

International Development Committee

**Protection not permission:
The UK's role in upholding
international humanitarian
law and supporting the safe
delivery of humanitarian aid**

Fifth Report of Session 2024–25

HC 526

International Development Committee

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Contacts

All correspondence should be addressed to the Clerk of the International Development Committee, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 1223 and 0207 219 8969 for (media enquiries); the Committee's email address is indcom@parliament.uk. You can follow the Committee on X (formerly Twitter) using [@CommonsIDC](https://twitter.com/CommonsIDC).

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Summary

When embraced by all parties to a conflict, International Humanitarian Law (IHL) is mutually beneficial. It puts in limits to the horrors of war and is a protective measure to safeguard the most vulnerable.

Yet it is under threat like never before. Permissive interpretations and outright disregard of its provisions for the delivery of aid and the protection of humanitarian workers is rife. This “hollowing out” of IHL is being perpetrated not only by non-state armed groups but, unexpectedly and worryingly, by UN member states too. Consequently, we are seeing unprecedented numbers of aid worker casualties in the field. At the time of writing, the Aid Worker Security Database had recorded 104 aid worker attacks in 2025, 261 killed, and nearly 400 kidnapped or wounded.¹ We are also witnessing denial of access to humanitarian supplies on an alarming scale. One monitoring organisation reported that, in the 93 countries around the world it was monitoring, there was a deterioration in levels of access to humanitarian supplies in 20% of them, and persistent access challenges in many more.²

The UK has a strong and proud history of upholding IHL, protecting aid workers, and ensuring that others do too. The Government seemingly continues to support bold and innovative initiatives to bring clarity to the implementation of IHL; it regularly speaks out in international forums, such as the UN Security Council; and it actively supports mechanisms for accountability. However, the Government could and should go much further. The UK needs and should aspire to establish itself as the primary champion of IHL on the international stage, and the convener of likeminded states. It must use its convening power to maximise the impact of the public and private initiatives groups of member states on these issues so supporters can respond quickly and effectively to uphold IHL wherever it is threatened. The inclusion of local voices from civil society and traditional authorities is important and something the UK is well placed to facilitate. Leadership is also needed to bring clarity to the application of IHL when it comes to the use of autonomous weapon systems and other emerging technology.

Unilaterally, the Government must continue to support the role of the armed forces in promoting IHL nationally and globally. We recommend that it also addresses any of its domestic legislative barriers that may hinder the

1 [AWSD](#), accessed 19 May 2024

2 ACAPS, [Humanitarian Access Overview](#), December 2024, accessed 19 May 2025, p2

delivery of aid; and provides adequate guidance to clarify issues such as sanctions exemptions and the implications of interacting with proscribed groups.

When the promotion of IHL and deterrence to breaches fail, the UK must make better use of the tools it has available to hold belligerent parties to account. We recommend that the UK stands firm in its support for the International Criminal Court and swiftly issues its response to the judgments of the International Courts of Justice; this is most pressing in relation to the Court's opinion on the policies and practices of Israel but will be increasingly relevant elsewhere given the number of geopolitical conflicts. In addition to this, the UK could work with other states to establish teams of legal and investigative experts to support the efforts of the legal systems in the jurisdictions where breaches take place, and amend its own legislation to provide for universal jurisdiction for breaches of IHL. There are pre-existing mechanisms, such as the International Humanitarian Fact Finding Commission, which the Government supports but could make much better use of to contribute to a basis of evidence from which to rapidly call out and sanction perpetrators. Individual sanctions are, in themselves, a tool the Government should adequately resource and make much greater use of. The Government can ensure that the voices of aid workers and their sacrifices are not forgotten through the functions of the UN Security Council. It is important that the UK is even-handed and consistent in its application of these tools, removing cause for accusations of favouritism.

Despite reductions in Official Development Assistance from 0.5% to 0.3% of gross national income, the Government needs to continue to prioritise the safety of aid workers in its approach to funding humanitarian responses. Security risk management costs should be decoupled from programme administration costs. We propose a separate security risk management fund to remove any disincentive for fully costing these elements. This also involves ensuring that the Government continues to identify and resource appropriate responses to disinformation; insists that implementing partners are diligent in their duty of care, clearly understanding the needs of local organisations and frontline workers delivering UK ODA; and works with the insurance industry to improve coverage for workers. We encourage the Government to provide greater support to frontline workers as it looks after the mental health of its staff, through the funding of strategies designed by local partners. Finally, we recommend that the Government incentivises the pooling of security risk management (SRM) activities for delivery NGOs to maximise value for money.

Glossary of key terms

Delivery organisations/partners: Refers to any organisation delivering Official Development Assistance (ODA) in a humanitarian context.

International non-governmental organisation (INGO): For the purpose of this report, this will refer to any organisation headquartered in a higher income country, in receipt of funding from a government donor (such as the FCDO), and which delivers aid in another country.

Local non-governmental organisations (local NGOs): For the purpose of this report, local NGOs refer to any independent and locally led organisation that are delivering aid in their country of origin. These could include organisations serving the whole country or a particular geography within it (including at the community level).

Multilateral organisation or initiative: Refers to a small group of UN Member States who agree to work together to promote a shared interest.

Multilateral organisations: This refers to UN bodies as well as members of the Red Cross/Red Crescent family of organisations.

Safeguarding: Refers to the responsibility of organisations and donors to protect the recipients of humanitarian assistance and other non-employees they work with. However, we recognise the Charity Commission's definition extends further to include employees and volunteers.

Security risk management (SRM): Refers to the delineation of work concerned with the prevention and mitigation of risks faced by an organisation's employees, and others it works with, who will be delivering aid.

1 Introduction

1. In December 2024 we launched our inquiry into humanitarian access and adherence to international humanitarian law (IHL), following 12 months of some of the worst recorded incidences of obstruction of aid delivery and casualties amongst aid workers. We called for evidence on the current trends of both restriction of access and attacks involving aid workers; the impact on aid delivery of the current safety environment; the UK Government's response; and the robustness of IHL.
2. We published 34 pieces of written evidence and took oral evidence from current and former aid workers with experience of both international and national NGOs. We visited Geneva and met with multilateral organisations, permanent representatives of UN Member States, representatives from international organisations, and legal organisations supporting victims. We also held a private engagement event with security managers of international organisations, as well as representatives from national organisations working in insecure environments to further discuss the challenges faced by aid workers. We ended the inquiry with an oral evidence session with Baroness Chapman, Minister for International Development. We are grateful to all those who contributed to this inquiry.
3. This report recognises the work of previous Committees on this topic as well as more recent reports that touch on the issues of humanitarian access and the safety of aid workers. This report is not an attempt rule on adherence to the letter of IHL, something the Committee is not mandated nor equipped, to do. Nevertheless, we are able to comment on adherence to the spirit of IHL and the real-world impact this has on the safe, unhindered delivery of aid.

2 Upholding International Humanitarian Law

This degradation of international law is corrosive and infectious. It is undermining decades of progress on rules to protect civilians from inhumanity and the violent and lawless among us who act with impunity. Tom Fletcher, UN Humanitarian Coordinator on the situation in Gaza³

Background to IHL relating to humanitarian access and protection of aid workers

4. The UK has a legal obligation to both respect IHL and to ensure that it is respected in all circumstances.⁴ IHL draws from two primary sources: treaties and customary IHL. The former relates, principally, to the four Geneva Conventions of 1949 and the two additional protocols. The latter derives from accepted practice which states recognise as being legally binding. Summarised below is how this relates to humanitarian actions:

Box 1: Summary of International Humanitarian Law Key Rules on Humanitarian Access and Assistance

- Each Party to the armed conflict bears the primary obligation to meet the needs of the population under its control.⁵
- Impartial humanitarian organisations have a right to offer their services in order to carry out humanitarian activities, in particular when the needs of the population affected by the armed conflict are not fulfilled.⁶

3 UN OCHA, [UN Relief Chief calls on Security Council to act decisively to prevent genocide in Gaza](#), 13 May 2025, Accessed 19 May 2025

4 Common Article 1 to the Geneva Conventions 1949; Médecins Sans Frontières/Doctors Without Borders (MSF) ([HAA0009](#)) para 5

5 Principle of state sovereignty and [articles 55 and 56 GCIV](#) and [69 of API](#). (in occupation)

6 Article 3(2) and Articles 9/9/9/10 Geneva Conventions ([GCI - GCIV](#))

- Impartial humanitarian activities undertaken in situations of armed conflict are subject to the consent of the parties to the conflict concerned.⁷
- The parties to the conflict must consent to such activities when the needs of the population under their control are not met.⁸
- Once impartial humanitarian relief schemes have been agreed to, the parties (whether or not parties to the armed conflict) must allow and facilitate rapid and unimpeded passage of these relief schemes, subject to their right of control.⁹
- The parties to the conflict must ensure the freedom of movement of authorised humanitarian relief personnel essential to the exercise of their functions. Only in case of imperative military necessity may their movements be temporarily restricted.¹⁰
- Humanitarian relief personnel, and objects used for humanitarian relief operations, must be respected and protected.¹¹

5. Evidence to our inquiry pointed to a changing utilisation of IHL toward a permissive and diluted interpretation that justifies operations that may restrict the flow of aid or seek to legitimise the targeting of assets used to distribute aid.¹² IHL, as laid down in treaty and customary IHL, demonstrates an intention to conduct warfare in such a way that protection of non-combatants is prioritised. The consequences of apparent impunity for breaking these established rules and inaction on the part of enforcers, as discussed in more detail later in the report, has been a serious deterioration in adherence. What we clearly observe in conflicts such as those in Gaza and in Sudan is that these principles are at best being disregarded, or at worst used to justify operations that run contrary to them.¹³ We note the

7 Common Art. 9/9/9/10 of the GCs and Art. 70(1) of API for IAC; Art. 59 of the [GCIV](#) for occupation and Art. 18 of [APII for NIAC](#)

8 When a party to an armed conflict is unable or unwilling to fulfil its primary obligation to meet the needs of its population and when offers of services have been made by impartial humanitarian organisations, there are no lawful grounds to withhold or deny consent to the undertaking of humanitarian activities. Article 59 [GCIV](#) (in occupation).

9 Article 18 [APII](#); [Article 70\(4\) API](#); [Article 71 API](#), Article 63 [GCIV](#) (in occupation)

10 Customary IHL [Rule 56](#)

11 [Art. 71\(2\) of API](#); [Customary IHL rules 31 and 32](#)

12 See, for example Policy@Manchester ([HAA0007](#)) para 6; Prof. Ioana Cismas (Professor, York Law School at University of York); Dr Katharine Fortin (Associate Professor, Netherlands Institute of Human Rights at Utrecht University) ([HAA0036](#)) para 2 (a); International Committee of the Red Cross (UK and Ireland delegation) ([HAA0037](#)) para 16 (b); Jack Sproson; Tsvetelina van Benthem ([HAA0038](#)) para 10

13 See, for example, Prof. Ioana Cismas (Professor, York Law School at University of York); Dr Katharine Fortin (Associate Professor, Netherlands Institute of Human Rights at Utrecht University) ([HAA0036](#)) *et al* section (a); ICRC, [International Humanitarian Law and](#)

defence of the Israeli Government's actions put forward in detail by former MP Sir Michael Ellis in his written evidence,¹⁴ and the objections raised by lawyer Natasha Hausdorff to the Foreign Affairs Committee.¹⁵ Nevertheless, the observable fact remains that, in both conflicts, aid workers are dying in unprecedented numbers, aid infrastructure is frequently targeted, and aid delivery to those who need it is consistently obstructed.¹⁶

6. In some situations, Professor Ioana Cismas and Dr Katharine Fortin pointed out, the behaviour of opponents is used to justify actions against civilian populations—including the withholding of aid.¹⁷

7. **CONCLUSION**

Numbers of aid worker deaths are rising year on year and the situations where access to aid is deliberately impeded are also increasing. This violates the purpose of IHL: to protect civilians in a time of war. We see growing examples of where IHL is ignored or used to justify the restrictions to aid delivery. This has to stop. Furthermore, we have concerns that there is a trend of breaches of IHL being 'traded off' by implicated parties who can be seen to justify breaking IHL as a result of the other party or parties doing the same. This apparent 'race to the bottom' is extremely worrying and demonstrably contrary to the spirit of IHL which sets high standards to ensure citizens and humanitarian workers are appropriately protected in conflict zones. The short-term impacts of IHL trade-offs by belligerents is having stark and deadly consequences.

8. The International Committee of the Red Cross asserted to us that

(...) the existing legal framework on the respect for and protection of humanitarian personnel and objects, is clear and comprehensive (...)

[the challenges of contemporary armed conflicts](#), accessed 19 May 2025; International Committee of the Red Cross (UK and Ireland delegation) ([HAA0037](#)); Médecins Sans Frontières/Doctors Without Borders (MSF) ([HAA0009](#)); Annex 2

14 Rt. Hon. Sir Michael Ellis KBE, KC ([HAA0020](#))

15 Oral evidence taken by the Foreign Affairs Committee on 22 April 2025, [Qs 250–286](#) [Natasha Hausdorff]

16 See on Israel's approach Ms Spoljaric (ICRC) speaking to the BBC (BBC, [Red Cross chief says Gaza is 'hell on earth' as Israeli assault continues](#), Imogen Faulks, 11 April 2025, accessed 19 May 2025); see also Médecins Sans Frontières/Doctors Without Borders (MSF) ([HAA0009](#)) for information on alleged abuses in Sudan

17 Prof. Ioana Cismas (Professor, York Law School at University of York); Dr Katharine Fortin (Associate Professor, Netherlands Institute of Human Rights at Utrecht University) ([HAA0036](#)) *et al*

It is not the IHL framework but compliance and adherence to IHL which is where gaps lie.¹⁸

However, we heard that there could be deficiencies, or clarification needed, in some of the enforcement mechanisms:

- IHL does not clearly cover situations where necessary infrastructure services (such as telecommunication, banking and electricity) are suspended;¹⁹
- There is a lack of clarity around evidence-building and accountability mechanisms, as well as lack of reporting on the implementation of key United Nations Security Council resolutions;²⁰
- The lack of regulation around the use of artificial intelligence, autonomous weapon systems and drones can leave the “humanitarian community vulnerable, and some actors (reinterpreting) IHL to their own needs”.²¹

9. CONCLUSION

We agree with the view of the ICRC that IHL is clear and comprehensive. It represents both a body of law that is robust and universal in its coverage, and a spirit by which warring parties must place the protection of civilians at the heart of their operational planning. However, there are serious deficiencies in the enforcement mechanisms and the ability of the international community to hold states and non-state actors accountable for violations of that law and spirit. As noted above, there is also an apparent willingness from non-state armed groups and UN Member States to ‘trade off’ the IHL breaches of others to justify further military action. This presents a threat to their very existence. These attitudes need exposing and publicly condemning by world leaders to prevent established and tested legal frameworks from being irrevocably damaged.

18 International Committee of the Red Cross (UK and Ireland delegation) ([HAA0037](#)) para 5; also supported by others including, for example, Foreign Policy Centre ([HAA0040](#)) para 37

19 Foreign, Commonwealth & Development Office (FCDO) ([HAA0015](#)) section 7

20 Anonymous ([HAA0018](#)) 7.7.1; see also Dr Doug Specht (Reader in Cultural Geography and Communication at University of Westminster) ([HAA0001](#)) section 1.2

21 United Nations World Food Programme ([HAA0029](#)) para 25; see also Médecins Sans Frontières/Doctors Without Borders (MSF) ([HAA0009](#)) para 2.1

10.

