwhile, Local Administrative Councils (LACs) emerged as parallel local governance structures to coordinate relief activities, manage the hundreds of thousands of displaced Syrians, maintain the justice system and run schools and healthcare centres (Elhamoui and al-Hawat, 2015). By 2014, there were an estimated 750 LACs in opposition-controlled areas.

As the uprising became increasingly violent, many civil society activists found themselves engaged in distributing humanitarian relief and providing medical and education services at the expense of civil society activism (Khalaf, Ramadan and Stolleis, 2014). In opposition-held areas in the north, the fragmentation of government authority meant that state responsibilities such as the delivery of social services, including security, was shared – and sometimes competed for – between different groups, both armed and unarmed (Elhamoui and al-Hawat, 2015). Relief activities were ad hoc, often through personal networks and individuals inside Syria and in the diaspora, including from Gulf countries (HPG interviews). Many activists did not anticipate the long-term nature of the conflict, and so did not – at least until recently – feel the need to establish more formal structures or coordinate with traditional humanitarian actors.

4.2 A typology of local groups

The category of 'non-traditional' or 'local' actor (or those that do not fit the label 'humanitarian actor', but which provide humanitarian assistance (i.e. armed groups)) is by no means monolithic: it includes

15 'Syrian NGOs and other frontline humanitarian actors such as the Syrian Arab Red Crescent (SARC) continue to shoulder the lion's share of relief efforts throughout the country' (UN, 2016b).

professional bodies such as medical groups, some of which existed prior to the outbreak of the conflict, as well as faith-based charities, diaspora networks, armed groups, anti-government activists who transitioned from organising protests to delivering humanitarian aid and groups belonging to transnational jihadist movements. They range in size from a handful of volunteers on a small budget to multi-million-dollar operations with hundreds of staff and volunteers. Non-traditional actors work across the spectrum, some providing direct assistance, others working indirectly through remote management or remote support. Some are formally registered and are increasingly working within the traditional humanitarian system, while others continue to operate in an ad hoc or clandestine manner. The range of ideologies, affiliations and agendas is similarly diverse. While it is hard to break down categories and types of non-traditional actors in Syria, in part because of the varied roles many of them play, some of the most prominent categories are set out below.

4.2.1 Local councils, Local Coordination Councils and Local Administrative Committees

The terms local council, Local Coordination Council and Local Administrative Committee are sometimes used interchangeably to describe the governance structures that have emerged in territories no longer under the control of the Syrian government. As described above, they are formed by groups of activists and community leaders to manage services and relief and largely operate independently of the Syrian National Coalition (SNC).[16] These councils are also often intermediaries for negotiations between relief groups – both local and international – and armed groups around humanitarian access. The capacity of these committees to provide assistance and generally assume functions of governance varies from one group to another, as does the extent of their independence from local armed groups.

4.2.2 Diaspora groups

While diaspora groups may not fit conventional meanings of 'local', it is hard to clearly distinguish between 'diaspora' networks and 'local' ones, and the approach to delivering aid used by many diaspora groups is very similar to that used by local groups, as many of these organisations operate through pre-existing local networks of personal and family connections. Diaspora groups vary in size, mandate and scope, from people who travelled to Syria to provide assistance either individually or in small groups, using their own time and money to do so, to more established groups with clear mandates, wide geographical coverage and extensive networks inside the country. These groups initially operated mainly apart from the traditional humanitarian system by collecting donations from the Syrian diaspora; however, over time many have increasingly relied on formal and institutional funding to maintain their operations. Many of the more established diaspora groups act as mentors to local and newly created groups in Syria, supporting local civil society entities and connecting them with both private and institutional donors. Many diaspora groups also rely on local groups for access in Syria, and operate as 'contractors' for institutional donors and the UN.

4.2.3 Unregistered community-based and civil society organisations (CBOs, CSOs)

Many of the unregistered CBOs that emerged out of the initial stages of the civil uprising have increasingly taken on relief work as the conflict has intensified. Many are connected with families or tribes, and rely on their personal networks and contacts to operate. As a result, their geographical scope tends to be limited to the areas where they originated. Many of these CBOs do not seek formal authorisation and are not registered with the government. Most operate in opposition-held areas, though a few work clandestinely in government-held areas or in areas where non-governmental actors (such as IS) do not wish to encourage the growth of civil society. Some of these groups have established some form of representation in Gaziantep or Beirut, both for funding – registration in a neighbouring country allows these groups more direct access to funding from the traditional humanitarian sector – and for security reasons, as some activists have faced threats from both government and extremist opposition groups and have been forced to relocate to Turkey (HPG interview).

4.2.4 Private sector

Businessmen and women, based both inside Syria and in neighbouring countries, also provide assistance. While many operate with the permission of the Syrian government, there have been cases of Turkish businesses operating in opposition-controlled areas of the country without permission. INGOs and UN actors have

16 The full name is the National Coalition of Syrian Revolution and Opposition Forces. It was established following a meeting in Doha in November 2012 and based on an agreement between opposition groups and the Syrian National Council.

partnered with some of these businesses to deliver in-kind assistance in northern Syria, and there are examples of UN agencies partnering with these actors in cross-border operations from Jordan (HPG interview). The rise of a war economy in Syria has allowed for the emergence of a new group of businesses profiting from restrictions on humanitarian access.

4.2.5 Faith-based organisations

The first sub-set of faith-based organisations existed in Syria prior to 2011, primarily operating out of mosques and churches. Unlike other civil society activism, charitable work has a long history in Syrian society, and both Muslim and Christian groups have used their presence in the region to access a wide network of contacts. These groups, which are exempted from having to register with the Syrian government, tend to cater to specific ethnic or religious communities.

A second sub-set of faith-based organisations consists of groups, primarily opposition-affiliated, that emerged in the early stages of the conflict. Financial aid from private donors in Gulf states contributed to the 'Islamisation' of some of these local groups, which adopted Islamic identities to attract private funding and are seen by secular counterparts as using aid 'as a tool to impose an ideology' (HPG interviews). Syrian groups spoke of Islamist organisations following an Islamic curriculum in their schools, rather than the traditional Syrian curriculum. Others receive funding from private networks abroad on the condition that they set up a Da'wa centre[17] or distribute Islamic brochures (HPG interviews). These actors are generally allowed to operate unimpeded in most opposition-held areas in Syria.