RECOMMENDATION

We recommend that the UK Government takes the lead in efforts to reach a consensus on the use of autonomous weapon systems and artificial intelligence on the battlefield and the creation of an international instrument on their use.

The international consensus

11. The international consensus around IHL is under threat. This development was described by many contributors as an “erosion” of humanitarian protections.²² Some examples the Committee heard of included: Lithuania withdrawing from the Convention on Cluster Munitions, with other countries considering their own positions;²³ an “increasing instrumentalism of humanitarian aid where actors use assistance to further their political or military objectives”;²⁴ and a failure by the international community to call out abuses, creating a culture of impunity.²⁵
12. Over the course of this inquiry, we have heard of a number of initiatives on various aspects of IHL as it relates to humanitarian work. It was encouraging to see the UK Government engaged in these. Specifically: joining the ministerial-level group on the protections of aid workers; and supporting the ICRC’s Global Initiative on International Humanitarian Law (IHL), the founding members being Brazil, China, France, Jordan, Kazakhstan, and South Africa.²⁶ The UK also signed the pledge for Enhancing the Protection of Humanitarian Personnel at the 34th International Conference of the Red Cross and Red Crescent Movement.

Box 2: UN Resolution 2730 (2024) and the Ministerial Group

In May 2024 the UN Security Council adopted resolution 2730 (2024) “on the protection of Humanitarian Personnel and United Nations and associated personnel.”²⁷ The resolution was co-sponsored by the UK.

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- 22 See, for example, United Nations World Food Programme ([HAA0029](#)) para 13; Prof. Ioana Cismas (Professor, York Law School at University of York); Dr Katharine Fortin (Associate Professor, Netherlands Institute of Human Rights at Utrecht University) ([HAA0036](#)) *et al* para b.3; Medical Aid for Palestinians ([HAA0043](#)) para 43
- 23 MAG (Mines Advisory Group) ([HAA0023](#))
- 24 United Nations World Food Programme ([HAA0029](#)) Trend 1
- 25 See, for example, Global Interagency Security Forum (GISF) ([HAA0006](#)) para 17; Policy@ Manchester ([HAA0007](#)) para 18; Institute of Development Studies ([HAA0011](#)) para 1.2; Save the Children UK ([HAA0012](#)) para 4.4; International Rescue Committee UK ([HAA0028](#)) para 5
- 26 ICRC, [Global Initiative to galvanise political commitment to international humanitarian law](#), accessed 19 May 2025
- 27 UN Security Council, [S/RES/2730 \(2024\)](#), 24 May 2024, accessed 19 May 2025

The resolution reaffirmed the need for all parties to armed conflict to preserve the ability of those delivering humanitarian aid to do so with “humanity, neutrality, impartiality and independence”. The resolution condemned disinformation aimed at undermining trust in humanitarians and organisations and to commit “conduct (...) full, prompt, impartial and effective investigations within their jurisdiction of violations of international humanitarian law and international human rights law committed against humanitarian personnel (...) including national and locally recruited personnel (...) and where appropriate, take action against those responsible in accordance with domestic and international law.” It encouraged international cooperation and information sharing.

The resolution requested that the Secretary General:

Provide the Security Council with “recommendations on measures to prevent and respond to incidents”

Provide a briefing to the Security Council on this matter, including on the challenges, opportunities, and progress made toward further enhancing protection, the safety and security of humanitarian personnel (...) as a core part of the stay-and-deliver strategy,²⁸ no later than 12 months after the adoption of this resolution and on a yearly basis thereafter

Report swiftly to the Council when widespread issues regarding the safety and security of humanitarian personnel occur.

In September 2024, the UK joined an Australian-led ministerial-level initiative to develop a declaration to complement resolution 2730 and enhance protections.²⁹ The group currently consists of Australia, Jordan, Switzerland, Indonesia, Sierra Leone, Japan, Brazil, the UK, and Colombia.

Despite these unilateral initiatives, which cover a breadth of geographies and interests, we have observed a lack of leadership from any one state.

28 In 2011, the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) commissioned Humanitarian Outcomes to conduct an independent study to identify and document humanitarian organisations’ strategies and practices to maintain effective operations in insecure environments. The resulting report, entitled ‘To Stay and Deliver: Good practice for humanitarians in complex security environments’ provided guidance on such critical areas as risk management, responsible partnerships, adherence to humanitarian principles, acceptance approaches and communication and negotiations with relevant actors. (Humanitarian Outcomes, [To Stay and Deliver II](#), accessed 23 May 2025)

29 Foreign, Commonwealth & Development Office (FCDO) ([HAA0015](#)) section 3

13. CONCLUSION

There is encouraging collaboration by a select few UN Member States that are promoting adherence to IHL and, in particular, the protection of aid workers. Yet there is a lack of comprehensive leadership across all aspects of IHL by a single Member State and a willingness to expose and publicly condemn flagrant abuses of IHL. This is challenging when traditional allies or leading world powers may be involved, but inconsistent application of IHL will be to its long-term detriment if IHL-conscious nations don't make the appropriate interventions. The UK is well positioned to lead this endeavour to uphold IHL and the particular obligations in relation to humanitarian access and the protection of aid workers. This is a significant opportunity for the UK in a 0.3% foreign aid budget world, given that sharing expertise costs very little. In fact, it is one of the few areas where aid budget cuts need not have an impact and the UK could maintain and enhance its position as a world leader.

The UK's role in promoting adherence to IHL

- 14.** As will be discussed in the next section, pursuing accountability for breaches of IHL can be a lengthy and painstaking process with no guarantees of successful outcomes. Moreover, it is too late for those whose lives have been destroyed by the breaches in question. It is paramount, therefore, that significant attention is given to raising the levels of understanding around the practical application of IHL, and promoting adherence to it.
- 15.** Throughout our engagements, we heard praise of the approach of the Ministry of Defence with regard to the training of the UK's own military, and the militaries of other nations, in the principles of IHL. Not only is IHL training built into international training exercises with foreign militaries, but the Army Legal Services invest in global understanding through the provision of the Director of the Military Department at the International Institute of Humanitarian Law in Italy. The Voluntary Report on the Implementation of International Humanitarian Law at Domestic Level reported that the institute trained 593 participants from 80 countries in seven languages in 2023.³⁰ This action is in addition to funding provided to Geneva Call, International Committee of the Red Cross, International Federation of the Red Cross and Red Crescent Societies, and the British Red Cross. United Against Hunger and Malnutrition highlighted the opportunities

30 FCDO and MOD, [UK Voluntary Report on the Implementation of International Humanitarian Law at Domestic Level \(Second Edition\) 2024](#), 23 October 2024, accessed 19 May 2025

for IHL training before the onset of a conflict, and International Rescue Committee stressed the need to make sure such training included the application of IHL to humanitarian work.³¹

16. We heard of close collaboration between the FCDO and the MOD on adherence to and promotion of IHL through the UK's National Committee on International Humanitarian Law. In May 2025, the two departments published the long-awaited Handbook on Conflict, Hunger and International Law which will serve to provide practical guidance for the application of IHL for the military, diplomatic service and any stakeholder of UK humanitarian policy. We also heard of collaboration between the FCDO and defence attachés regarding matters of IHL.³²

17. **CONCLUSION**

The UK armed forces have a strong and proud history of supporting IHL. They have experience of operating within the spirit and letter of IHL in extremely challenging environments, and of complying with accountability mechanisms when there have been allegations against them. At a time of increasing global tensions and rising military spending, the world needs examples to follow.

18. **RECOMMENDATION**

We recommend that the Government prioritises military-to-military training on IHL in line with the increase in defence spending. It should make full use of the range of resources it has at its disposal to support foreign militaries to understand not only their obligations under IHL, but the benefit of adherence to IHL for their own populations in a time of conflict.

Promoting unimpeded access to aid

19. We heard from multiple organisations that civilians are increasingly denied their right to humanitarian assistance in conflict zones around the world.³³ Save the Children told us that incidents of such denial were at a “historic high” with 5,158 incidents in 2023 compared with 3,931 in 2022. Some 3,250 of these were recorded in Gaza alone, but with large numbers in Yemen, Afghanistan, Sudan, Myanmar and Ukraine.³⁴ The International

31 See also MAG (Mines Advisory Group) ([HAA0023](#))

32 Foreign, Commonwealth & Development Office (FCDO) ([HAA0015](#)) section 8

33 See, for example, Médecins Sans Frontières/Doctors Without Borders (MSF) ([HAA0009](#)); Insecurity Insight ([HAA0016](#)); Anonymous ([HAA0018](#)) para 1.5; MAG (Mines Advisory Group) ([HAA0023](#))

34 Save the Children UK ([HAA0012](#)) para 2.2; see also ActionAid UK ([HAA0033](#)) section 3; Annex 2

Rescue Committee (IRC) observed that, in 2024, countries on its *Emergency Watchlist*³⁵ scored an average of 4.2 out of five on the ACAPS³⁶ scoring system, up from an average of 3.75 in 2020.³⁷ Contributors also highlighted the role that anti-Western and anti-aid disinformation is having. The IRC noted that despite the impact of the denial of humanitarian access, it has “received far lower attention than other violations”.³⁸ In other cases, IRC argues, access has been used as a “bargaining chip” to secure political objectives by warring parties, or to secure income.³⁹

20. It is worth noting that restriction of access to aid can take many forms. We heard of violence and threatening behaviour towards those delivering aid, looting of aid both at depots and during delivery, as well as physical barriers to delivery.⁴⁰ However, administrative and bureaucratic barriers were those most referenced by contributors to the inquiry. Some of the forms of obstruction are listed below:

- Excessive delays or outright denials of permission needed to deliver aid including travel permits, memorandums of understanding to work in countries and visas for international staff.⁴¹ World Food Programme told the Committee that in Ethiopia, bureaucracy and administration prevented organisations from scaling up their response despite indicators of famine. Between 6 - 23 December 2024, 101 requests were made to deliver food to areas in Gaza’s North Governorate but only three were approved.^{42 43}
- Delays and refusals for imports of goods into a country such as medicines and water, hygiene and sanitation goods.⁴⁴
- Ban on access negotiations for certain parties to a conflict.⁴⁵

35 The International Rescue Committee’s (IRC) annual Emergency Watchlist highlights the 20 countries most at risk of new or worsened humanitarian emergencies. (IRC, [2025 Emergency Watchlist](#), accessed 23 May 2025)

36 ACAPS previously stood for Assessment Capacities Project and describes itself as an “independent analytical voice helping humanitarian workers, influencers, fundraisers, and donors make better-informed decisions and respond more effectively to disasters.” Its humanitarian access scoring system considers nine indicators and scores situations from 0–5 with 5 demonstrating the most significant access constraints. (ACAPS, [Humanitarian Access, Methodology Note](#), December 2021, accessed 19 May 2025)

37 International Rescue Committee UK ([HAA0028](#)) para 2

38 International Rescue Committee UK ([HAA0028](#)) overview

39 International Rescue Committee UK ([HAA0028](#)) para 9

40 See, for example, Save the Children UK ([HAA0012](#)) para 2.2

41 See, for example, Insecurity Insight ([HAA0016](#)); ActionAid UK ([HAA0033](#)) para 6.5

42 United Nations World Food Programme ([HAA0029](#)) case study

43 See also ActionAid UK ([HAA0033](#)) para 5.5 for further examples

44 Anonymous ([HAA0018](#)) para 2.2

45 Anonymous ([HAA0018](#)) para 2.2

- Disruption to power, telecommunications and internet services.⁴⁶

21. There is a mixed record of traditional forms of diplomacy helping to secure humanitarian access. Existing systems, such as the UN Security Council, are important mechanisms but have limitations in terms of representation and polarisation. An example of such UK-led diplomatic action is to secure UN Resolution 2165 (2014), which authorised the delivery of humanitarian aid across Syria's borders from neighbouring countries. Whilst this was later undermined by the actions of China and Russia, successful lobbying by the UK, Germany and France in 2020 succeeded in keeping the Bab al-Salam crossing open.⁴⁷ The FCDO used this as an example of successful diplomacy but also highlighted the risks to organisations of entering a territory without the auspices of state consent and the perception of humanitarian neutrality.⁴⁸ Polarisation in the Security Council also led to the vetoing of a resolution in November 2024 by Russia that called on parties in Sudan to adhere to their international obligations.⁴⁹ This is despite criticism of breaches of IHL. For example, MSF told us that the warring parties are guilty of a "complete abrogation of responsibility".⁵⁰

22. IRC observes a motivation to find new approaches and told the Committee that:

Designed correctly, high-level access negotiations can play a positive role in support and sustaining access.⁵¹

The FCDO also used the example of the multi and bi-lateral diplomatic action that helped secure access to Gaza to administer polio vaccines in 2024 to demonstrate a successful effort.⁵² Since the war in Gaza began in October 2023, the UK has issued many public statements, and we are assured of many more private conversations⁵³ calling for the belligerent parties to allow unimpeded access to aid and to guarantee the safety of aid workers. However, evidence we have received suggests the situation has got worse over time rather than better.⁵⁴

46 Insecurity Insight ([HAA0016](#)) and Andra-Lucia Martinescu ([HAA0034](#)) para 4

47 House of Commons Library, [The Syrian civil war: timeline, UK aid and statistics](#), Research Briefing Number 9381, 19 December 2024

48 Foreign, Commonwealth & Development Office (FCDO) ([HAA0015](#)) section 3

49 United Nations - Meetings Coverage and Press Releases, [Russian Federation Vetoes Security Council Resolution Aimed at Strengthening Measures to Protect Civilians, Increase Humanitarian Aid Access in Sudan](#), 18 November 2024, accessed 10 June 2025

50 Médecins Sans Frontières/Doctors Without Borders (MSF) ([HAA0009](#))

51 International Rescue Committee UK ([HAA0028](#)) para 10

52 Foreign, Commonwealth & Development Office (FCDO) ([HAA0015](#)) section 3

53 Foreign, Commonwealth & Development Office (FCDO) ([HAA0015](#))

54 UN OCHA, [UN Relief Chief calls on Security Council to act decisively to prevent genocide in Gaza](#), 13 May 2025, accessed 19 May 2025

23. CONCLUSION

The FCDO appears to be repeating the same approaches to overcoming access challenges whilst expecting different results. Successful records of traditional forms of public diplomacy in promoting unimpeded access to aid are patchy at best. Polarisation within bodies such as the UN Security Council limit the opportunities to overcome barriers to aid delivery. A radically new approach is needed.

24. RECOMMENDATION

We recommend that the UK explores creative forms of diplomacy with likeminded states that can bring maximum pressure and combined diplomatic capability to solving specific access issues. As part of this initiative the diplomatic capacity and influence of the FCDO needs to be evaluated and invested in where needed.

25. In many cases, particularly where non-state armed groups (NSAG) are involved, local-level negotiation by humanitarian agencies and civil society may be more important—particularly women’s organisations.⁵⁵ Even where leadership of armed groups may have agreed to the delivery of aid, it is often the case that local commanders and soldiers are not facilitating access.⁵⁶ It is, therefore, important that actors delivering UK ODA have the flexibility and skills to negotiate with parties to the conflict.⁵⁷ Contributors highlighted that existing UK legislation does not have the necessary belligerents that may be proscribed terrorist groups.⁵⁸

26. CONCLUSION

The UK is well placed to ensure the voice of local organisations is heard in negotiations over access for humanitarian aid. This input is vital for effective and sustainable aid delivery as well as maximising the safety of those delivering it. Moreover, the UK is well positioned to make good its commitments to localisation and to realise the benefits that this can bring.