4.3 Vision, scope and reach

As most local Syrian groups have recently been set up, many have only just begun to establish a clear mandate, goals and scope of work. In a survey of local Syrian civil society groups, nearly 75% identified multiple roles and objectives, pursuing development, humanitarian, peacebuilding and human rights work all at the same time, rather than compartmentalising relief work into its own category of response (Khalaf, Ramadan and Stolleis, 2014). As a result, many groups find themselves working on health, psychosocial support and food aid, as well as longer-term projects such as education and awareness-raising activities. While only a few explicitly claim to be doing protection work, many of their activities have a distinctive protection function – such as the creation of community centres and safe spaces for women.

In discussions with members of Syrian groups, the balance between humanitarian work and activism emerged as a consistent point of tension. While many continue to identify awareness-raising as an important element of their work, relief has increasingly come to dominate their day-to-day activities. Some feel that the focus on humanitarian assistance has distracted many groups from pursuing more political activities, including activism and awareness-raising. Some interviewees suggested that increasing reliance on international donors could also de-politicise these groups, as international funding has shifted from political to humanitarian activities. Others, by contrast, felt that the multi-mandate approach of these groups could politicise the delivery of humanitarian aid as they are advocating for political change while also claiming to be impartial. This is further complicated by the fact that many individuals are simultaneously active in a number of civil society groups, further blurring the lines between humanitarian, development and activist work.

One diaspora organisation that emerged out of a series of ad hoc initiatives now has a staff of over 900 workers and volunteers in Syria and the UK, as well as an office in Turkey, working on a range of activities across opposition-controlled areas, including medical assistance, water and sanitation, education and food assistance (Svoboda and Pantuliano, 2015). On the whole, though, the geographical reach of local groups is limited to the areas and communities where they have personal links (Citizens for Syria, 2015). The majority tend to work in areas controlled by the opposition, through personal, tribal or family connections. Many of these groups have recently begun forming partnerships, coalitions and unions to expand their reach, and there has been a noticeable increase in the number of Syrian CSOs operating in multiple geographical areas, though rarely on their own, instead relying on specific local organisations.

17 Da'wa literally means issuing an invitation or summons. A Da'wa centre usually describes a place where Muslims share their faith with others and teach them more about Islam.

4.4 Local coordination mechanisms

Until recently, the climate of fear and mistrust and the need to protect the security of staff, beneficiaries and partners inside Syria made information-sharing, coordination and cooperation between aid groups – both traditional and non-traditional – difficult. This was compounded by the weak capacity of organisations to monitor, track and evaluate the impact of their response, limiting their ability to show in a transparent way where aid has gone and to whom. At the same time, the need for alternative models in the humanitarian response in Syria has necessarily entailed a certain level of coordination and partnership, both for INGOs and diaspora NGOs operating from Turkey, as well as for local groups working inside the country. The creation of Syrian coordinating bodies has facilitated links between traditional donors and new Syrian organisations. In early 2014, the UN developed a system of validation, and OCHA set up a pooled fund for Syrian organisations, absorbing some of the risks associated with funding Syrian groups. Donors fund OCHA, which then funds local NGOs and as such assumes responsibility for conducting due diligence checks. Syrian organisations see this as a positive step as it has allowed for more flexible and rapid disbursement of funds (HPG interview).

Better coordination among local aid groups has also improved their ability to negotiate acceptable terms for access. The more coordinated local groups are, the harder it is for armed groups to manipulate or pressure them. For example, when IS sent a number of NGOs a 'request for information' sheet, the NGOs met and decided what questions they would answer and what questions they would not. Although they submitted the list of questions they were prepared to answer separately, the fact that they coordinated beforehand allowed them to agree on a common approach (SAVE, 2015b). Coordination also allows aid groups to ensure fairer coverage of aid: respondents noted cases – albeit apparently rare – where certain communities received duplicate assistance because of a lack of coordination. Local groups inside the country explained that they were able to avoid such duplication with improved coordination, which gave them better visibility of the activities of other local groups operating elsewhere (HPG interviews).

Risk management among local organisations remains rudimentary and ad hoc. Most respondents expressed disappointment at the fact that many of their international partners did not provide more support in terms of training, risk mitigation and analysis. Limited funding was an additional obstacle. This is particularly acutely felt in situations when a staff member of a local organisation loses his or her life. There is usually no insurance in place due to lack of funds that would ensure that the surviving family receives adequate compensation, or that the salary continues to be paid out. Some local organisations use core funding if available to maintain salary payments.

Box 1: Baytna

Baytna Syria was set up in 2013 with three primary goals: to operate as a hub for Syrian CSOs in Gaziantep, to support CSOs in capacity development and to fund projects inside Syria. The organisation also has centres in five provinces in Syria, all of them areas outside of the control of the Syrian government. In Turkey, Baytna facilitates meetings, including between CSOs and representatives of armed groups. For example, in the summer of 2015, during the battle to take over parts of Aleppo, armed groups approached Baytna to set up a meeting with CSOs to establish an emergency response room in order to deal with the humanitarian consequences of the fighting (HPG interview).

Box 2: The Syria Relief Network

The Syria Relief Network currently has 60 members operating in Syria, as well as channels with the Turkish government. It aims to coordinate activities between Syrian CSOs and international actors and provides a screening function, vetting local groups on behalf of international actors and helping international NGOs with monitoring and evaluation. The Network also organises the Syrian Coordination Platform, comprising 85 organisations and ten local councils.

18 ODI Panel, 'Five Years On, What Next for Syria?', 15 March 2016.

Syrian organisations use various risk mitigating measures. Those focusing more on civic education, transitional justice and similar activities stressed that they would not ask staff to work if it was deemed too unsafe, the argument being that their work was not life-saving. Others explained that they avoid any association with armed groups, political parties or indeed INGOs. Some respondents explained that they preferred to keep quiet about their sources of funding, in particular from Western-based organisations or donors, to avoid the perception of being pro-Western.

5 The anatomy of local negotiations

While assurances and negotiations at higher levels are seen as an important step in securing access, local aid groups stressed that the most important negotiations take place at the very local level, primarily through focal points within the community. These focal points are key intermediaries who can facilitate contacts and build relationships with important local stakeholders. They may vary from one community to another, but generally include local councils, activists, other CSOs, armed groups, religious and civil courts and local community leaders (Khalaf, Ramadan and Stolleis, 2014).

This section expands on how local negotiations take place. While local aid groups liaise directly with local councils most of the time, this is rarely straightforward; relations between local councils and armed groups can be strained, and aid groups can run up against a number of competing civil authority structures in a single community. In some cases buy-in from local councils may not be enough, and aid groups will need to negotiate directly with influential community leaders – in particular religious leaders – both to resolve potential conflicts arising during distribution and to gain approval for sensitive projects. Local organisations also often find themselves in positions where they have to negotiate directly with an armed group, particularly over access to certain routes for the delivery of goods. In all cases, however, local CSOs stressed the importance of community acceptance and buy-in as an important pressure point on local authorities and armed groups, and the role of personal ties in facilitating negotiations.

5.1 Local councils as intermediaries for negotiations

In areas with a strong civil authority, such as Kurdish-majority areas, negotiations are carried out through local administrations. In areas where no local council is present, local groups engage with relief committees or trusted members of the community (HPG interview). In all cases, local groups explained that negotiations are always ongoing, with the full knowledge that 'you could lose access at any moment' (HPG interview).

Local councils are not just gatekeepers to the community: they also provide information on needs in the area, input into beneficiary selection and in some cases operate as third-party monitors of aid deliveries. Local organisations consult with local councils for permission to carry out assessments and to gain approval for projects, campaigns or deliveries. Many of the larger local councils have established humanitarian coordination offices that engage directly with NGOs, although CSOs noted that not all local councils are helpful: some are more efficient and well-run than others.

In some areas, different political groups compete for authority, and a number of competing local councils may exist in a single community. In these cases, local organisations often have to negotiate with each council to ensure that the group is seen as neutral. In areas held by Islamist armed groups there are often three layers of negotiations: with the local council, with the Shura council and finally with the military authorities (HPG interview). Relations between armed groups and local councils may be contentious. For example, in November 2013 in Manbij in the governorate of Aleppo, armed factions from outside the area accused the local council of supporting the Syrian government, disbanded it and replaced it with a more politically acceptable body (Khalaf, Ramadan and Stolleis, 2014). In areas controlled by IS, governance structures are more or less under strict IS jurisdiction, while in areas where Jabhat al-Nusra holds power separate Islamic councils have been established to challenge the role of traditional councils (ibid., 2014). In such cases, negotiations with local councils alone will not suffice, and local groups must also maintain lines of communication with a number of other de facto authorities.

5.2 The role of community leaders

Community leaders are important in negotiating access, providing logistical support, mobilising beneficiaries and providing aid groups with warehouses and vehicles for deliveries. Community leaders also play an important conciliatory role in the event that conflict arises during distributions. Community leaders – particularly religious leaders – are also important in securing acceptance from communities and armed groups, particularly for more sensitive programming such as child protection or reproductive health.

In rural areas, the role played by community leaders tends to be larger than that of the local councils. Historically tribes did not have a major political or social function in Syria, unlike for example in Libya, but the conflict and the withdrawal of the government in many places have meant that tribes are playing an increasingly important role in rural areas, and are afforded a new level of importance. Tribes have demanded fees for safe passage through their territory from rebel brigades and opposition groups (Al Abdeh, 2013). In areas such as Deir Ezzour, Raqa'a and Hasakeh, tribes play a key role in negotiations, and both IS and Kurdish authorities have learned to navigate tribal politics as a key element in maintaining their hold on power. Relationships derived from kinship, tribal or family links are particularly important, and in these hierarchal structures the authority and legitimacy given to notable tribal elders or community leaders make them important focal points for negotiating access (Elhamoui and al-Hawat, 2015). Membership of local leaders in LACs plays an important role in influencing and in some cases putting pressure on local armed groups. In rural areas of Idlib and Dera'a, for instance, the tribal affiliations of members of the LACs and Shura councils are used to influence the conduct and actions of local armed groups (*ibid*.).

5.3 Direct negotiations with armed groups

Despite attempts to position local councils as intermediaries with armed groups, many local groups often find themselves forced to negotiate with armed actors directly. This is most common in negotiations over access routes. In some cases, different armed groups may control different stretches of the same road. One INGO noted that, between Killis/Bab al-Salam and Aleppo, a distance of approximately 60 kilometres, about 40 armed groups controlled different checkpoints, requiring multiple sets of negotiations to ensure the safe passage of aid (HPG interview). In manoeuvring through such stretches, some NGOs try to deal with the most powerful armed groups first in the hope that they will exert influence over smaller groups. While some NGOs felt that umbrella groups were easier to negotiate with, others thought that the fragmentation of armed groups helped them negotiate access as they were able to leverage one group against others (HPG interview). What this shows is not only the need for a flexible approach, but also a thorough understanding of the complex nature of certain armed groups. Aid agencies need to be able to gauge the strength or weakness of their chain of command and how it can be used to the advantage of humanitarian access negotiations.

In negotiating access, local groups – in much the same way as international organisations in other contexts (Jackson, 2014) – often have to tailor their message to the ideology of the armed group they are communicating with. For instance, one member of a local organisation explained how he uses 'revolutionary language' when speaking to members of the FSA, but 'more religious language' with armed groups that have a more Islamic ideology. For jihadist groups it is often necessary to 'grow a beard and memorise a few Quranic verses' (HPG interviews). Fundamentally, however, many local groups agreed that, while the language may be tailored to the specific actor, the principles behind the CSO's message remained the same, with a focus on the need to alleviate suffering and help people (HPG interview).

Interviews with local groups revealed that different armed groups present different obstacles to access. According to a survey conducted by the Syrian NGO Badael, CSOs interviewed in Aleppo and Idlib reported an ambivalent relationship with the FSA: some groups perceived it as interfering and trying to control their work, while others claimed that it played a positive role in facilitating access (Khalaf, Ramadan and Stolleis, 2014). Jihadist groups such as IS, for their part, present greater difficulty in negotiations as they are less concerned about community acceptance and gain their legitimacy from enforcing their vision of shari'a law. Jabhat al-Nusra is also more difficult

to negotiate with, although local groups seeking to gain access to areas controlled by al-Nusra have reported some success through building relations with a respected religious authority in the community who can exert influence (HPG interview).