55 See, for example, International Committee of the Red Cross (UK and Ireland delegation) ([HAA0037](#)) para 11; CAFOD ([HAA0025](#)). See also ActionAid UK ([HAA0033](#)) para 2.4.; this will be picked up in more detail in the Committee’s inquiry on Women Peace and Security.

56 United Nations World Food Programme ([HAA0029](#)) para 17

57 International Committee of the Red Cross (UK and Ireland delegation) ([HAA0037](#)) para 10

58 Prof. Ioana Cismas (Professor, York Law School at University of York); Dr Katharine Fortin (Associate Professor, Netherlands Institute of Human Rights at Utrecht University) ([HAA0036](#)) *et al*; The Tri-Sector Group ([HAA0041](#)) “Remaining obstacles”; see also Foreign Policy Centre ([HAA0040](#)) para 24

27. Connected to negotiation with proscribed groups, we heard that lack of clarity and necessary provisions within the counter-terrorism legislation can act as a block to humanitarian aid delivery. The Tri-Sector Group for NGO operations told the Committee that significant progress had been made since the UK sponsored UN resolution 2664 which safeguards humanitarian action. They did, however, identify several remaining obstacles including a lack of policy coherence in the UK; a narrow range of the humanitarian actors included, and a lack of clear and situation specific guidance from the Office of Financial Sanctions Implementation (OFSI) and the FCDO for entities involved in the delivery of aid in these contexts. The situation restricts access to financial services, disrupts and distorts programming, and increases in-programme costs to demonstrate the due diligence required.⁵⁹

28. **CONCLUSION**

We applaud the work of the current and previous Governments in ensuring that the safe delivery of aid is not jeopardised by most of the UK's own legislation. However, lack of clarity around the UK's anti-terrorism legislation has had a chilling effect on those delivering UK aid and risks limiting its delivery where the implementation of sanction exemptions is not clear.

29. **RECOMMENDATION**

We encourage the Government to consider a standing exemption for relevant humanitarian organisations to ensure that they do not risk liability for their legitimate dealings with sanctioned entities. In the meantime, the Office of Financial Sanctions Implementation (OFSI) must provide clearer guidance for the humanitarian sector on the interpretation of sanctions legislation. At the international level, the Government should facilitate consistent good practice with regard to creating humanitarian exemptions to sanctions regimes.

The UK's role in monitoring adherence and promoting accountability

30. When awareness raising and promotion of adherence fails, belligerents must be held accountable for their obligations to IHL, and this accountability begins before a legal ruling has been made on any specific case. Speaking about the ongoing Israeli action in Gaza and the way it is being carried out, Tom Fletcher prevailed upon the UNSC:

Humanity, the law and reason must prevail.

59 The Tri-Sector Group ([HAA0041](#)) paras 7–9

This Council must prevail. Demand this ends. Stop arming it. Insist on accountability.⁶⁰

31. The FCDO takes decisions on action against suspected breaches on a case-by-case basis.⁶¹ Baroness Chapman, Minister for Development, told the Committee that gathering the evidence required to act was difficult and that, in the case of Gaza:

All we can do at this stage, I think, is to just keep being clear that we need that aid to get in.⁶²

To the contrary, we believe there are a number of avenues for accountability and pressure open to the UK in such situations, some of which are listed below and will be covered in more detail for the remainder of this chapter:

- Supporting criminal proceedings within the state where the suspected breach may have happened.
- Supporting criminal proceedings under UK law or at the International Criminal Court.
- Using statements and/or special sessions at international bodies (such as UNSC).
- Accessing the services (referred to as “seizing the good offices”) of the International Humanitarian Fact Finding Commission and Commissions of Inquiry through the UN Human Rights Council.
- Calling for UN ad hoc criminal tribunals.
- Supporting a request for an advisory opinion at the ICJ.
- Implementing or complying with sanctions (UN, GLOMAG, etc).
- Suspending arms export licences and putting pressure on manufacturers where a UK component is being used to perpetrate breaches.

60 UN OCHA, [UN Relief Chief calls on Security Council to act decisively to prevent genocide in Gaza](#), 13 May 2025, Accessed 19 May 2025

61 Foreign, Commonwealth & Development Office ([HAA0048](#))

62 [Q57](#)

32. CONCLUSION

During an evidence session, the Minister was unclear about the extent of the application of approved approaches when it came to creative responses to the situation in Gaza. There are various mechanisms available at the international, regional and domestic levels for holding states and non-state actors to account for alleged breaches of IHL—breaches which include the killings of aid workers and unlawful blockades of humanitarian aid and assistance. The UK has an important role to play in supporting, funding and participating in these mechanisms.

The International Criminal Court

33. One of the means of holding states or individuals to account for breaches of IHL is the International Criminal Court. Whilst the Committee has heard of complications regarding the jurisdiction of the court,⁶³ it still has considerable agreement internationally, with 125 countries having ratified its founding Rome Statute.
34. The United States takes a particularly obstructionist stance regarding the Court. It has reimposed sanctions on the Court that could considerably limit its ability to operate. In addition, it signed so called Article 98 agreements with countries not to cooperate with arrest warrants issued by the Court for US personnel.⁶⁴ We recognise the support the UK gives to the Court both financially (£13.3 million to the 2025 budget) as well as providing for secondments of judges and officials to the Court.⁶⁵

Box 3: Uganda and Central African Republic referral of cases to the ICC

There are examples of states referring situations within their borders to the ICC where there are suspected breaches of IHL.

In 2012, the Central African Republic referred a situation in its territory relating to both Muslim Séléka and Christian anti-Balaka groups where, amongst other crimes, attacks against humanitarian missions had been alleged. To date, the court has heard three cases, issued five arrest warrants and taken four people into custody, with one still at large.⁶⁶

63 Professor GS Gilbert (Sérgio Vieira de Mello Professor of International Human Rights & Humanitarian Law at University of Essex School of Law & Human Rights Centre) ([HAA0003](#)); see, for example, Oral evidence taken by the Foreign Affairs Committee on 22 April 2025, [Q260](#) [Natasha Hausdorff]

64 Georgetown Law Library, [International Criminal Court - Article 98 Agreements Research Guide](#), accessed 19 May 2025, Global Interagency Security Forum (GISF) ([HAA0006](#))

65 Foreign, Commonwealth & Development Office (FCDO) ([HAA0015](#))

66 ICC, [Central African Republic II \(ICC-01/14\)](#), accessed 19 May 2025

Uganda referred a situation in the context of the conflict between national authorities and the Lord's Resistance Army. There have been two cases, with five warrants for arrest being issued. To date one person is in custody and two are at large.⁶⁷

35. CONCLUSION

At the international level, the International Criminal Court provides a forum for holding states and individuals, respectively, accountable for breaches of IHL.

36. RECOMMENDATION

At a time when the legitimacy and impartiality of international courts is being questioned by some, the UK must stand firm in support of these important mechanisms for accountability to prevent impunity for serious violations of IHL.

Diplomatic attention

UN Resolutions often lack monitoring and implementation mechanisms, and are therefore not upheld by Member States and parties to the conflict. International scrutiny is subject to political will, double-standards and misinformation, rather than evidence-based preventative and responsive action. An aid agency⁶⁸

- 37.** It is critical that the UK remains even handed and consistent in its proactive condemnation of parties to conflict that fail to act in the spirit of IHL. In the course of this inquiry, we have heard growing criticism of the UK Government's reluctance to call out traditional allies, such as Israel, for their failure to conduct their operations in the spirit of IHL, and yet has been quick to criticise adversaries, such as Russia, for their conduct. This, it is argued, has damaged the UK's reputation as a supporter of IHL and undermined the universality of it.⁶⁹ A group of academics told us that:

If left unchallenged, or when they are selectively challenged, strategic misinterpretation and misuse of IHL and politicisation of humanitarian norms compliance compound to create systemic consequences: they pose a threat to the political legitimacy of international law itself. (...) If actors across the system lose faith in international law

67 ICC, [Uganda \(ICC-02/04\)](#), accessed 19 May 2025

68 Anonymous ([HAA0018](#)) para 1.7.2

69 See, for example, CAFOD ([HAA0025](#))

as a meaningful legal framework, then the system quickly loses its legitimacy. An illegitimate system becomes a weak and chaotic one, devoid of meaning or effectiveness.⁷⁰

We recognise that since the beginning of 2025, the Government’s language in the statements on the conduct of the Russian and Israeli governments, respectively, have become more closely aligned—more clearly calling out actions that are not in the spirit of IHL. We acknowledge the arguments that the UK Government has not consistently called out the ongoing tactics of armed groups such as Hamas, which might impede the delivery of aid or put at risk those who deliver it.⁷¹ However, the UK Government has still not given its response to the ICJ’s Advisory Opinion on the Legal Consequences arising from the Policies and Practices of Israel, an opinion given in July 2024.⁷²

Box 4: Gambia v. Myanmar (Genocide Convention case) in the ICJ

In November 2019, The Gambia (on behalf of the 57 members of the Organisation of Islamic Cooperation) brought a case to the ICJ alleging that “Myanmar failed to fulfil its obligations to prevent and punish acts of genocide committed against the Rohingya in Rakhine State as required under the 1948 Convention on the Prevention and Punishment of Genocide”, and included claims about restrictions of humanitarian access. This action has helped bring attention to the situation in Myanmar and galvanized condemnation. At various points since, countries such as the UK, Maldives, Slovenia and others have filed joint declarations of intervention on various points that have been deemed admissible. The ICJ is expected to begin deliberations on its opinion in 2025.⁷³

70 Prof. Ioana Cismas (Professor, York Law School at University of York); Dr Katharine Fortin (Associate Professor, Netherlands Institute of Human Rights at Utrecht University) ([HAA0036](#)) *et al*

71 Rt. Hon. Sir Michael Ellis KBE, KC ([HAA0020](#)) para 8

72 Letter from the Minister for International Development to the Chair regarding the situation in the Occupied Palestinian Territories, [16th April 2025](#)

73 See UN Independent Investigative Mechanism for Myanmar, [ICJ – The Gambia v. Myanmar](#), accessed 19 May 2025

38. CONCLUSION

We welcome the times that the Government has made a stand on the likely breaches of IHL that have reduced access of populations to aid and/or have failed to protect those delivering aid. We also welcome the more general calls for the protection of aid workers. However, the lack of consistency across conflict types and geographies, arguably depending on the participants is startling, greater care needs to be taken to ensure that the UK's actions and rhetoric around suspected breaches of IHL cannot be construed as being anything other than even handed—protecting allies at the expense of unconditional support for IHL is unacceptable. Such actions would set a poor example to other states and risk undermining the universality of law designed to protect us all.

39. RECOMMENDATION

As part of the UK's leadership role, the Government must be ready to call out actions not only when a blatant breach of IHL has been ruled on by a court, but when the spirit of IHL is being eroded. This condemnation needs to extend to where an overly permissive interpretation of IHL has been taken and must happen in equal measure regardless of the offending party's diplomatic relationship to the UK. Failure to do so undermines a system designed to keep all civilians safe and to impose limits on the horrors of war.

40. CONCLUSION

The FCDO needs to be led by the law without fear or favour. In July 2024, the International Courts of Justice handed down its advisory opinion on the legality of Israel's policies and practices in the Occupied Palestinian Territories. This advisory opinion sets out various obligations in respect of third states, including the obligation to ensure Israel complies with IHL. It is unacceptable that the Government has failed to issue a formal response nearly a year after the ruling was given.

41. RECOMMENDATION

We urge the Government to issue a formal response to the ICJ's opinion concerning Israel's policies and practices in the Occupied Palestinian Territories, setting out how it is complying with the obligations on the UK as a third party.

42. As stated above (see paragraph 31), there are opportunities for the UK to take the lead in multilateral forums to uphold IHL and to hold states to account. Although progress in the UNSC is constrained by the politics of

its members,⁷⁴ it remains a key forum to shed light on potential breaches and through which to focus pressure on states to modify their behaviour. It is vital that the voices of aid workers themselves are heard, and that the Security Council is regularly updated about the scale of the problem. The UK continues to have diplomatic influence on the Council as a permanent member and the penholder⁷⁵ for a number of humanitarian crises.⁷⁶ Catholic Agency For Overseas Development remarked that this influence could be used to “create spaces” for local NGOs to have a voice at all levels, including at the UNSC.⁷⁷ Within the UN there are also key resolutions with relevant working groups through which members not adhering to the spirit of IHL can be held accountable.

43. Regarding the monitoring of access obstruction IRC observes that the “annual Protection of Civilians Report occasionally touch on access, and initiatives like the (Children and Armed Conflict) monitoring and reporting mechanism publicly lists actors for perpetuating grave violations against children in conflict situations (one of which includes denial of humanitarian assistance) but provides limited analysis of access trends.”⁷⁸ On the monitoring of attacks on aid workers, the Global Interagency Security Forum stressed the need for independent monitoring of the implementation of UNSC resolution 2730 (see Box 2) to allow for better support.⁷⁹ We also note that the promised draft declaration from the Australian-led Ministerial Group is yet to be finalised.⁸⁰

74 International Rescue Committee UK ([HAA0028](#)) para 17

75 The term “penholders” was defined by the Portuguese UNSC representative in 2012 as “the Council members who initiate and chair the informal drafting process (within the UN Security Council)” ([The Procedure of the UN Security Council](#), 4th ed, Lorraine Sievers and Sam Daws)

76 See, for example, Médecins Sans Frontières/Doctors Without Borders (MSF) ([HAA0009](#)) para 5; Save the Children UK ([HAA0012](#)) para 5.2

77 CAFOD ([HAA0025](#)) para 5; see also Foreign Policy Centre ([HAA0040](#)) para 11

78 International Rescue Committee UK ([HAA0028](#)) para 15

79 Global Interagency Security Forum (GISF) ([HAA0006](#)); see also Foreign Policy Centre ([HAA0040](#)) para 7

80 United Nations World Food Programme ([HAA0029](#)) para 27; Dr Yusra Suedi (Lecturer in International Law, Manchester International Law Centre at The University of Manchester) ([HAA0031](#))

44. RECOMMENDATION

We recommend that the UK works with the other UN Member States represented on the ministerial group for the safety of humanitarian aid workers to call for a Special Session of the UNSC to discuss the problem of disregard of IHL in the delivery of aid. This session should focus on hearing from aid workers themselves, and from local organisations in particular, culminating in a declaration. In addition, the UK should push for the issue of humanitarian access to be included regularly in the annual UN Protection of Civilians Report. Finally, there should be an expectation that the UN Humanitarian Coordinator includes details of obstructions to the safe delivery of aid, including attacks on aid workers, as part of his regular reporting to the Security Council. However, we emphasise that this reporting should not be at the expense of energy and time being devoted to the ending of conflicts.

45. RECOMMENDATION

We recommend that the FCDO works with international partners to establish an independent central repository of evidence of breaches of IHL relating to the delivery of aid and attacks on aid workers. For this to be successful, the Government should undertake a consultation exercise with international and local delivery organisations, as well as UN bodies and legal experts.

Criminal prosecution

- 46.** A key approach to accountability is prosecution through domestic courts in the jurisdiction where the alleged breach took place. However, these legal systems are not always equipped to do this, particularly regarding the gathering of the necessary evidence.⁸¹ Legal Action Worldwide highlights the call in UNSC 2730 on the protection of aid workers for “Member States to enhance national institutions and international cooperation, including by deploying independent investigators in support of national authorities that may lack sufficient capacity.”⁸² The FCDO confirmed that it believes “that international crimes are best investigated and prosecuted close to where they are perpetrated.”⁸³ It added that it will explore where it “might provide capacity building support to develop domestic capabilities.”⁸⁴

81 Legal Action Worldwide ([HAA0042](#)) para 9

82 Legal Action Worldwide ([HAA0042](#)) para 9

83 Foreign, Commonwealth & Development Office ([HAA0048](#))

84 Foreign, Commonwealth & Development Office (FCDO) ([HAA0015](#)) section 8

47. CONCLUSION

We agree with the Government that it is preferable to prosecute suspected breaches of IHL within the jurisdiction where they occurred, but only where there are sufficient resources and guarantees of fair trials. There is more the UK could be doing to support these legal systems.