Local groups explained that utilising focal points within the community, who have a clear understanding of community dynamics and are known and respected by all factions of the community, was key in negotiating access with armed groups. However, personal relations are not enough if humanitarian aid conflicts with the strategic military priorities of the armed group in control of an area. This is not unique to Syria, but is a common feature in all conflicts. In such cases, 'personal links are superseded in favour of military necessity' (Elhamoui and al-Hawat, 2015).

Fundamentally, access rests on the ability of a local group to convince armed actors, whether directly or indirectly, that delivering aid to a population is in their best interests. While local councils and community leaders play an important role, interviews with members of local councils in opposition-controlled areas in Idlib and North Hama show that, ultimately, if an armed actor refuses to grant access then 'there's nothing we can do' (HPG interview). Beyond the desire to alleviate suffering, one of the fundamental reasons armed actors in any conflict allow the movement of medical and humanitarian supplies into areas they control is that doing so is believed to provide them with legitimacy in the eyes of communities receiving this aid. Nearly all armed groups in Syria began as small bands of local fighters reliant on the support of their communities in order to survive. Since blocking aid to communities may undermine their legitimacy, most opposition armed groups recognise the need to cooperate with local aid groups to encourage grassroots appeal among local constituents in preparation for future political processes and peace negotiations (*ibid*.).

5.4 Community acceptance

Community engagement and trust-building is another necessary step local groups must work towards in order to secure access. For Syrian NGOs working only in their own communities, this can be relatively straightforward. 'We don't have to negotiate because we are a part of the community', said one local NGO in Kafranbel. 'No matter how much power changes between different armed groups, we are part of the community and are known to the community so we can always deliver.' For organisations seeking to expand into new areas, identifying and engaging with key local leaders increases the likelihood of securing access and gaining community acceptance. The reputation of a local group delivering aid plays a major role in its ability to negotiate access through community acceptance, and word of mouth has an important function in allowing this access to expand into other areas. This seems to contradict the low-visibility strategy utilised by many international NGOs in highly insecure contexts (SAVE, 2015b).

Syrian groups delivering aid inside Syria discussed numerous instances where community support was leveraged to secure access, sometimes in defiance of the interests of armed groups in control of the area. In areas under Jabhat al-Nusra, local activists described how the closure of women's centres often sparked protests by local communities that led to them being reopened. One Syrian NGO providing education in Aleppo described how, when faced with pressure or unacceptable restrictions on their programming from armed groups, they shut down the school and wrote to the parents explaining why they had decided to close. The parents then put pressure on the armed groups, which subsequently withdrew their conditions.

As highlighted earlier, some armed groups – particularly those with an Islamist ideology – see themselves as less accountable to the community than to the 'word of God' (HPG interview). In these cases, community acceptance may not be enough, particularly if the local group negotiating access espouses secular or democratic values.

5.5 Access and programming restrictions

The ability of non-traditional aid actors to negotiate access in Syria is also linked to the type of programming they seek to deliver. Across the board, Syrian groups agreed that the easiest programmes to negotiate access for are cash programming, medical programmes and food and non-food distributions. Armed groups benefit from medical treatment so there is more incentive to facilitate access to medical professionals. Programmes involving protection, particularly child protection and gender-based violence,

are often viewed with suspicion. In particularly conservative areas, any activities related to women are considered unacceptable by the authorities. In other cases, awareness-raising activities around women's protection or early marriage may be accepted by the community but rejected by local authorities whose authorisation may be required (HPG interviews). Community centres can often be viewed with suspicion and are routinely shut down. Syrian groups highlighted the need for regular dialogue and negotiations to build trust and explain the nature of such centres.

Educational programmes can also be sensitive given the highly ideological nature of school curriculums. The acceptance of such projects depends largely on the type of armed group and their ideology. For example, in areas of Idlib under the control of Jaysh al Fatah (a coalition between Ahrar al-Sham, Jabhat al-Nusra and other Islamist groups), restrictions are imposed on certain elements of the curriculum that are deemed secular or un-Islamic. The result of such restrictions is that, throughout Syria, different education curriculums are being taught under the authority of different groups with conflicting ideologies (HPG interviews). Sensitivities can even extend to the type of schoolbags being provided. One local aid worker explained how an armed group in one area rejected the schoolbags given to children because they objected to the cartoons on the bags (HPG interviews).

Awareness-raising programmes linked to peacebuilding or democracy are also viewed with suspicion in many areas in Syria. Peacebuilding was cited as the most difficult programme to negotiate access for, as it is generally perceived by armed opposition groups as a means for Western governments to influence Syrian society. Similarly, terms such as 'human rights' and 'democracy' may be viewed by some groups as linked to Western norms, and in response organisations often replace the word with its components: for example, instead of 'democracy', programmes will use words such as 'accountability' and 'participation'.

In some cases, NGOs have been able to do protection work under the guise of 'livelihood' projects, or by appealing to Islamic principles and values. Elhamoui and al-Hawat (2015) cite an example of a community in rural Idlib which, in response to the stoning of a woman accused of adultery, used religious sources as evidence that the stoning was 'un-Islamic'. Some groups have succeeded in delivering sensitive programmes that address family planning and women's protection by, for example, discussing early marriage through training sessions on reproductive health, tackling sexual harassment through the lens of 'raising children in the correct way', or by discussing survival sex through the lens of poverty (HPG interviews). Another group, discussing human rights issues, explained: 'we may change the terminology to suit the particular community or armed group, but we won't drastically change the project so that suddenly we are raising awareness about the Quran' (HPG interviews).

5.6 Access: a question of local relationships?

The common perception among traditional/formal humanitarian actors is that local groups possess a strategic advantage given their contextual knowledge and personal ties, and are thus better positioned to negotiate access in Syria. Local groups echoed this sentiment, and stressed the importance of local networks in their ability to maintain access. 'Inside Syria, your access is only as good as your friendship network', one member of a diaspora group explained. However, the question of what constitutes 'personal ties' is not as clear as it may at first appear, and the networks deployed to negotiate access extend beyond family and kin to encompass shared ethnic and, in some cases, ideological ties. For example, some Palestinian groups have been able to negotiate access to Palestinian communities in Syria, in both opposition and government-held areas, but this has less to do with personal ties than with their identity as Palestinian organisations (HPG interview). Gulf-funded groups and Islamic charities have good access, but this is limited to specific areas where certain armed groups are present (HPG interview).