48. RECOMMENDATION

We recommend that the UK works with other willing members of the Ministerial Group on the Safety of Humanitarian Workers to establish a roster of independent legal experts and expert investigators who can support the criminal investigations of suspected breaches of IHL.

- 49.** Within the UK, it is possible to prosecute individuals for torture and grave breaches of the Geneva Conventions committed abroad. However, it is not possible to prosecute individuals for genocide, crimes against humanity, or other war crimes committed abroad, unless the individuals are UK nationals, UK residents, or subject to service personnel laws. Whilst “grave breaches” are covered,⁸⁵ threats, intimidation or harassment of aid workers, reckless killings of aid workers, and bureaucratic impediments to aid may not meet the threshold of a “grave breach”. Similarly, if aid workers or protected objects (such as hospitals) lose protected status, any attack would fall outside of the scope of the “grave breach” regime, regardless of whether the attack complied with the principles of distinction, proportionality and precaution.⁸⁶ Legal Action Worldwide argued that these obstacles in UK legislation to the effective use of universal and extraterritorial jurisdiction could be solved through amendments to the Crime and Policing Bill (specifically within Part 5 of the International Criminal Courts Act 2001 and the Geneva Conventions Act 1957, see Annex 1). Hazel Cameron, Head of Human Rights Department at the FCDO, confirmed that

It is something that we keep under regular review and it is under consideration, but I do not have any further indication that we would want to conduct domestic legislative amendment.”⁸⁷

- 50.** LAW also encouraged the War Crimes Team within Counter Terrorism Command to start providing legal support to the families of British nationals killed in airstrikes with a view to investigating incidences.⁸⁸

85 Geneva Convention I, Art. 50; Geneva Convention IV, Art. 147; and Additional Protocol I, Arts. 11 and 85

86 MOD, [The Joint Service Manual of the Law of Armed Conflict](#), JSP 383, 2004 ed. Paras 16.23–16.24

87 [Q43](#)

88 Legal Action Worldwide ([HAA0042](#))

51. CONCLUSION

The preamble to the Statute of the International Criminal Court recalls “the duty of every State to exercise its criminal jurisdiction over those responsible for international crimes.” At the domestic level, the UK must ensure that it can exercise universal jurisdiction over international crimes such as the killings of aid workers and the unlawful restrictions or prohibitions on humanitarian aid and assistance.

52. RECOMMENDATION

We recommend an amendment to the Crime and Policing Bill, to amend the International Criminal Court Act 2001, to provide for universal jurisdiction. This would allow for suspected war criminals to be investigated and prosecuted in the UK irrespective of their nationality, residency status, or location.

Investigating potential breaches

- 53.** The International Humanitarian Fact Finding Commission was established to secure the guarantees afforded to the victims of armed conflicts under Article 90 of the First Additional Protocol to the Geneva Conventions of 1949. Under the *good offices* of the Commission, particular incidents can be investigated with the aim to “facilitate the restoration of an attitude of respect for IHL”. For example, in 2024 Poland seized its good offices to investigate an Israeli airstrike on the World Central Kitchen in Gaza where a Palestinian, an Australian, a US/Canadian citizen, and three British nationals were killed. The aim was to establish the facts in relation to IHL. Yet MSF told us that the US had refused to cooperate with its call for an investigation into an attack on its hospital in Kunduz in 2015.⁸⁹ The UK provides funding for the IHFFC,⁹⁰ participates in the IHFFC’s ‘Group of Friends’, and has acted as its inaugural Chair.⁹¹ Despite this, the UK is not believed to have ever made use of the services it could provide—services we heard could strengthen accountability for IHL relating to humanitarian services.⁹²

89 Médecins Sans Frontières/Doctors Without Borders (MSF) ([HAA0009](#))

90 Foreign, Commonwealth & Development Office (FCDO) ([HAA0015](#))

91 FCDO and MOD, [UK Voluntary Report on the Implementation of International Humanitarian Law at Domestic Level \(Second Edition\) 2024](#), 23 October 2024, accessed 19 May 2025

92 Legal Action Worldwide ([HAA0042](#))

54. We have heard heartbreaking accounts of the atrocities being perpetrated by belligerent parties in Sudan against both civilians and aid workers.⁹³ We have also heard of aid infrastructure being targeted.⁹⁴ We would encourage the Government to consider how investigative mechanisms such as the good offices of the IHFFC or a specific UN Commission of Inquiry could be utilised to increase accountability in Sudan.

Box 5: UN Commission of Inquiry Reports relating to attacks on aid convoys in Syria

The Human Rights Council can establish Commissions of Inquiry on particular situations or countries. In 2011, such a Commission was set up on the Syrian Arab Republic with the mandate to “investigate all alleged violations of international human rights law since March 2011” and to establish “the facts and circumstances that may amount to such violations and of the crimes perpetrated and, where possible, to identify those responsible with a view of ensuring that perpetrators of violations, including those that may constitute crimes against humanity and war crimes, are held accountable.” Certain cases referred to the deliberate targeting of aid convoys and sieges.

55. **CONCLUSION**
The UN has also established various investigative mechanisms in response to particular atrocities. Wherever possible, the UK should support, fund and participate in these mechanisms to assist with fact-finding, truth discovery, and the preservation of evidence of breaches of IHL.
56. **RECOMMENDATION**
Specifically, we recommend that the UK makes better use of the good offices of the International Humanitarian Fact Finding Commission as part of its process of establishing whether IHL has been broken in specific cases. It should also be actively recommending these services to others.

93 See, for example, Annex 2

94 See, for example, Médecins Sans Frontières/Doctors Without Borders (MSF) ([HAA0009](#)) Section 4; Save the Children UK ([HAA0012](#)) para 3.2; United Against Malnutrition and Hunger ([HAA0013](#)) para 15; United Nations World Food Programme ([HAA0029](#)) Cast Study

Sanctions

57. Sanctions are an important tool for addressing suspected breaches of IHL.⁹⁵ Under the Sanctions and Money Laundering Act of 2018 the Government has a domestic legal framework for imposing so-called Magnitsky-style sanctions on people and entities for the purpose of complying with UN or other international obligations, or one of the discretionary purposes listed in the Act including to “promote compliance with international humanitarian law.” The Magnitsky sanctions require the freezing of assets and enacting of travel bans on the targets. Sanctions can also be applied multilaterally by the UN Security Council to deter violations of IHL and to protect the humanitarian space in armed conflict. Focussing on the situation in the Occupied Palestinian Territories (OPTs), Professor Neve Gordon and advocate Muna Haddad stressed the importance of being able to quickly apply such pressure and needing clear timescales by when the behaviour of obstructive parties needs to change.⁹⁶ Baroness Chapman was conscious of the limited resources of the Sanctions Team and the need to find targets that “would withstand legal challenge.”⁹⁷ She, and her accompanying officials, were unable to give examples of situations in which they would consider using such sanctions.⁹⁸ In follow-up evidence, the Government was unable to provide any clearer information on parameters of thresholds of evidence for the use of sanctions.⁹⁹

Box 6: Application of Magnitsky Sanctions for breaches of IHL

There are 50 entries in the UK sanctions list referencing IHL. Analysis of that list identifies that these individuals are connected to suspected breaches in eight countries respectively and at least six of them have specific references to the impeding of the safe delivery of aid, attacks on aid workers, or detention of aid workers.¹⁰⁰

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- 95 United Against Malnutrition and Hunger ([HAA0013](#)) para 19; Anonymous ([HAA0018](#)) para 1.7.1; Dr Yusra Suedi (Lecturer in International Law, Manchester International Law Centre at The University of Manchester) ([HAA0031](#)) para 7; Jack Sproson; Tsvetelina van Benthem ([HAA0038](#)); Professor Neve Gordon (Professor of human rights and international humanitarian law at School of Law, Queen Mary University of London); Advocate Muna Haddad (PhD Candidate at School of Law, Queen Mary University of London) ([HAA0039](#)) paras 28 and 30; International Centre of Justice for Palestinians ([HAA0044](#)) para 12
- 96 Professor Neve Gordon (Professor of human rights and international humanitarian law at School of Law, Queen Mary University of London); Advocate Muna Haddad (PhD Candidate at School of Law, Queen Mary University of London) ([HAA0039](#)) para 5 and 46
- 97 [Q45](#)
- 98 [Q44-49](#)
- 99 Foreign, Commonwealth & Development Office ([HAA0048](#))
- 100 Raw data can be found at <https://www.opensanctions.org/>

A number of the individuals are associated with destabilising activities of the Wagner Group in the Central African Republic and in Syria. The US and EU have also used their respective frameworks in this case.

58. CONCLUSION

In addition to legal mechanisms, the Government must use its powers to make sanctions a tool for ensuring respect for IHL. The Sanctions and Anti-Money Laundering Act 2018 provides the Government with the power to make sanctions for the purpose of promoting compliance with IHL.

59. RECOMMENDATION

The Government must use its power to sanction individuals in response to clear breaches of IHL, such as unlawful killings of aid workers and restrictions on humanitarian aid and assistance. To do this the Government must make sure that the Sanctions Team is sufficiently resourced and that the evidence threshold is set appropriately.

Arms transfer

The UK's adherence to IHL requires systemic reforms to close accountability gaps, enforce corporate due diligence, and prioritize civilian protection over geopolitical interests. Dr Tomas Hamilton, G37 Chambers

- 60.** There is a real risk that weapon components, manufactured in the UK, could be used in attacks on aid workers or humanitarian infrastructure. Dr Tomas Hamilton of G37 Chambers, raised the possibility that UK components could have been used in the drone strike that killed three British nationals working for the World Central Kitchen in Gaza in April 2024—something he claims the Government has neither confirmed nor denied.¹⁰¹ A number of contributors recommend that the suspension of export licenses to be more consistently applied,¹⁰² or call for the strengthening of international mechanisms around it.¹⁰³ But Dr Hamilton goes further, insisting that

¹⁰¹ Dr Tomas Hamilton (Barrister at G37 Chambers, London) ([HAA0047](#))

¹⁰² See, for examples, Professor Neve Gordon (Professor of human rights and international humanitarian law at School of Law, Queen Mary University of London); Advocate Muna Haddad (PhD Candidate at School of Law, Queen Mary University of London) ([HAA0039](#)) para 41; Institute of Development Studies ([HAA0011](#)) paras 6.3 and 6.4; Save the Children UK ([HAA0012](#)) paras 4.2.2; Medical Aid for Palestinians (MAP) ([HAA0024](#)); Prof. Ioana Cismas (Professor, York Law School at University of York); Dr Katharine Fortin (Associate Professor, Netherlands Institute of Human Rights at Utrecht University) ([HAA0036](#)) *et al*

¹⁰³ MAG (Mines Advisory Group) ([HAA0023](#))

domestic arms export legislation, and associated policy, needs to be strengthened.¹⁰⁴ Part of this, he argues, relates to ensuring there is legal responsibility applied to the arms manufacturers themselves:

UK rules demand that where there is a clear risk weapons could be used in unlawful attacks UK authorities must prohibit exports. However, this is not accompanied by a corresponding legal obligation on companies to stop exporting when they are aware of such a clear risk.¹⁰⁵

61. CONCLUSION

There is much more the Government could do to ensure that UK manufactured weapon components do not fall into the hands of those who may use them in attacks on aid workers and aid infrastructure.

62. RECOMMENDATION

We recommend the Government:

- a. Provide for interim measures to allow for the temporary freezing of licenses where there are credible allegations of IHL breaches, subject to full investigation and final determination;
- b. report findings of independent audits of arms exports to Parliament, including details of any incidents where British manufactured arms were used in suspected breaches of IHL;
- c. embed an assessment of impact on humanitarian assistance into the foreign policy interest's criteria for export licences.

63. CONCLUSION

There is no legal requirement for companies in the UK to stop exporting arms when they are aware of a clear risk that their weapons could be used in suspected breaches of IHL—instead the legal obligations rest on the Government. It is time for this to be addressed.

104 Dr Tomas Hamilton (Barrister at G37 Chambers, London) ([HAA0047](#))

105 Dr Tomas Hamilton (Barrister at G37 Chambers, London) ([HAA0047](#))

64.

RECOMMENDATION

The Government should legislate to provide for binding due diligence requirements on arms manufacturers. The Government should also make use of existing powers under the International Criminal Court Act (2001) to prosecute directors of arms manufacturers for complicity in war crimes such as those relating to the targeting of aid workers and facilities.

3 Practical protection for aid workers at risk of IHL abuses

Funding is still inadequate; risk management and security costs are covered by general operational funding, often at the expense of operational costs. And ultimately, upholding IHL can only happen with political will. The UK and the global community must go further to mainstream protection into their diplomatic and funding efforts. An aid agency¹⁰⁶

The lack of respect for basic international rules protecting civilians and humanitarian aid workers generates fear and insecurity. It creates an environment where civilians lack protection and humanitarian aid workers are exposed to deadly risks while providing humanitarian relief. Mines Advisory Group¹⁰⁷

106 Anonymous ([HAA0018](#)) para 4.3

107 MAG (Mines Advisory Group) ([HAA0023](#))

Recent statistics on aid worker security



Figure 1 Sources: AWSD, [Major attacks on aid workers: Summary statistics](#), accessed 23 May 2025; Greenaway, L., Joshi, N., Jha, R. K., Ahimbisibwe, L., & Tanner, L. (2024), [Research study: The status of frontline humanitarian workers](#), Humanitarian Aid International)

65. Humanitarian aid workers exemplify the very best of humanity in the face of the very worst of it. This extraordinary group of people put themselves in harm's way on a daily basis, often for little or no financial remuneration, simply to help others to survive. Throughout this inquiry we have heard stories of the pressures they are under. A story of witnessing a fatal sexual assault of a colleague in a war zone, of the daily fear of attack by armed groups in a refugee camp, of being shot and kidnapped, and of experiencing vicarious trauma whilst working from home during lockdowns. This often-forgotten group of people deserve to be remembered and honoured.
66. Whilst this report is focused on aid workers, the Committee also notes with concerns the dangers and threats posed to journalists in conflict zones, and the vital role they play in informing the world what is happening. According to Reporters Without Borders, in 2024 a record 54 journalists were killed,

including 31 in conflict zones. The number of journalists killed for covering conflict zones—in Iraq, Sudan, Myanmar, Ukraine, and the region affected by the war in Gaza—has reached a five-year high (57.4%).¹⁰⁸

67.

RECOMMENDATION

We recommend that the Government takes appropriate opportunities to commemorate the sacrifices of the hundreds of aid workers every year who pay the ultimate price in the service of others. This should include representation at the memorial service in Westminster Abbey, speeches coinciding with the UN Secretary General’s update on Resolution 2730 (2024), and when updating Parliament on the FCDO’s work.

108 Reporters Without Borders, [2024 ROUND-UP Journalists killed, detained, held hostage and missing](#), accessed 10 June 2025; see also United Nations World Food Programme ([HAA0029](#)) para 6

Factors contributing to increased risks for aid workers

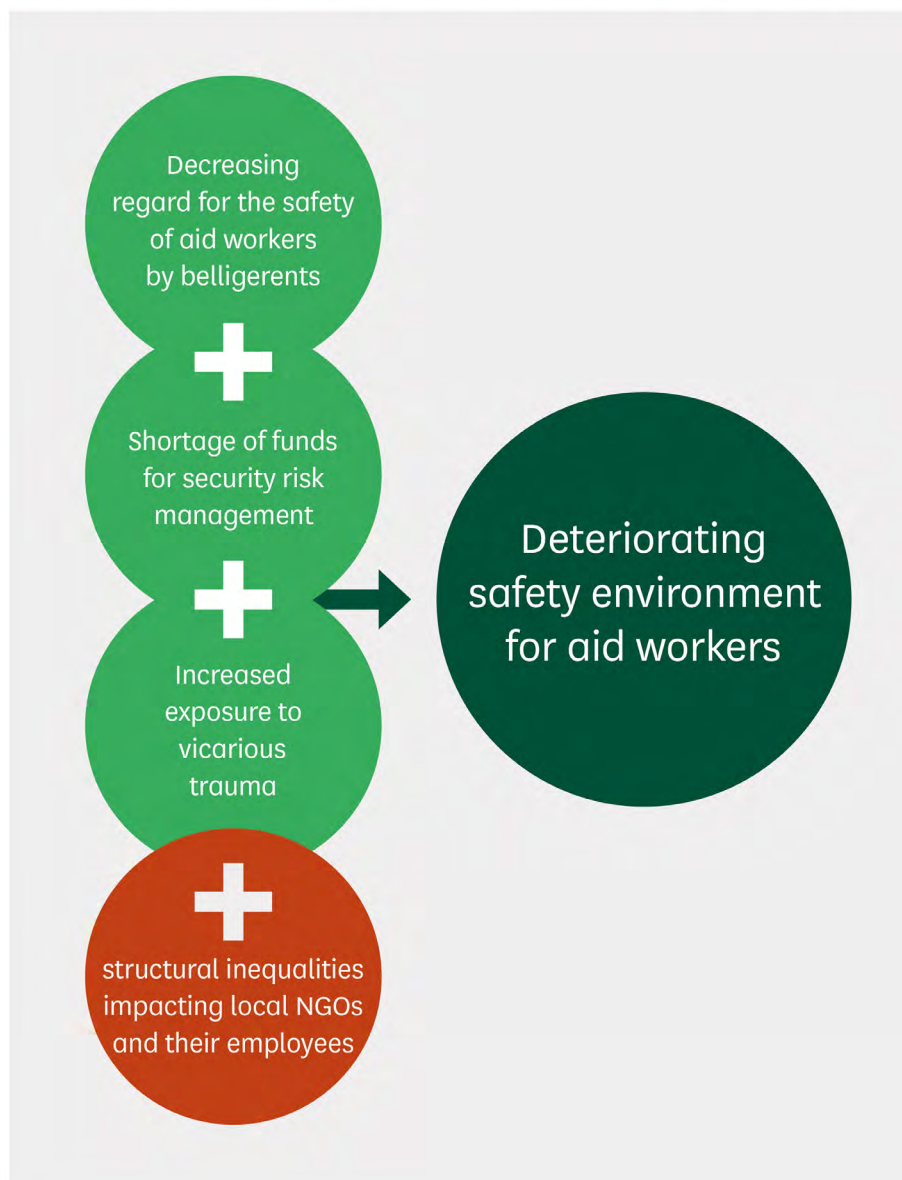


Figure 2: Various sources. See, for example, Global Interagency Security Forum (GISF) ([HAA0006](#)); Ms Imogen Wall (Founder and Director at IW Response Associates) ([HAA0045](#)); [Q22](#) [Tarini Ross]

- 68.** Regardless of the obligations to protect aid workers (as covered in the previous chapter), the reality is that these workers face a myriad of challenges, as do their donors and employers (see figure 2). Evidence suggests that the increase in aid worker casualties and deaths can be attributed to circumstantial factors, such as an increase in conflict generally and the fact that conflicts are taking place in densely populated environments with parties using less discriminate forms of warfare.¹⁰⁹ Global Interagency Security Forum (GISF), for example, pointed out that there was

109 Save the Children UK ([HAA0012](#)) para 2.1

a five-fold increase in aid worker casualties from shelling and airstrikes between 2023–24. But we heard multiple examples of humanitarian facilities being increasingly targeted by belligerents deliberately, or that they are not being sufficiently taken account of in operational planning.¹¹⁰ This disregard for aid worker safety extended to the effective maintenance of deconfliction mechanisms with a resulting crisis of trust amongst the NGOs using them. The FCDO noted that an effective notification system is dependent on the UN receiving and processing large quantities of data. The Committee has heard that defunding of the UN through aid cuts could see this capability reduced. The FCDO also noted that the systems are “not always easily accessible to local and national aid organisations”.¹¹¹ Save the Children accused the UK Government of not going far enough to recognise the ineffectiveness of the deconfliction mechanisms in Gaza.¹¹²

69. CONCLUSION

It has never been more dangerous to be a humanitarian aid worker. These workers put their lives on the line every day to protect others. Aid workers suffer direct intimidation and attacks in the field, as well as the impact of vicarious trauma through the processing of media. The disregard of aid worker safety by combatant parties is contrary to the spirit and letter of international humanitarian law.

70. Attacks against aid workers are not limited to explosives and conventional weaponry. Insecurity Insights found disturbing trends in its analysis of social media platforms:

In posts and comments humanitarian organisations are accused of corruption, financing terrorism and aiding opposing conflict parties (...) The use of disinformation and hate speech targeting aid and health workers has increased operational risks in conflict zones.¹¹³

This was supported by other contributors, including the World Food Programme (WFP), which pointed to misinformation spread about the organisation by social media influencers in the Democratic Republic of Congo and Ethiopia respectively.¹¹⁴ Jon Novakovic, of GISF, told us that narratives that surround recent reductions in aid by countries such as the US and UK are being “quoted back to NGOs negotiating access”. Narratives

110 See, for example, United Nations World Food Programme ([HAA0029](#)) para 6; Global Interagency Security Forum (GISF) ([HAA0006](#)) paras 4–6; Médecins Sans Frontières/Doctors Without Borders (MSF) ([HAA0009](#)) para 2.2; HAA0024 para 10; International Committee of the Red Cross (UK and Ireland delegation) ([HAA0037](#)) paras 7 and 9

111 [HAA0015](#); see also [Q53](#) [Matthew Wyatt]

112 Save the Children UK ([HAA0012](#)) para 4.2.3; see also Gisha ([HAA0005](#))

113 Insecurity Insight ([HAA0016](#))

114 United Nations World Food Programme ([HAA0029](#)) para 22

include allegations that NGOs are “corrupt” and “fraudulent”.¹¹⁵ This was confirmed by accounts we heard privately from security managers who are experiencing increasing hostility from governments for their organisation’s stance on democracy and governance. The Government told us of efforts it is undertaking to counter disinformation, primarily through its support of the BBC World Service as well as specific programmes in places such as Sudan.¹¹⁶ We note that the World Service is awaiting decisions on its future finances from the Spending Review and Charter Review later this year, and we have concerns over the future role the World Service may be able to play on the current trajectory. We heard that the Government’s own narratives around foreign policy levers and objectives can have an impact on the perceived neutrality of those delivering UK Official Development Assistance (ODA).¹¹⁷

71. CONCLUSION

The safety of aid workers and aid delivery is further hampered by the spread of malicious disinformation online and in other forms of media.

72. RECOMMENDATION

We recommend that the Government work closely with those delivering UK Official Development Assistance to identify appropriate responses to disinformation aimed at neutral implementing partners. This should include ensuring organisations such as the BBC World Service are adequately funded to fulfil their roles.

73. CONCLUSION

While it is important that the UK’s aid, trade, defence and diplomacy objectives are coherent, there is a risk that overly-politicised humanitarian responses can make the safe delivery of UK-funded support difficult.

Responsibility and accountability when things go wrong

- 74.** Matthew Wyatt, Director for Humanitarian, Food Security and Resilience at the FCDO, affirmed the Government’s position that “normally (...) the NGO itself will have a legal obligation to its staff”. He went on to confirm that the FCDO “certainly (does) feel there is a moral obligation” towards them.¹¹⁸ As

115 [Q29](#)

116 Foreign, Commonwealth & Development Office (FCDO) ([HAA0015](#)) section 5

117 [Q29](#); Save the Children UK ([HAA0012](#)) para 5.8

118 [Q39](#)

explored in the previous chapter, whilst a permissive interpretation of IHL is governing the actions of belligerents, if aid is to be delivered there will regrettably be situations where aid workers pay the ultimate sacrifice. It is important in these situations that the circumstances are independently investigated by an independent body such as the IHFFC, with regard to the adherence to IHL of the belligerent party (see paragraph 51). However, as we heard from Steve Dennis, a victim of violence against aid workers and a consultant in the field, there is a moral responsibility for the employer with the duty of care to independently investigate its part in the circumstances surrounding such an incident.¹¹⁹ We heard that NGOs are unlikely to initiate such an investigation themselves, and that survivors and families are unlikely to call for one. In such cases, the due diligence process by the FCDO at project proposal stage should be investigated as well to establish whether the NGO was adequately resourced to meet its duty of care responsibilities.

Box 7: The role of the Charity Commission

Trustees of NGOs registered in England and Wales are bound by the Charities Act 2011 to safeguard from harm anyone who comes into contact with the charity, including employees and volunteers. Amongst other things this includes “working overseas” and “preventing terrorist abuse”.¹²⁰ To this end charities must have “robust safeguarding policies in place”.

Trustees are also obliged to carry out risk management, and the Charity Commission (the regulatory body for charities in England and Wales) provides guidance on how to go about this, including on what should be included.

Trustees have six legal duties. The most relevant to risk management are:

Act in your charity’s best interest.

Manage your charity’s resources responsibly.

Act with reasonable care and skill.

The Charity Commission can assess the quality of risk management when acting on concerns it has identified through information provided by Government departments, media, employees, members of the public, or trustees. The Commission has powers to give regulatory advice and guidance with respect to the administration of charities. Where it

119 [Q8](#)

120 GOV.UK, [Guidance: Safeguarding for charities and trustees](#), 17 November 2021, accessed 2 June 2025

has serious regulatory concerns or has identified misconduct and/or mismanagement by trustees, the Commission is able to issue an Official Warning, or use its protective powers.¹²¹

As the previous Committee heard during its inquiry looking at *Sexual exploitation and abuse in the aid sector*, the Commission also has an important role to play in ensuring trustees are aware of their obligations as well as the systems for reporting incidents.¹²² The ability for it to perform this function is dependent on the resources available to it, resources that are currently limited.¹²³

75. CONCLUSION

It is vital that, where aid workers delivering UK Official Development Assistance are casualties, the Government is able to ascertain whether the employer was diligent in its duty of care responsibilities.

76. RECOMMENDATION

Where incidents relate to employees of UK-registered NGOs, it is essential that the Charity Commission is adequately resourced, and has the necessary powers, to investigate whether relevant organisations were diligent in their statutory obligations regarding their employees.

The impact on mental health and wellbeing

- 77.** The deteriorating work environment has a major impact on the mental wellbeing of aid workers. The number of aid workers who have faced hostility delivering aid is likely to be only the tip of the iceberg of workers traumatised by these conflicts.¹²⁴ The analysis of social media and digital accounts of atrocities is a key aspect of 21st century humanitarian work.¹²⁵ Imogen Wall, former aid worker and consultant, gave account of the impact that recent cuts by key donors such as the US have had on mental health services, but reiterated the obligations under UK law requiring employers

121 The Charity Commission for England and Wales, [Guidance: Report serious wrongdoing at a charity as a worker or volunteer](#), on Gov.uk, accessed 23 May; The Charity Commission for England and Wales, [Policy Paper: Regulatory and Risk Framework](#), Updated 29 April 2020, accessed 23 May 2025

122 International Development Committee, Eighth Report of Session 2017–19, [Sexual exploitation and abuse in the aid sector](#), HC840, para 140

123 International Development Committee, Eighth Report of Session 2017–19, [Sexual exploitation and abuse in the aid sector](#), HC840, chapter 9

124 [Q25](#) [Imogen Wall]

125 See, for example, Ms Imogen Wall (Founder and Director at IW Response Associates) ([HAA0045](#))

to “protect the mental health and wellbeing of their staff”.¹²⁶ The relentless and increasing pressure to deliver more aid for less money (as explored in the following section) can result in committing to larger and more ambitious projects without the corresponding increase in staff capacity—another stressor for frontline staff.¹²⁷

- 78.** We heard a variety of approaches to supporting staff by local NGOs that prioritise culturally and contextually relevant practices.¹²⁸ For example, CAFOD told us about a local organisation in Colombia it has supported to implement programmes that “build on ancestral knowledge and spiritual healing of Indigenous and Afro-descendant communities”, which “combines their spiritual healing and protection mechanisms with psychosocial support”.¹²⁹ Imogen Wall told the Committee that local staff are likely to bear the brunt of the impact of ODA cuts when it comes to their psychological support, yet they have the greatest need.¹³⁰

79. CONCLUSION

Constrained budgets and competition for funding may incentivise the over-promising of delivery by international NGOs at the risk of underfunding security risk management. This runs the risk of subjecting aid workers to unnecessary pressures, and of their welfare being overlooked. It is important that the mental health of these individuals and teams is compassionately and intentionally engaged with by their employers, with adequate funds being made available to provide support.

80. RECOMMENDATION

Psychological support and wellbeing strategies need to be appropriate to the context and culture of the aid workers in question. Sufficient flexibility in funding must be built in to ensure that local organisations are supported in designing and implementing their own recovery strategies for their volunteers and employees.

81. RECOMMENDATION

Beyond funding, the FCDO should explore how it might make its in-house security and mental health expertise, particularly at diplomatic mission level, accessible to local NGOs as requested as appropriate.

126 Ms Imogen Wall (Founder and Director at IW Response Associates) ([HAA0045](#))

127 Ms Imogen Wall (Founder and Director at IW Response Associates) ([HAA0045](#))

128 [Q28](#) [Imogen Wall]; [Q12](#) [Anna Samuel]

129 CAFOD ([HAA0025](#))

130 Ms Imogen Wall (Founder and Director at IW Response Associates) ([HAA0045](#))

Funding security risk management

Forecasted trends in ODA spending by some key donor



Figure 3 Source: Donor Tracker, [The Budget Cuts Tracker](#), SEEK Development, 14 May 2025, accessed 23 May 2025¹³¹

82. Keeping aid workers safe in increasingly hostile environments can be expensive.¹³² The evolving nature of the challenges requires a flexible and adaptable system of security risk management (SRM) from delivery NGOs to help keep their workers safe. Steve Dennis described in vivid detail the consequences of getting this wrong.¹³³ He described his convoy in eastern Kenya being attacked, five colleagues (including himself) being shot and his driver killed. He was kidnapped and made to walk through the night and later rescued during a violent military operation.¹³⁴ The growing necessity for strong SRM approaches comes at a time when humanitarian organisations face an exceptional situation where government funding is being cut across the board (see figure 3). SRM costs generally come out of

131 Donor Tracker explain their projections as follows: “The figures published in the Budget Cuts Tracker represent our best estimate of the future ODA funding landscape. They are based on analysis of historical data, publicly available information, and assumptions informed by experts.”