The utilisation of local ties by non-traditional actors often comes with a perception that these groups only extend help to their own family or personal networks. This is untrue: many local groups working in their communities reach beyond their own personal relationships to deliver aid to the most vulnerable and needy, even if initial access was down to their own personal network. Additionally, some – particularly diaspora groups – are increasingly expanding their areas of operation, aiming to assist communities beyond their own, often by linking up with other groups who are local to a particular area.

Much of the discussion about the value of personal networks boils down to the question of trust. Because local organisations have prior ties with the communities they work in, the trust this confers allows them the space to deliver assistance. In discussions with local NGOs on how they negotiate access, this trust appears to be based on a number of components:

- Syrian groups are often perceived to be more accountable than international NGOs. Syrian groups are more likely to continue to operate, even when the situation becomes unsafe, whereas international NGOs often withdraw their international staff from a situation if it becomes too dangerous.
- Syrian groups are perceived to be more knowledgeable about the needs of their communities. In the eyes of many local groups, their contextual knowledge makes them better able to identify where the needs are greatest, whereas international actors, who are increasingly distant from beneficiaries inside Syria, have less grasp of where needs are highest. Partly because of this knowledge, some local groups have resisted pressure from international donors and NGOs to expand into less familiar communities because they 'want to work in areas where [they] understand community needs and are part of that community' (HPG interview).
- Syrian groups are quicker to respond. Because they are already present on the ground and are often less encumbered by institutional bureaucracy, local groups are perceived to be better at identifying and exploiting small and temporary windows of opportunity where access is possible (OCHA, 2011).
- Syrian NGOs are not seen as neutral actors in the conflict. Some local groups gain trust by framing their relief work as part of the 'revolutionary effort' (HPG interview). Taking sides in this way plays an important part in gaining and maintaining the trust needed to deliver aid. Studies have shown that armed groups may trust actors that are perceived to share their objectives or their understanding of the context more than avowedly 'neutral' actors (Haspeslagh, 2013). Many local groups in Syria are able to operate on the legitimacy they derive from the role they played in the initial stages of the uprising, and prior revolutionary credentials are required to join some local CSOs (Khalaf, Ramadan and Stolleis, 2014). This lack of neutrality, however, may come with the cost that some groups may be perceived as being aligned with a particular armed group or political party. Criticism as to a lack of neutrality and impartiality is not exclusively levelled at local organisations. International organisations too are struggling to be seen as acting in accordance with these principles. While international aid organisations do not claim to be siding with one party to the conflict or the other, they find it difficult to uphold – and be seen to be upholding – humanitarian principles given their limited access. The UN in particular has faced significant criticism (Aljazeera, 2016). While such allegations may not always be accurate or indeed correct, there is undoubtedly a general sense that 'nobody is neutral in this conflict' (HPG interview).

Simply being Syrian is not enough to gain access; what is needed is being Syrian and having a local network, based not just on family or tribal ties but also on religious, ethnic, ideological or political links. These personal networks have been utilised, not only to allow these groups to negotiate access to deliver humanitarian aid, but also increasingly to lead peacebuilding efforts, negotiate local ceasefires and negotiate access so that they can distribute assistance on behalf of international NGOs. Ultimately, however, while initial acceptance may be granted via these personal networks, it cannot be maintained through them indefinitely. Local organisations emphasised that, even for them, sustained access must be earned through effective, reliable, timely and relevant humanitarian delivery that demonstrates tangible results for beneficiaries. Organisations from the formal sector face very similar issues and have recognised that community acceptance quickly runs out when assistance is delayed, inadequate or inappropriate. As such, regardless of who has been granted access, it is rarely an open-ended invitation and organisations must be constantly vigilant to ensure that their presence results in benefits for affected communities.

19 Linked to this, a common fear expressed by Syrian groups now based in Gaziantep is that, by being outside Syria, they will become increasingly out of touch with the communities they serve, particularly if cross-border movements are restricted further (HPG interviews). A recent DEMAC report highlights that affected communities see both international and diaspora groups as lacking knowledge about needs due to their 'remoteness'. See DEMAC (2016).

6 Carving out humanitarian space: between a principled approach and tactical negotiations

The increasing reliance on local NGOs to negotiate access and deliver aid inside Syria has once again raised fears about the politicisation of assistance. Many traditional aid actors have noted that the vast majority of Syrian NGOs do not have the experience of Somalia, Afghanistan or Iraq – where compromises on a principled approach have had detrimental effects on access – and have therefore not had to manage the long-term consequences of partial adherence to humanitarian principles. While this may be true, a closer look at the ways in which local NGOs negotiate access reveals a more complicated picture, whereby Syrian NGOs are increasingly realising not just the value of humanitarian principles in aid delivery, but also their limitations. In the absence of principled access, many local NGOs have come up with alternative approaches to delivery, drawing on their knowledge of the context to pursue tactical negotiation strategies, and through the innovative use of technology. Finally, as the war economy continues to expand and entrench itself throughout the country, questions also arise around diversion – and the open secret of 'buying' access.

6.1 Accountability to humanitarian principles

One criticism often levelled at local actors by the traditional humanitarian sector is that they fail to abide by humanitarian principles in their negotiations and programming. These principles – neutrality, impartiality and independence from political, economic or military objectives – are seen as necessary, not just to ensure principled access, but also to safeguard against the diversion and politicisation of humanitarian aid.

Research into how local CSOs engage in conflicts around the world has found that accountability to humanitarian law and principles is not a main concern in the same way it is for international agencies (Hapeslagh and Yousuf, 2015). As noted earlier, local NGOs tend to rely more on personal contacts for initial negotiations, and may say or do things – such as agreeing with a particular political position – to gain access that traditional NGOs would feel to be in violation of humanitarian principles. Given that the vast majority of Syrian NGOs emerged from a background in political or human rights activism following the 2011 protests, and some continue to perceive their humanitarian activities as part of the revolutionary effort, there are legitimate concerns about the potential for humanitarian aid to be politicised.