132 Foreign, Commonwealth & Development Office (FCDO) ([HAA0015](#)) section 2

133 [Q2](#)

134 His experience of being sent to a high risk environment where staff, including security managers, had not received relevant training; security plans were not followed; and other “reasonable measures were not put in place”.

the same programme budget and are classed as administration costs.¹³⁵ Consequently, INGOs feel under pressure to keep SRM costs low, focussing on how they can deliver more aid for less.¹³⁶ GISF told the Committee:

When donors and NGOs continue to treat SRM as a general administrative cost rather than a critical function with its own budget lines, they risk the safe and sustainable delivery of aid and programme continuity.¹³⁷

This view was supported by security managers who the Committee met with, and GISF who stressed the importance of having SRM costs as, at the very least, a separate budget line—distinct from general administration.¹³⁸

Box 8: UK Official Development Assistance spending plans

Recent announcements by the Government compound funding challenges. The Government will reduce UK aid spending from 0.5% to 0.3% of GNI by 2027.¹³⁹ Ukraine, the Occupied Palestinian Territories, the UK's Overseas Territories, Sudan, and addressing corruption, instability, climate change and global health are stated as continuing UK aid priorities. In financial year 2025/26, for all other bilateral country programmes, new aid spending decisions have been paused, with exceptions for ministerial priorities, humanitarian need and other named criteria.¹⁴⁰ The Government also plans to delay payments to multilateral bodies to give it greater flexibility for bilateral spend. It also wants to reduce Home Office spending on refugees in the UK. The Government expects aid reductions of £500 million in 2025/26,¹⁴¹ £4.8 billion in 2026/27, and £6.5 billion in 2027/28. Aid at 0.3% of GNI in 2027 will total an estimated £9.2 billion, the lowest in cash terms since 2012.¹⁴² As a proportion of GNI, spending will be at its lowest level since 1999.¹⁴³ Former aid worker and victim, Steve

135 See note from private engagement event (Annex 2) with security managers; Global Interagency Security Forum (GISF) ([HAA0006](#)) para 21

136 See, for example, Anonymous ([HAA0018](#)) para 4.3

137 Global Interagency Security Forum (GISF) ([HAA0006](#)) para 21

138 See Global Interagency Security Forum (GISF) ([HAA0006](#)) para 21; and Annex 2

139 FCDO and HM Treasury, [Future international development spending set out in Spring Statement](#), accessed 19 May 2025

140 Letter from the Minister for International Development to the Chair regarding initial 2025/26 Official Development Assistance (ODA) allocations and the Spring Statement, [27 March 2025](#)

141 HM Treasury, [Spring Statement 2025 document](#), 26 March 2025, accessed 19 May 2025

142 House of Commons Library, Insight: [UK to reduce aid to 0.3% of gross national income from 2027](#), 28 February 2025

143 House of Commons Library, Insight: [UK to reduce aid to 0.3% of gross national income from 2027](#), 28 February 2025

Dennis, described the false economy of this and suggested it would lead to experienced staff leaving the sector.¹⁴⁴ Minister Chapman agreed that “Making your workers less safe is not value for money.”¹⁴⁵

- 83.** Whilst we heard some praise of progress made under the historic Department for International Development on SRM costs,¹⁴⁶ there was considerable criticism of the lack of flexibility on this by the FCDO, now the Government department responsible. CAFOD described it as a “very limited approach” and quoted FCDO language that shifts the responsibility for the vast majority of health and safety related costs to the contracted party. Insurance premiums are specified as one of the costs that the FCDO will not fund, apart from in exceptional circumstances.¹⁴⁷ CAFOD noted the tendency of the FCDO increasingly “transferring large-scale funds to large-scale UN agencies”, a move they claim

intrinsically involves highly top-down, bureaucratic ways of working that devolve risk downstream to the implementing partners. As such, by definition, FCDO’s increasing reliance on procurement of Commercial Contacts as a method of funding is not compatible with more equitable and empowering approaches to partnership with LNAs.

- 84.** The FCDO gives specific examples of where it has covered SRM costs, including insurance, and gave examples of where it is working toward aid worker safety. It told us that this includes “direct investment” as well as “different aid modalities such as cash transfers” to increase the range of mitigation options.¹⁴⁸ Giving the example of Ukraine, the FCDO told the Committee that it provides “funding at the country level, as required, to support security risk management among humanitarian organisations”—something praised by other contributors.¹⁴⁹ It described a due diligence framework that tests partners’ “capacity and capability to meet their obligations under the arrangements, including those relating to the priorities of health (both physical and mental), safety, security and safeguarding measures”.¹⁵⁰ The FCDO also detailed extensive measures it takes to support the mental health of its *own* personnel, many of whom are exposed to high-risk situations in the field, and distressing content in headquarters.

144 [Q18](#); see also [Q29](#) [Imogen Wall]

145 [Q40](#)

146 Global Interagency Security Forum (GISF) ([HAA0006](#)) para 13

147 CAFOD ([HAA0025](#))

148 Foreign, Commonwealth & Development Office (FCDO) ([HAA0015](#)) para 5

149 Policy@Manchester ([HAA0007](#)) para 13

150 Foreign, Commonwealth & Development Office (FCDO) ([HAA0015](#)) para 5

- 85. CONCLUSION**
Whilst it is always the perpetrator who is responsible for the harm caused to victims, there is more that donors and employers could do to mitigate the risks. Indeed, it is the moral responsibility of donors to do all they can to remove or mitigate the risks to aid workers.
- 86. CONCLUSION**
We recognise the impact that reducing Official Development Assistance from 0.5%-0.3% of gross national income will have on availability of funding for humanitarian relief. However, any defunding of costs associated with the security of aid workers would be a false economy. Proposals with higher security costs should not be prejudiced against. Rather, proposals with lower costs should prompt more questions.
- 87. RECOMMENDATION**
We recommend security risk management costs are decoupled from other programme costs. There should be a designated security risk management fund that organisations delivering UK Official Development Assistance can apply to in order to support their broader security requirements. These grants should be flexible to allow for the appropriate measures to be funded in any given situation. The application process should be accessible to local organisations delivering UK ODA, and they should be encouraged to apply directly with support being provided through UK Embassies wherever possible. International NGOs and consultants applying for work with local organisations must be able to demonstrate both the relevance of their grant to their local partners and the value for money of their being an intermediary.
- 88. RECOMMENDATION**
Where programme-specific security risk management costs are still built into programme budgets, these should be a distinct budget line rather than being part of administration costs.

Challenges faced by local NGOs

- 89.** The structures and processes around funding arrangements also have implications for the local NGOs delivering aid on the ground, with risk being shifted “down the chain” by donors such as the FCDO from intermediary

INGOs to local NGOs.¹⁵¹ CAFOD criticised the FCDO for the fact that, despite having participated in the Grand Bargain discussions regarding a framework for Risk Sharing,¹⁵² it is yet to initiate any “systematic piloting or rollout”.¹⁵³ In addition, compressed budgets are likely to encourage delivery NGOs to promise more for less, placing a higher workload on employees resulting in increased risks of burnout or mistakes being made.¹⁵⁴

90. Many local organisations do not feel listened to by the intermediary INGOs nor the UK Government as the source of ODA. Not only were funds for SRM not forthcoming at the local level, but those that were provided were also not always appropriate to the context. Tarini Ross, working for the Indian NGO Humanitarian Aid International, told us of a case during the Covid-19 lockdown when

(...) we worked with one of the biggest INGOs and we asked, “Can we make some allocation for at least operation costs, let alone safety, security risk?” They said they had no budget to share with local actors, but ironically, they had a budget to send two professional photographers to cover their communications and visibility.¹⁵⁵

Anna Tazita Samuel, leading Women for Change (a women’s empowerment NGO in South Sudan), told the Committee of the lack of decision-making power local NGOs have, working as they do through intermediaries:

In most cases, for the projects that we have, we are not given security, a percentage. When we ask for security, like some money for security for our staff, they will tell us, “You are local actors. You don’t need security. Security money is only given to international agents.”¹⁵⁶

She went on to describe the unjust nature of evacuations:

151 Global Interagency Security Forum (GISF) ([HAA0006](#)) para 21; see also Foreign Policy Centre ([HAA0040](#)) para 26

152 The Grand Bargain is “a unique platform bringing together donors and aid organisations who have committed to improve the effectiveness and efficiency of the humanitarian action, in order to get more means into the hands of people in need.” “The Grand Bargain’s Risk-sharing Platform developed the Risk-sharing Framework to address the gap between analysis and delivery, creating a set of foundational principles and guiding questions that organisations may use and adapt to different contexts, working towards risk-sharing outcomes.” (IASC, [A journey towards effective risk-sharing: Risk-sharing Framework Simulation Outcome Report](#), accessed 23 May 2025).

153 CAFOD ([HAA0025](#)) see also ActionAid UK ([HAA0033](#)) para 9.4–9.5

154 Ms Imogen Wall (Founder and Director at IW Response Associates) ([HAA0045](#))

155 [Q22](#)

156 [Q10](#)

(...) it is always the internationals who are evacuated first. Then the nationals are left to mitigate around with the conflict that is happening, and yet it is the same contract that is signed. I feel that sometimes—80% of the time—it is unjust.¹⁵⁷

Jon Novakovic described the risk transfer approach donors are taking that shifts the risk “down the chain” from intermediary INGOs to local NGOs. He told the Committee that from a survey of their membership “60% of the INGO respondents said that they struggled to allocate security resources to their local partners due to the donor restrictions, the terms and conditions in the paperwork.”¹⁵⁸ Structures designed to coordinate humanitarian action, such as the UN cluster system, fail in supporting the security concerns of local NGOs.¹⁵⁹

91. Drawing on the experiences of Ukrainian NGOs, Andra-Lucia Matinescu (Senior Research Fellow at the Foreign Policy Centre) highlighted bureaucratic challenges imposed on organisations by their donors—challenges made all the more acute when power and communications infrastructure are being targeted by belligerents.¹⁶⁰ Action Aid’s evidence reinforced this complaint stating that 65% of its partner organisations found donors’ “processes too bureaucratic and are not fit for purpose for humanitarian response and the quick delivery needed to effectively deliver humanitarian support.”¹⁶¹
92. We heard some positive isolated examples of effective UK Government responses to these challenges. The work of the South Sudan NGO forum, an initiative supported by the UK in the past,¹⁶² helps to pool some of the SRM functions needed by smaller NGOs in South Sudan.¹⁶³ There was also tribute paid to the Conflict, Stability and Security Fund (CSSF, now the Integrated Security Fund) in South Sudan, which was flexible enough to support the operational safety needs of staff.¹⁶⁴ GISF remarked that the “FCDO absorbs no risk or liability for the safety and security of aid workers”, so questions what incentive there is for the support of SRM.¹⁶⁵ The reality in many cases is that these costs have to be met by the core costs of the local NGOs

157 [Q10](#)

158 [Q25](#)

159 [Q10](#) [Anna Samuel]; see also ActionAid UK ([HAA0033](#)) para 5.5 for restrictions on engagement of women’s organisations

160 Andra-Lucia Martinescu ([HAA0034](#))

161 ActionAid UK ([HAA0033](#)) 9.2

162 Development Tracker, [South Sudan NGO Forum \(IATI ID: GB-1-113851\)](#), accessed 19 May 2025

163 [Q14](#) [Anna Samuel]

164 [Q16](#) [Anna Samuel]

165 Global Interagency Security Forum (GISF) ([HAA0006](#)) para 20

concerned. The FCDO highlighted the support it had provided to the HAVEN Consortium in Ukraine and its financing of the International NGO Safety Organisation, which disseminates safety information.¹⁶⁶

93. CONCLUSION

Approaches to negotiating contracts and funding arrangements, where local organisations will be delivering humanitarian aid, are not always fit for purpose. There are inadequate mechanisms to ensure that the security requirements of local organisations are fed through intermediaries to the FCDO. There is evidence of inflexibility in eligible items for funding.

94. RECOMMENDATION

FCDO officials managing contracts where a significant amount of aid will be delivered by local organisations should aim for direct contact with the relevant local delivery organisation during the proposal agreement stage, regardless of who the contract is with. These conversations should seek to establish whether the organisation’s security concerns have been adequately covered. Subsequent conversations during implementation and evaluation phases are also strongly recommended.

Insurance

- 95.** Insurance is an example of where there is significant disparity between international and local staff.¹⁶⁷ Tarini Ross explained that from her research only “12% of frontline workers (surveyed) had any kind of life insurance (or) disability insurance.”¹⁶⁸ Despite these challenges, some local NGOs are able to arrange affordable levels of cover.¹⁶⁹ Even where insurance cover is provided, we heard of the challenges of convincing them of eligibility for their support.¹⁷⁰ Jon Novakovic told the Committee that the UK Government has a role to play in creating an enabling environment through partnerships between the public and private sectors to ensure that an affordable and “appropriate” level of coverage is available, and that this should be available to nationally employed INGO staff as well as local NGOs.¹⁷¹

166 [Q40](#) [Matthew Wyatt]

167 [Q31](#) [Jon Novakovic]

168 [Q21](#)

169 [Q22](#) [Tarini Ross]

170 [Q2](#)

171 [Q32](#)

96. RECOMMENDATION

The FCDO needs to make sure that insurance provided to aid workers by their employers covers legal advice and longer-term medical, including physiological support. The FCDO should work with insurance providers and delivery partners to ensure that appropriate and affordable packages of insurance are provided—including for local staff and volunteers, where possible.

Pooling of services and cost savings

- 97.** The impact of the global ODA reductions of the first quarter of 2025 on the humanitarian sector is difficult to overstate. Finding efficiencies and increasing value for money will be crucial to maximising the aid making its way to affected populations. Tarini Ross gave an example of where a local consortium of 22 organisations in India had pooled resources to provide HR support and share policies and resources—reducing the need for separate budgets for these functions.¹⁷² There were examples, too, of the pooled services provided by the South Sudan NGO Forum.¹⁷³ We heard from security advisors at INGOs that there may be opportunities to pool services such as Hazardous Environment Awareness Training, but that Government support may be needed whilst a critical mass of organisations commit.¹⁷⁴

98. CONCLUSION

The relief and development sector continues to strive for value for money—maximising the essential aid to those who need it whilst keeping its staff safe. We have witnessed the strong collegiate working between security risk management professionals across the sector. However, the FCDO’s current approach to contracts does not go as far as it could to encourage the pooling of services that would allow more cost-effective security risk management.

99. RECOMMENDATION

The security risk management fund we recommend should prioritise grants that catalyse the pooling of activities—ensuring the best value for money and maximum reach. For example, this could include funding for pooled Hazardous Environment Awareness Training, in-country NGO forums, shared access to security advisors, mental health first aid training, and so forth.