Having said that, while this may have been true in particular in the early stages of the conflict, over time many of these local NGOs have found value in abiding by humanitarian principles to sustain access and build trust with communities. In interviews with Syrian groups delivering aid inside Syria, respondents were often quick to highlight the importance of humanitarian principles, language and practice in their work, even if they remained staunchly on one side of the political divide. 'We are neutral to the humanitarian situation, not the political situation', explained a member of a local Syrian group. Some Syrian groups have also recently made a concerted effort to ensure that their mandates, emblems and logos do not include overtly political messages, such as the revolutionary flag or religious verses (HPG interview).

Often, Syrian groups have had to learn the value of humanitarian principles the hard way: a local medical organisation highlighted how the importance of ensuring respect for impartiality was only driven home

after an incident where a patient accused of being pro-government was killed on a hospital bed by pro-opposition fighters. Previously seeing themselves as the 'Doctors of the Revolution', this incident forced the organisation's staff to communicate more clearly to the community and to armed groups that they are not politically affiliated. Traditional and non-traditional aid groups are making greater efforts to train staff and the wider community – including armed groups and local councils – in the importance of humanitarian principles and Islamic principles of charity.

The principle of independence was the most often cited by local groups, with some refusing funding from political actors involved in the conflict, including some Western governments. For many, independence was seen as essential not just from a principled perspective but also to ensure sustained access. 'If power changes from one group to another, we will still be able to work because we have no connection with any armed group', explained the head of one local charity. One member of a local NGO highlighted the importance of independent humanitarian action when he differentiated between negotiating access under the 'protection' of an armed group versus operating under their 'authorisation'. Others highlighted examples where armed groups asked to use education, capacity-building or health services, and were given access on the condition that members only enter civilian facilities unarmed and dressed in civilian clothes.

This understanding of independence is also demonstrably nuanced, with a recognition that perceptions of independence are just as important as the reality. Syrian groups discussed how accusations of being tied to political or military actors can arise indirectly through the politics of local staff, and even the politics of the owners of certain facilities, storage centres and buildings that aid groups might use. The depth of local knowledge available to these groups also makes them potentially more aware of these subtle perceptions than international actors.

The question of impartiality in the delivery of aid is more complicated. In theory, many local CSOs expressed a desire to deliver aid throughout Syria, including in government-held areas. However, insecurity makes this very difficult. Thus, some local NGOs make a conscious decision to restrict their areas of operation to communities and regions they are familiar with and with which they have personal connections. Thus, while being able to deliver aid impartially may be an aspiration for many local NGOs, the reality is that doing so can present risks not just to the security of staff but also to the effectiveness of the programme. At the same time, others acknowledged that many groups may say they are impartial but are not: for example, some local charities that claim to focus their work on orphans or widows actually only cater to the orphans and widows of opposition fighters.

On a deeper level, the assumption that local actors are, on the whole, less accountable to humanitarian principles presupposes that traditional humanitarian actors have themselves been able to negotiate access while maintaining strict neutrality, impartiality and independence. Yet both traditional and non-traditional humanitarian actors interviewed for this research questioned whether any aid actor in Syria was able to deliver aid while maintaining strict compliance with humanitarian principles. Compromise is a regular if unwelcome companion. To what degree does an aid agency accept 'suggestions' from belligerents to assist a certain population even if it is not the neediest, but where doing so may also allow access to others in more need? Does an aid agency allow a couple of blankets to be taken at a check-point if this enables it to gain access to people in need to whom a far larger number of blankets can be distributed?

Such tensions are prevalent in all conflict environments, and raise larger questions about the balance between access, effectiveness and principled aid delivery. Collinson and Elhawary have critiqued those who prioritise humanitarian principles as being 'fundamentally naïve' for assuming that humanitarian work can be above politics, given that 'influencing the behaviour of warring parties in order to save lives and alleviate suffering is inherently political' (Collinson and Elhawary, 2012). There is no necessary contradiction between principled humanitarian action and accepting that such action operates in a political environment. What such critiques call for, however, is a shift from an idealised commitment to humanitarian principles towards a more honest assessment of the political impact of humanitarian action (*ibid.*). Delivering aid in a war zone inevitably involves 'contradictions and ethical dilemmas', and applying principled action is not about 'avoiding compromises or making concessions', but rather about 'being aware of the options available, and determining whether, when and what type of compromise is worth it' (SAVE, 2015b). This is as true for organisations from the formal sector as it is for local organisations.

6.2 Tactical negotiations

When appealing to humanitarian principles or needs is ineffective in securing access, local groups have reverted to tactical negotiations, building on their understanding of the context and the dynamics of the conflict. In one example, activists were able to convince an armed opposition group in control of a checkpoint to relinquish control to another group that was more favourable to the government, in order to encourage the government to facilitate access. In another case, both government and opposition forces denied access out of concern that food aid entering an area would be diverted to support the opposing party. A local charity agreed to accompany the convoy as a guarantee that the food would be distributed only to civilians and not to government or opposition forces (HPG interview). In some cases, activists have been able to use their influence with armed groups to negotiate access to areas besieged by the opposition (HPG interview). In one example, local groups agreed to deliver aid to one community only if the armed group allowed them access to another community. Groups have utilised this approach to negotiate safe passage for students, injured civilians and material assistance, and in some cases have negotiated access to government-besieged areas by offering to assist in the transport and return of bodies of government soldiers killed by an armed opposition group (HPG interview).

Activists and local councils have also been involved in negotiating several local ceasefire agreements between government and opposition forces. This is particularly common in besieged areas, where negotiation committees have brokered deals between opposition groups and the government to secure humanitarian access, often after a thorough assessment of the political, economic and military strategies of both sides. For example, in early 2014 in Al-Qaboun in eastern Damascus, negotiation committees brokered a ceasefire between the government and opposition forces, securing a humanitarian corridor in exchange for an agreement by opposition fighters to stop attacking the electricity lines that power large parts of the city. Similarly, in Wadi Barda in northern Damascus in late 2015, where opposition forces had cut off the water supply, negotiations led government forces to agree to allow the entry of food and medical items in exchange for reconnecting supplies (HPG interview).

6.3 Diversion, corruption and the war economy

Predictably, there are differing views on how much aid is being diverted to government officials, rebel groups and other political and armed actors in Syria. Some respondents believed that diversion was limited in opposition-held areas and, where it did exist, fighters were taking aid not so much for their own benefit as for that of communities in the area the armed group controlled. While perhaps considered less 'bad', this still amounts to diversion.

Questions of access cannot be disentangled from issues around the growing war economy. An IRIN article in 2016 described how an investigation by a US watchdog had uncovered a wide-ranging scheme involving corrupt sub-contracting and procurement fraud implicating several well-known international aid organisations as well as Turkish suppliers (Slemrod and Parker, 2016). In Dera, a network of checkpoints controlled by both government and opposition forces extracts bribes for the passage of humanitarian aid, in some cases making up to $2,500 a day (Turkmani et al., 2015). In IDP camps close to the border with Turkey, Turkmani et al. (2015) highlight cases of landowners charging rent to camp residents and trying to build relationships with international NGOs and humanitarian agencies to market the camp as a location with regular access to humanitarian aid (*ibid.*).

The link between humanitarian access and the war economy goes deeper than just paying for access at checkpoints and through underground tunnels. Respondents explained the dynamics of besiegement and illustrated how illicit economies have been established, in which traders, middlemen and warring parties make significant profits through trading with each other while being in armed conflict in other parts of the country. Islamic State reportedly established a 'highly organised system' through which it benefits from the sale of crude oil (Solomon, Kwong and Bernard, 2016). In Eastern Ghouta, wealthy middlemen dominate the war economy, controlling and profiting from the entry and exit of people, food, weapons and information. Businessmen outside besieged areas, often with links to the government, form relationships with businessmen inside these areas, and buy the rights to a monopoly of access to a certain type of good. Businessmen inside besieged areas pay armed groups controlling checkpoints and tunnels for this access, as

well as giving a share of the profit to armed groups. This significantly increases the price of goods, allowing the businessmen to profit through releasing goods at strategic moments (HPG interview). In a context where the prospect of in-kind humanitarian assistance entering besieged areas threatens the interests of a number of different groups, maintaining a siege becomes less a military and political tactic and more about extracting economic gains.

These findings suggest that diversion is widespread and that in many cases bribes are hidden in the extortionate prices local groups must pay to purchase assistance. To expect no diversion at all would be 'utterly naïve', according to one respondent. The evaluation of OCHA's response in the Syria crisis states: 'The managers of the Emergency Response Fund (ERF) told the evaluation that diversion wasn't a problem and the monitoring systems were robust. In the evaluators' opinion, to be confident of this in such a fluid environment is at best optimistic' (Sida, Trombetta and Panero, 2016). The question is therefore not so much whether there is diversion, but rather what can be done to mitigate it, establish what constitutes an unacceptable level of diversion and decide what to do when that level is reached.

6.4 Community perspectives

In focus group discussions with aid recipients in Idlib and Hama, respondents echoed the perspectives of local groups when it came to issues around negotiating access. Respondents in Marret Nouman (Idlib) explained that armed opposition groups have worked to create a safe operating environment for aid groups partly because this boosts their acceptance within the community. Respondents also felt that the community can put pressure on armed groups that try to obstruct access to aid.

In interviews with local aid groups, respondents said that the local group often leads on assessments, conducting surveys, carrying out house visits and meeting influential community figures to identify needs. This clarity was not evident in the focus group discussions with beneficiaries in Idlib and Hama, where respondents were less clear on how beneficiary selection was carried out: some participants felt that needs were sometimes decided arbitrarily by the local council or armed group in control of the area. Others felt that 'influential people in the community' were in charge of needs assessment.

The relevance of aid is also a concern, with approximately 20% of beneficiaries in al-Hassakeh interviewed by SAVE reportedly selling unwanted aid to buy other items, such as medicine or alternative food. In some cases, the lack of coordination between aid groups has meant that beneficiaries received a surplus of one item and a deficit of another (SAVE, 2015b). Focus group discussions in Idlib revealed that beneficiaries routinely sell unwanted or low-quality goods. After receiving aid a community may redistribute it to others who may be more needy, or will only take non-food items and distribute the food to others. The head of the relief committee of a local council in Idlib explained how the committee regularly replaces spoiled or low-quality goods prior to delivery to beneficiaries.

Some communities in Idlib and Hama reported aid being given to the relatives and friends of aid providers, although respondents noted that favouritism did not – or only rarely – affect who did and did not receive aid; rather, it was a question of timeliness: friends and family members of aid providers and local council members often received aid ahead of others in the community. No respondents reported cases of beneficiaries being refused aid unless they were not deemed to be in need of it. Some respondents were initially reluctant to discuss allegations of favouritism or corruption in aid delivery, with one respondent claiming that 'there is no point discussing this as nothing good will come of it'.

For both traditional and non-traditional aid actors, post-distribution monitoring and evaluation is a particularly difficult task due to the obstacles in accessing communities and the models of remote management and remote partnerships that are currently in use in Syria. Nonetheless, local aid groups have developed a number of mechanisms to support beneficiary feedback, either in person or virtually, and third-party monitoring is conducted by local councils or other local authorities, such as the Kurdish People's Protection Units (YPG) in Al-Hassakeh. These authorities often communicate with beneficiaries about the times and dates of distributions, oversee to whom aid is being distributed, provide protection to both recipients of aid and distribution teams and hear complaints from beneficiaries (SAVE, 2015b). Aid recipients can also post comments to the local group's Facebook page with feedback and complaints. Some respondents felt that the public visibility of such comments helped to make some of these local groups more accountable.

6.5 Conditional access: when to say no

Throughout Syria, parties to the conflict have allowed or withheld access in an attempt to gain a military or political advantage. Tactics include the imposition of regulations and restrictions on humanitarian access, and in some cases the expulsion of entire programmes if they do not fit the political or ideological interests of the party to the conflict or governing authority. Many humanitarian organisations are therefore under pressure to compromise between contributing to a war effort and relinquishing access.