172 [Q23](#)

173 [Q12](#) [Anna Samuel]

174 See Annex 2

Conclusions and recommendations

Upholding International Humanitarian Law

1. Numbers of aid worker deaths are rising year on year and the situations where access to aid is deliberately impeded are also increasing. This violates the purpose of IHL: to protect civilians in a time of war. We see growing examples of where IHL is ignored or used to justify the restrictions to aid delivery. This has to stop. Furthermore, we have concerns that there is a trend of breaches of IHL being ‘traded off’ by implicated parties who can be seen to justify breaking IHL as a result of the other party or parties doing the same. This apparent ‘race to the bottom’ is extremely worrying and demonstrably contrary to the spirit of IHL which sets high standards to ensure citizens and humanitarian workers are appropriately protected in conflict zones. The short-term impacts of IHL trade-offs by belligerents is having stark and deadly consequences. (Conclusion, Paragraph 7)
2. We agree with the view of the ICRC that IHL is clear and comprehensive. It represents both a body of law that is robust and universal in its coverage, and a spirit by which warring parties must place the protection of civilians at the heart of their operational planning. However, there are serious deficiencies in the enforcement mechanisms and the ability of the international community to hold states and non-state actors accountable for violations of that law and spirit. As noted above, there is also an apparent willingness from non-state armed groups and UN Member States to ‘trade off’ the IHL breaches of others to justify further military action. This presents a threat to their very existence. These attitudes need exposing and publicly condemning by world leaders to prevent established and tested legal frameworks from being irrevocably damaged. (Conclusion, Paragraph 9)
3. We recommend that the UK Government takes the lead in efforts to reach a consensus on the use of autonomous weapon systems and artificial intelligence on the battlefield and the creation of an international instrument on their use. (Recommendation, Paragraph 10)

4. There is encouraging collaboration by a select few UN Member States that are promoting adherence to IHL and, in particular, the protection of aid workers. Yet there is a lack of comprehensive leadership across all aspects of IHL by a single Member State and a willingness to expose and publicly condemn flagrant abuses of IHL. This is challenging when traditional allies or leading world powers may be involved, but inconsistent application of IHL will be to its long-term detriment if IHL-conscious nations don't make the appropriate interventions. The UK is well positioned to lead this endeavour to uphold IHL and the particular obligations in relation to humanitarian access and the protection of aid workers. This is a significant opportunity for the UK in a 0.3% foreign aid budget world, given that sharing expertise costs very little. In fact, it is one of the few areas where aid budget cuts need not have an impact and the UK could maintain and enhance its position as a world leader. (Conclusion, Paragraph 13)
5. The UK armed forces have a strong and proud history of supporting IHL. They have experience of operating within the spirit and letter of IHL in extremely challenging environments, and of complying with accountability mechanisms when there have been allegations against them. At a time of increasing global tensions and rising military spending, the world needs examples to follow. (Conclusion, Paragraph 17)
6. We recommend that the Government prioritises military-to-military training on IHL in line with the increase in defence spending. It should make full use of the range of resources it has at its disposal to support foreign militaries to understand not only their obligations under IHL, but the benefit of adherence to IHL for their own populations in a time of conflict. (Recommendation, Paragraph 18)
7. The FCDO appears to be repeating the same approaches to overcoming access challenges whilst expecting different results. Successful records of traditional forms of public diplomacy in promoting unimpeded access to aid are patchy at best. Polarisation within bodies such as the UN Security Council limit the opportunities to overcome barriers to aid delivery. A radically new approach is needed. (Conclusion, Paragraph 23)
8. We recommend that the UK explores creative forms of diplomacy with likeminded states that can bring maximum pressure and combined diplomatic capability to solving specific access issues. As part of this initiative the diplomatic capacity and influence of the FCDO needs to be evaluated and invested in where needed. (Recommendation, Paragraph 24)
9. The UK is well placed to ensure the voice of local organisations is heard in negotiations over access for humanitarian aid. This input is vital for effective and sustainable aid delivery as well as maximising the safety of

those delivering it. Moreover, the UK is well positioned to make good its commitments to localisation and to realise the benefits that this can bring. (Conclusion, Paragraph 26)

- 10.** We applaud the work of the current and previous Governments in ensuring that the safe delivery of aid is not jeopardised by most of the UK's own legislation. However, lack of clarity around the UK's anti-terrorism legislation has had a chilling effect on those delivering UK aid and risks limiting its delivery where the implementation of sanction exemptions is not clear. (Conclusion, Paragraph 28)
- 11.** We encourage the Government to consider a standing exemption for relevant humanitarian organisations to ensure that they do not risk liability for their legitimate dealings with sanctioned entities. In the meantime, the Office of Financial Sanctions Implementation (OFSI) must provide clearer guidance for the humanitarian sector on the interpretation of sanctions legislation. At the international level, the Government should facilitate consistent good practice with regard to creating humanitarian exemptions to sanctions regimes. (Recommendation, Paragraph 29)
- 12.** During an evidence session, the Minister was unclear about the extent of the application of approved approaches when it came to creative responses to the situation in Gaza. There are various mechanisms available at the international, regional and domestic levels for holding states and non-state actors to account for alleged breaches of IHL—breaches which include the killings of aid workers and unlawful blockades of humanitarian aid and assistance. The UK has an important role to play in supporting, funding and participating in these mechanisms. (Conclusion, Paragraph 32)
- 13.** At the international level, the International Criminal Court provides a forum for holding states and individuals, respectively, accountable for breaches of IHL. (Conclusion, Paragraph 35)
- 14.** At a time when the legitimacy and impartiality of international courts is being questioned by some, the UK must stand firm in support of these important mechanisms for accountability to prevent impunity for serious violations of IHL. (Recommendation, Paragraph 36)
- 15.** We welcome the times that the Government has made a stand on the likely breaches of IHL that have reduced access of populations to aid and/or have failed to protect those delivering aid. We also welcome the more general calls for the protection of aid workers. However, the lack of consistency across conflict types and geographies, arguably depending on the participants is startling, greater care needs to be taken to ensure that the UK's actions and rhetoric around suspected breaches of IHL cannot be construed as being anything other than even handed—protecting allies

at the expense of unconditional support for IHL is unacceptable. Such actions would set a poor example to other states and risk undermining the universality of law designed to protect us all. (Conclusion, Paragraph 38)

- 16.** As part of the UK's leadership role, the Government must be ready to call out actions not only when a blatant breach of IHL has been ruled on by a court, but when the spirit of IHL is being eroded. This condemnation needs to extend to where an overly permissive interpretation of IHL has been taken and must happen in equal measure regardless of the offending party's diplomatic relationship to the UK. Failure to do so undermines a system designed to keep all civilians safe and to impose limits on the horrors of war. (Recommendation, Paragraph 39)
- 17.** The FCDO needs to be led by the law without fear or favour. In July 2024, the International Courts of Justice handed down its advisory opinion on the legality of Israel's policies and practices in the Occupied Palestinian Territories. This advisory opinion sets out various obligations in respect of third states, including the obligation to ensure Israel complies with IHL. It is unacceptable that the Government has failed to issue a formal response nearly a year after the ruling was given. (Conclusion, Paragraph 40)
- 18.** We urge the Government to issue a formal response to the ICJ's opinion concerning Israel's policies and practices in the Occupied Palestinian Territories, setting out how it is complying with the obligations on the UK as a third party. (Recommendation, Paragraph 41)
- 19.** We recommend that the UK works with the other UN Member States represented on the ministerial group for the safety of humanitarian aid workers to call for a Special Session of the UNSC to discuss the problem of disregard of IHL in the delivery of aid. This session should focus on hearing from aid workers themselves, and from local organisations in particular, culminating in a declaration. In addition, the UK should push for the issue of humanitarian access to be included regularly in the annual UN Protection of Civilians Report. Finally, there should be an expectation that the UN Humanitarian Coordinator includes details of obstructions to the safe delivery of aid, including attacks on aid workers, as part of his regular reporting to the Security Council. However, we emphasise that this reporting should not be at the expense of energy and time being devoted to the ending of conflicts. (Recommendation, Paragraph 44)
- 20.** We recommend that the FCDO works with international partners to establish an independent central repository of evidence of breaches of IHL relating to the delivery of aid and attacks on aid workers. For this to be successful, the Government should undertake a consultation exercise with international and local delivery organisations, as well as UN bodies and legal experts. (Recommendation, Paragraph 45)

- 21.** We agree with the Government that it is preferable to prosecute suspected breaches of IHL within the jurisdiction where they occurred, but only where there are sufficient resources and guarantees of fair trials. There is more the UK could be doing to support these legal systems. (Conclusion, Paragraph 47)
- 22.** We recommend that the UK works with other willing members of the Ministerial Group on the Safety of Humanitarian Workers to establish a roster of independent legal experts and expert investigators who can support the criminal investigations of suspected breaches of IHL. (Recommendation, Paragraph 48)
- 23.** The preamble to the Statute of the International Criminal Court recalls “the duty of every State to exercise its criminal jurisdiction over those responsible for international crimes.” At the domestic level, the UK must ensure that it can exercise universal jurisdiction over international crimes such as the killings of aid workers and the unlawful restrictions or prohibitions on humanitarian aid and assistance. (Conclusion, Paragraph 51)
- 24.** We recommend an amendment to the Crime and Policing Bill, to amend the International Criminal Court Act 2001, to provide for universal jurisdiction. This would allow for suspected war criminals to be investigated and prosecuted in the UK irrespective of their nationality, residency status, or location. (Recommendation, Paragraph 52)
- 25.** The UN has also established various investigative mechanisms in response to particular atrocities. Wherever possible, the UK should support, fund and participate in these mechanisms to assist with fact-finding, truth discovery, and the preservation of evidence of breaches of IHL. (Conclusion, Paragraph 55)
- 26.** Specifically, we recommend that the UK makes better use of the good offices of the International Humanitarian Fact Finding Commission as part of its process of establishing whether IHL has been broken in specific cases. It should also be actively recommending these services to others. (Recommendation, Paragraph 56)
- 27.** In addition to legal mechanisms, the Government must use its powers to make sanctions a tool for ensuring respect for IHL. The Sanctions and Anti-Money Laundering Act 2018 provides the Government with the power to make sanctions for the purpose of promoting compliance with IHL. (Conclusion, Paragraph 58)
- 28.** The Government must use its power to sanction individuals in response to clear breaches of IHL, such as unlawful killings of aid workers and restrictions on humanitarian aid and assistance. To do this the Government

must make sure that the Sanctions Team is sufficiently resourced and that the evidence threshold is set appropriately. (Recommendation, Paragraph 59)

- 29.** There is much more the Government could do to ensure that UK manufactured weapon components do not fall into the hands of those who may use them in attacks on aid workers and aid infrastructure. (Conclusion, Paragraph 61)
- 30.** We recommend the Government
 - a.** Provide for interim measures to allow for the temporary freezing of licenses where there are credible allegations of IHL breaches, subject to full investigation and final determination;
 - b.** report findings of independent audits of arms exports to Parliament, including details of any incidents where British manufactured arms were used in suspected breaches of IHL;
 - c.** embed an assessment of impact on humanitarian assistance into the foreign policy interest's criteria for export licences. : (Recommendation, Paragraph 62)
- 31.** There is no legal requirement for companies in the UK to stop exporting arms when they are aware of a clear risk that their weapons could be used in suspected breaches of IHL—instead the legal obligations rest on the Government. It is time for this to be addressed. (Conclusion, Paragraph 63)
- 32.** The Government should legislate to provide for binding due diligence requirements on arms manufacturers. The Government should also make use of existing powers under the International Criminal Court Act (2001) to prosecute directors of arms manufacturers for complicity in war crimes such as those relating to the targeting of aid workers and facilities. (Recommendation, Paragraph 64)

Practical protection for aid workers at risk of IHL abuses

- 33.** We recommend that the Government takes appropriate opportunities to commemorate the sacrifices of the hundreds of aid workers every year who pay the ultimate price in the service of others. This should include representation at the memorial service in Westminster Abbey, speeches coinciding with the UN Secretary General's update on Resolution 2730 (2024), and when updating Parliament on the FCDO's work. (Recommendation, Paragraph 67)

- 34.** It has never been more dangerous to be a humanitarian aid worker. These workers put their lives on the line every day to protect others. Aid workers suffer direct intimidation and attacks in the field, as well as the impact of vicarious trauma through the processing of media. The disregard of aid worker safety by combatant parties is contrary to the spirit and letter of international humanitarian law. (Conclusion, Paragraph 69)
- 35.** The safety of aid workers and aid delivery is further hampered by the spread of malicious disinformation online and in other forms of media. (Conclusion, Paragraph 71)
- 36.** We recommend that the Government work closely with those delivering UK Official Development Assistance to identify appropriate responses to disinformation aimed at neutral implementing partners. This should include ensuring organisations such as the BBC World Service are adequately funded to fulfil their roles. (Recommendation, Paragraph 72)
- 37.** While it is important that the UK's aid, trade, defence and diplomacy objectives are coherent, there is a risk that overly-politicised humanitarian responses can make the safe delivery of UK-funded support difficult. (Conclusion, Paragraph 73)
- 38.** It is vital that, where aid workers delivering UK Official Development Assistance are casualties, the Government is able to ascertain whether the employer was diligent in its duty of care responsibilities. (Conclusion, Paragraph 75)
- 39.** Where incidents relate to employees of UK-registered NGOs, it is essential that the Charity Commission is adequately resourced, and has the necessary powers, to investigate whether relevant organisations were diligent in their statutory obligations regarding their employees. (Recommendation, Paragraph 76)
- 40.** Constrained budgets and competition for funding may incentivise the over-promising of delivery by international NGOs at the risk of underfunding security risk management. This runs the risk of subjecting aid workers to unnecessary pressures, and of their welfare being overlooked. It is important that the mental health of these individuals and teams is compassionately and intentionally engaged with by their employers, with adequate funds being made available to provide support. (Conclusion, Paragraph 79)
- 41.** Psychological support and wellbeing strategies need to be appropriate to the context and culture of the aid workers in question. Sufficient flexibility in funding must be built in to ensure that local organisations are supported in designing and implementing their own recovery strategies for their volunteers and employees. (Recommendation, Paragraph 80)

42. Beyond funding, the FCDO should explore how it might make its in-house security and mental health expertise, particularly at diplomatic mission level, accessible to local NGOs as requested as appropriate. (Recommendation, Paragraph 81)
43. Whilst it is always the perpetrator who is responsible for the harm caused to victims, there is more that donors and employers could do to mitigate the risks. Indeed, it is the moral responsibility of donors to do all they can to remove or mitigate the risks to aid workers. (Conclusion, Paragraph 85)
44. We recognise the impact that reducing Official Development Assistance from 0.5%-0.3% of gross national income will have on availability of funding for humanitarian relief. However, any defunding of costs associated with the security of aid workers would be a false economy. Proposals with higher security costs should not be prejudiced against. Rather, proposals with lower costs should prompt more questions. (Conclusion, Paragraph 86)
45. We recommend security risk management costs are decoupled from other programme costs. There should be a designated security risk management fund that organisations delivering UK Official Development Assistance can apply to in order to support their broader security requirements. These grants should be flexible to allow for the appropriate measures to be funded in any given situation. The application process should be accessible to local organisations delivering UK ODA, and they should be encouraged to apply directly with support being provided through UK Embassies wherever possible. International NGOs and consultants applying for work with local organisations must be able to demonstrate both the relevance of their grant to their local partners and the value for money of their being an intermediary. (Recommendation, Paragraph 87)
46. Where programme-specific security risk management costs are still built into programme budgets, these should be a distinct budget line rather than being part of administration costs. (Recommendation, Paragraph 88)
47. Approaches to negotiating contracts and funding arrangements, where local organisations will be delivering humanitarian aid, are not always fit for purpose. There are inadequate mechanisms to ensure that the security requirements of local organisations are fed through intermediaries to the FCDO. There is evidence of inflexibility in eligible items for funding. (Conclusion, Paragraph 93)
48. FCDO officials managing contracts where a significant amount of aid will be delivered by local organisations should aim for direct contact with the relevant local delivery organisation during the proposal agreement stage, regardless of who the contract is with. These conversations should seek to establish whether the organisation's security concerns have been

adequately covered. Subsequent conversations during implementation and evaluation phases are also strongly recommended. (Recommendation, Paragraph 94)

49. The FCDO needs to make sure that insurance provided to aid workers by their employers covers legal advice and longer-term medical, including physiological support. The FCDO should work with insurance providers and delivery partners to ensure that appropriate and affordable packages of insurance are provided—including for local staff and volunteers, where possible. (Recommendation, Paragraph 96)
50. The relief and development sector continues to strive for value for money—maximising the essential aid to those who need it whilst keeping its staff safe. We have witnessed the strong collegiate working between security risk management professionals across the sector. However, the FCDO’s current approach to contracts does not go as far as it could to encourage the pooling of services that would allow more cost-effective security risk management. (Conclusion, Paragraph 98)
51. The security risk management fund we recommend should prioritise grants that catalyse the pooling of activities—ensuring the best value for money and maximum reach. For example, this could include funding for pooled Hazardous Environment Awareness Training, in-country NGO forums, shared access to security advisors, mental health first aid training, and so forth. (Recommendation, Paragraph 99)

Annex 1: Draft amendments to the Crime and Policing Bill

New Clause

Universal jurisdiction over the crimes of genocide, crimes against humanity and war crimes, and ancillary conduct (England and Wales)

1. The International Criminal Court Act 2001 is amended as follows.
2. In section 51(1)–
 - a. After “person”, insert “, whatever his or her nationality,”
 - b. After “war crime”, insert “in the United Kingdom or elsewhere.”
3. Omit section 51(2).
4. In section 52(1)–
 - a. After “person”, insert “, whatever his or her nationality,”
 - b. After “conduct”, insert “in the United Kingdom or elsewhere.”
5. Omit section 52(4).