Ultimately, Syrian groups are aware that armed groups have the power to provide or withdraw access at any point, and many are forced into making concessions in order to maintain a certain level of access. This is true in any armed conflict. The degree to which groups are willing to accept restrictions on their programming is linked to the group's own mandate, ideology and vision. For example, a local NGO with a strictly humanitarian mandate explained how it had accepted certain conditions around the segregation of girls and boys in its school, while another local NGO, with a more politically secular/human rights mandate, explained that, if an armed group tried to impose the veil in the schools it manages, this would be considered unacceptable. As a result, this group is unable to operate in areas controlled by Jabhat al-Nusra.

The rise of Islamist groups has meant that most NGOs have accepted the inevitability of certain restrictions on their work by local authorities and armed groups, particularly around requirements to segregate men and women and ensure that education curriculums, health programmes and capacity-building activities do not go against shari'a law. However, even seemingly rigid rules can be modified. For example, a local medical organisation came under pressure from an Islamist group to employ a female surgeon to treat women. The organisation explained that the post needed to be filled with the most competent and available individual, who in this case was a man. Initially the group refused to allow the agency to operate, but after the death of an infant due to lack of medical care, the group was forced to accept the appointment of a male surgeon for female patients.

Local NGOs also face demands from local authorities to modify beneficiary lists. In one case, a local NGO targeting IDPs in Idlib was required by the local council to ensure that at least 25% of its beneficiaries were from the host population, in order to minimise potential tensions between host communities and IDPs and avoid accusations of favouritism towards IDPs. This was a condition the NGO was willing to accept because the fundamental objective of its work was not changed or hijacked. However, many NGOs claimed that a clear red line for them would be if an armed group demanded control of the entire beneficiary selection process. In such cases, groups will either switch to projects where distribution lists are not an issue, such as WASH-related activities, or else cease programming and hope that community pressure will be enough to force the armed group to back down.

Local groups often also face pressure when it comes to hiring policies, and a number of groups have experienced cases where local authorities have insisted that a local NGO employ certain people. This is a particular issue in rural areas, where family and tribal ties play a greater role than in urban areas, though again this is by no means unique to Syria or to humanitarian action more generally. In a rural area in Ebbin, for example, one local group was told by the local council to hire particular individuals from the community to staff a primary healthcare facility. In the end, the local group decided not to accept these conditions and withdrew from the area (HPG interviews).

7 Conclusion

With 13.5m people in need, 4.9m of them in 'hard to reach' areas,[20] the question of humanitarian access in Syria has never been more critical. Yet Syria remains one of the most inaccessible conflict zones for traditional humanitarian organisations, and many feel that they are slowly losing more ground as the conflict continues (HPG interview). The evolution of the threats facing humanitarian organisations has meant that nearly all have resorted to employing alternative tactics to access people in need, including cross-border programming, low-visibility operations, remote management and remote partnership models and an increased reliance on national staff, private contractors and local agencies.

There are inherent risks for aid workers operating in hostile environments. The most visible in a conflict such as Syria's is the risk to life and limb. The aid worker security database lists bombing/explosives/heavy weapons and shooting as the most prevalent form of violence in Syria in 2015.[21] Beyond this direct threat, belligerents, whether state or non-state armed actors, often view humanitarian organisations – in particular foreign ones – with great suspicion, and regard humanitarian assistance as a tool to further political or military objectives. Certain entities or individuals might fall under the category of proscribed groups under counter-terrorism legislation. While organisations need to negotiate with them when they control areas requiring assistance, aid agencies often shy away from doing so, fearing potential criminal prosecution or reputational damage. Under such circumstances, negotiating access for principled humanitarian action can be particularly challenging, and will often call for compromises, at least to some degree.

Access to people in need is not solely decided by belligerents. Humanitarian agencies depend on community acceptance to be able to work, and understanding the power, but also the limitations, of such acceptance is critical. Community acceptance tends to weaken, and even disappear entirely, if the assistance delivered is not timely or adequate, and humanitarian actors risk losing community acceptance through delayed or ineffective assistance.

One of the findings of this research is that, while their evolution, visions and strategies may be different, 'international' and 'local/national' actors grapple with very similar challenges. The research also shows that, when it comes to access, the general guidelines utilised by local groups mirror conventional approaches in many ways: careful and sustained dialogue with all actors, taking advantage of temporary windows for access, consulting local communities and authorities on needs assessments and beneficiary selection lists, an awareness of the interests of all actors, relying on local contextual knowledge and connections to facilitate access, and maintaining clear red lines regarding the compromises they are prepared to make.

What is often missing from analysis by the formal sector is a deep understanding of how exactly local organisations work, whether they may be better placed to respond in a particular area, and how best international organisations could support them. The perceived or real connection of local organisations to a particular community or group is often highlighted as a major stumbling block to principled humanitarian action. While the geographical reach of some organisations may be limited to the areas and communities where they have personal ties, others have established links with groups with access elsewhere, or indeed become transnational, as in the example of diaspora organisations. The assumption that locally connected organisations by definition cannot be impartial is not only simplistic, but also inaccurate. Most of those interviewed strive to be – and to be seen as – impartial. They try to adhere to a principled approach, pushing back as much as possible against demands made on them by political or military actors. If the 'traditional' humanitarian sector is not a monolithic entity, the same is true for the 'non-traditional' sector. Understanding and accepting this diversity while identifying commonalities should be the starting point for every analysis.

20 See http://www.unocha.org/syrian-arab-republic/syria-country-profile/about-crisis.

21 See https://aidworkersecurity.org/sites/default/files/HO_AidWorkerSecPreview_1015_G.PDF_.pdf.

The Syrian context is fraught with perils and pitfalls: physical, material and ethical. Syrian organisations are creative (not least in the use of technology) and flexible in a way that many traditional organisations are not, all the while often bearing the biggest risks. This should not, however, be a reason to see them as unprofessional, inexperienced or perhaps even untrustworthy. It is clear that, with a limited international presence, it is local organisations – on their own or as implementing partners of international aid actors – that are reaching those in need. In order to do so, they engage in tricky negotiations. While an organisation's local identity may make these negotiations easier, access is by no means a given. Understanding how these actors negotiate and how they can be supported in tackling the challenges they face would significantly enhance their ability to provide assistance.

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