Explanatory note: This new clause would amend the ICC Act 2001 to provide for the exercise of universal jurisdiction over the crimes of genocide, crimes against humanity and war crimes, and ancillary conduct. This would allow for the authorities in England and Wales to prosecute persons suspected of these crimes without any requirement for a connection to the UK, consistent with the jurisdiction over the crimes of torture and grave breaches of the Geneva Conventions.

New Clause

Universal jurisdiction over the crimes of genocide, crimes against humanity and war crimes, and ancillary conduct (Northern Ireland)

6. The International Criminal Court Act 2001 is amended as follows.
7. In section 58(1)–

- a. After “person”, insert “, whatever his or her nationality,”
 - b. After “war crime”, insert “in the United Kingdom or elsewhere.”
- 8. Omit section 58(2).
- 9. In section 59(1)-
 - a. After “person”, insert “, whatever his or her nationality,”
 - b. After “conduct”, insert “in the United Kingdom or elsewhere.”
- 10. Omit section 59(4).

Explanatory note: This new clause would amend the ICC Act 2001 to provide for the exercise of universal jurisdiction over the crimes of genocide, crimes against humanity and war crimes, and ancillary conduct. This would allow for the authorities in Northern Ireland to prosecute persons suspected of these crimes without any requirement for a connection to the UK, consistent with the jurisdiction over the crimes of torture and grave breaches of the Geneva Conventions.

Annex 2: Engagement event with aid workers

Attendees:

- Sarah Champion MP (Chair)
- Sam Rushworth MP
- Tracy Gilbert MP
- Brian Matthew MP
- Monica Harding MP

Note:

- A participant working with relief delivery in Sudan shared that there was hope shining in the middle of darkness as war broke out in Sudan.
- Civil society is providing protection activities and has a number of international partners. There are lots of risks in Kartoum and the participant was threatened with a gun to the head by RSF. They were evacuating a lady who was raped by a policeman and died of the bleeding. The participants name appeared on the list of most wanted and had to leave the country.
- The participant is currently dealing with three evacuations, each costing \$240,000 but international funding cuts mean they are not able to evacuate. Money is needed to safeguard traditional community protection mechanisms on the ground.
- There is a need to hold warring parties to account. Belligerents in Sudan have been using civilians as human shields. The day before the meeting the participant's organisation lost three volunteers. In some areas of the country the organisation is facing investigations and is not able to operate properly.

- The International Non-Governmental Organisations (INGOs) have good intentions but may harm civil society initiatives as they have strict principles and rules. However, the participant notes that when INGOs make direct contact it undermines the system.

On the handling of Security Risk Management (SRM) by INGOs:

- A security manager for a large INGO responded that there will always be risks to delivering aid. It is about how we mitigate them. The calculations are informed by our donors and what will be funded. Most people involved in this decision making are male, moving forward the participant felt there needed to be more diversity round the table. The participant's organisation is now insisting on bringing a diverse range of stakeholders round the table to identify the risks and mitigation measures. This has been enabled by funding but this is drying up, which is challenge
- A security manager from a medium sized INGO shared that their role was as an enabling force not a restrictive one. They expressed the view that risk assessment should be ring fenced separately when it comes to funding. The application process becomes about "bang for buck" and is competitive on that basis. Organisations shouldn't have to bid for security.
- Another security manager from a large INGO added that there has to be a line that cannot be crossed. An organisation shouldn't be doing the job if they cannot do it properly. That is why ringfencing is so important. The donor system, they felt, is currently broken. The first thing that gets taken out of budget are the security risk management costs. NGOs are getting more and more squeezed. It is getting more and more difficult to do more and more on less and less.
- Another commented on the amount of time they spend on statutory costs. They have had to fight back in negotiations, saying 'we're not for profit and we're not for loss'
- Another security manager from an INGO added that more could be done to collect data to help donors justify the money. "If one organisation is working like cowboys it impacts everyone. Threat actors don't differentiate in a convoy."

Focus on local/national NGOs:

- A medical worker in Bangladesh shared about the situation in the Rohingya camps in Bangladesh. The population density in the camps is very high and the average household size is around 5-6 in a two-metre sized shelter. These are very hard conditions. The participant had concerns for her safety during night shifts as there is a lot of conflict

in the camps. Health staff, she reported, are working 24–7 but fear the loss of security. Some humanitarian staff have been abducted and raped but to date no actual attacks on health staff. She reported that there are no ODA funds for security for local implementers only the UN. Her organisation is the largest responder but only have two security personnel for 3,500 staff. They are working in a constant climate of fear. It was initially difficult to recruit staff but thanks to higher salaries there are 10,000 staff now working in the camps.

- A local NGO leader from Somalia describe the situation in that country. Conflict is going on in various places and the situation is very fragmented and unpredictable. There are lots of security incidents in Somalia. Aid workers face a lot of challenges every day as they work in high-risk areas where they face regular threats from armed groups. Issues of funding, as well as access to vulnerable populations and security. Field staff face kidnappings, targeted attacks and restrictions on movements. He reported that they have been in that situation for over a decade so are used to working in this environment without support. There is an urgent need for the international community to prioritize direct, flexible funding to local NGOs, coupled with sustained investment in their security, wellbeing, and capacity strengthening.

On how INGO's handle SRM, participants made the following points:

- There is a lot of collaboration on security between NGOs.
- Standards for INGOs are variable on how seriously they take security. Security is not seen as part of safeguarding. Safeguarding about abuses of power, sexual incidents etc. There can be an overlap with security. Security risk management is about keeping people safe. Safeguarding about safety from our staff to beneficiaries and externally. Security is about the safety of our staff. They shouldn't be siloed. There needs to be accountability for not doing things the right way, they're being squeezed more and more.
- There was a call to think outside the box. Security and safeguarding pot of money NGOs can bid for.
- The point was made that there are economies of scale with security. Organisations don't necessarily need to scale up as programme scales up proportionately. Investment in SRM could "get a lot of bang for buck".

On accountability and negotiation for access:

- One participant from and INGO shared that the reality is that IHL is "toothless in the frontline context" where they had worked for the last 15 years. It didn't make a difference whether it was a non-state armed

group (NSAG) or a government. There is no accountability. When INGOs try to negotiate with NSAG and governments they “laugh in your face” because they know there is no accountability. As an example, their organisation had evidence of more than 70 miners who had been sexual assaulted. They raised at international levels and there was no accountability. They noted that this attitude has always been there on some level but there has been a shift more recently that they know they can get away with it. Gaza is an example, Sudan, Somalia, Bangladesh.

- Another participant shared that “the bad guys are getting away with it and it is getting worse”. Their organisation is experiencing increased pressure from authoritarian governments, leading to country office closures in some cases. In addition, they gave an example of a local colleague whose family member was arbitrarily detained, tortured and killed by state forces. The family have tried to get restitution via the ICC but have found this to be overly bureaucratic and likely a multi-decade effort. They subsequently progressed their case in a US criminal court, with a judge in Florida awarding substantial damages to each claimant. More importantly they feel they now have a sense of justice and accountability in an appropriate time period.
- UK rhetoric depends on UK influence in country. Non-State Armed Groups are less influenceable. Non-state actors don’t care. An example was given of the Eastern Democratic Republic of Congo where 2–3 soldiers have been convicted out of 100s. Judicial system doesn’t work for people, there is no faith.
- A participant from a local NGO share that if funding is localised this can help accountability.

On insurance and legality:

- Ultimately, legally, the NGO is legally responsible. Morally, there could be a legal argument for donors to be held responsible if they’re making stipulations to companies on risk. One of the biggest concerns is if they were up in arms about a foreign policy decision it would be a huge risk for the organisation.
- There is a soft power element of aid–impartiality used to be key but there is now a concern that organisations delivering UK ODA might become seen as an arm of a nation’s foreign policy and that would be an unworkable situation. This is a red line.
- There should be no differentiation between local and international staff when it comes to insurance. However, insurance costs are becoming untenable. One organisation reported having to self-insure

and won't be able to do that much longer. They are currently looking at £1,000 day and this will be the biggest barrier to continuing the provision on humanitarian aid.

- Another manager made the point one can have an insurance policy costing £400K and then still be hit with additional charges that can run to the tens of thousands of pounds extra. Ukraine and Israel/OPT are two recent examples of that practice. It is these unbudgeted extra costs that are untenable for most, and that we have been seeing more of in recent years. It has been possible to achieve this through an established relationship over the year with providers.
- Pool schemes may be a way of reducing some of these costs but will need government backing until there is a critical mass of organisations bought in.
- One participant shared that insurance in Ukraine and Israel/OPTs became profiteering. Insurance had to be supplemented by core costs a lot of the time.
- A participant from and INGO highlighted the binary insurance options between national and international staff. The local staff run greatest risk but when there is an evacuation the INGO has to leave them behind. The participant has never seen an insurance policy for nationals that provided the cover required.
- There is an opportunity for capacity building for local organisations in this area but it is not funded.
- The participant from Bangladesh shared that all staff are local staff and have health insurance. Regardless of the insurance, in the camps there are not sufficient hygiene and sanitation facilities, particularly during menstruation and pregnancy.

Formal minutes

Tuesday 10 June 2025

Members present:

Sarah Champion, in the Chair

Tracy Gilbert

Monica Harding

Noah Law

Alice Macdonald

Brian Mathew

Rt Hon David Mundell

James Naish

Sam Rushworth

David Taylor

Report consideration

Draft Report (*Protection not permission: The UK's role in upholding international humanitarian law and supporting the safe delivery of humanitarian aid*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 99 read and agreed to.

Summary agreed to.

Annexes agreed to.

Resolved, That the Report be the Fifth Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available (Standing Order No. 134).

Adjournment

[Adjourned till Tuesday 17 June at 1.30 p.m.]

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee’s website.

Tuesday 11 March 2025

Anna Tazita Samuel, Executive Director, Women for Change; **Steve Dennis**, Founder, Proper Support [Q1-19](#)

Tarini Ross, Head of Humanitarian Programmes, Humanitarian Aid International; **Jon Novakovic**, Executive Director, Global Interagency Security Forum (GISF); **Imogen Wall**, Founder, IW Response Associates [Q20-37](#)

Tuesday 13 May 2025

The Baroness Chapman of Darlington, Minister of State for International Development, Latin America and the Caribbean, Foreign, Commonwealth & Development Office; **Hazel Cameron**, Head of Human Rights Department, Foreign, Commonwealth & Development Office; **Matthew Wyatt**, Director for Humanitarian, Food Security and Resilience Directorate, Foreign, Commonwealth & Development Office [Q38-61](#)

Published written evidence

The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

HAA numbers are generated by the evidence processing system and so may not be complete.

1	ActionAid UK	HAA0033
2	Anonymised	HAA0018
3	CAFOD	HAA0025
4	Cismas, Ioana Professor (Professor, York Law School , University of York); and Fortin, Dr Katharine (Associate Professor, Netherlands Institute of Human Rights, Utrecht University) <i>et al</i>	HAA0036
5	Conciliation Resources; and Bond	HAA0041
6	Fast, Professor Larissa (Professor of Humanitarian and Conflict Studies, University of Manchester); Rinaldi, Dr Stephanie (Research Programmes Manager, University of Manchester); Professor Bertrand Taithe (Professor of Cultural History, University of Manchester); Rubenstien, Professor Leonard (Professor of the Practice, John Hopkins Bloomberg School of Public Health); Blanchet, Professor Karl (Professor in Humanitarian Public Health , Université de Genève); Wille, Christina (Director, Insecurity Insight); and Haar, Dr Rohini (Assistant Adjunct Professor, Epidemiology, University of California, Berkeley)	HAA0007
7	Foreign Policy Centre	HAA0040
8	Foreign, Commonwealth & Development Office	HAA0048
9	Foreign, Commonwealth & Development Office (FCDO)	HAA0015
10	Gilbert, Professor GS (Sérgio Vieira de Mello Professor of International Human Rights & Humanitarian Law, University of Essex School of Law & Human Rights Centre)	HAA0003
11	Gisha – Legal Center for Freedom of Movement	HAA0005
12	Global Interagency Security Forum (GISF); and GISF Membership of 130+ NGOs	HAA0006

13	Gordon, Professor Neve (Professor of human rights and international humanitarian law, School of Law, Queen Mary University of London); and Advocate Haddad, Muna (PhD Candidate, School of Law, Queen Mary University of London)	HAA0039
14	Hamilton, Dr Tomas (Barrister, G37 Chambers, London)	HAA0047
15	Insecurity Insight	HAA0016
16	Institute of Development Studies	HAA0011
17	International Centre of Justice for Palestinians	HAA0044
18	International Committee of the Red Cross (UK and Ireland delegation)	HAA0037
19	International Rescue Committee UK	HAA0028
20	Legal Action Worldwide	HAA0042
21	MAG (Mines Advisory Group)	HAA0023
22	Martinescu, Andra-Lucia	HAA0034
23	Medical Aid for Palestinians	HAA0043
24	Medical Aid for Palestinians (MAP)	HAA0024
25	Ellis KBE, KC, Rt. Hon. Sir Michael	HAA0020
26	Médecins Sans Frontières/Doctors Without Borders (MSF)	HAA0009
27	Proper Support	HAA0046
28	Save the Children UK	HAA0012
29	Scobbie, Professor Iain (Professor of Public International Law, Manchester International Law Centre, The University of Manchester)	HAA0030
30	Specht, Dr Doug (Reader in Cultural Geography and Communication, University of Westminster)	HAA0001
31	Sproson, Jack; and van Benthem, Tsvetelina	HAA0038
32	Suedi, Dr Yusra (Lecturer in International Law, Manchester International Law Centre, The University of Manchester)	HAA0031
33	United Against Malnutrition and Hunger	HAA0013
34	United Nations World Food Programme	HAA0029
35	Wall, Ms Imogen (Founder and Director , IW Response Associates)	HAA0045

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website.

Session 2024–25

Number	Title	Reference
4th	The 'In Development' process	HC 333
3rd	The Government's efforts to achieve SDG2: Zero Hunger	HC 515
2nd	Israel and the Occupied Palestinian Territory	HC 373
1st	Appointment of the Chief Commissioner of the Independent Commission for Aid Impact	HC 448
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