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## Humanitarian Protection in Violent Urban Settings

Challenges and Dynamics

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**Humanitarian Protection in Violent Urban Settings: Challenges  
and Dynamics.**

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## **Abstract**

Today more than three billion people, half of the world's population, are living in urban areas. The increase of urban violence in some cities has reached even higher intensity levels of violence than armed conflicts. In response, over the past five years, humanitarian organizations are increasingly interested in the humanitarian consequences of urban violence, and are focusing more in violent urban settings in order to provide protection to urban dwellers. While humanitarians are playing a crucial role in providing protection to victims of urban violence, they are also facing challenges to give it. This paper explores those challenges that affect the humanitarian protection activities carried out by humanitarian actors in violent urban settings. Based on evidence from a literature review of primary and secondary sources, complemented by interviews with key experts on urban violence, and looking at the particular case of Mexico, the research reveals that there are assessment, security, legal, coordination, and human resources challenges. Those challenges are caused by the complexity of the urban setting and its dynamics, which are explored in this paper. Moreover, the study proved that humanitarian actors need to adapt protection strategies to the realities of urban violence. Since understanding these protection challenges should enable humanitarians to take operational measures and adapt approaches accordingly, the present paper concludes with some recommendations which would help them face the challenges identified in the research. Future studies should go deeper into legal and ethical aspects of the challenges identified and, in particular, into how to overcome the protection challenges identified and bring operational solutions. This would be necessary so as to continue improving the protection response, and alleviating suffering of victims of urban violence.

**Key words:** Humanitarian protection, protection in urban settings, urban violence, protection challenges, humanitarian action and protection, characteristics of violent urban settings, dynamics of protection in urban settings, criminal violence in Mexico.

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## Acronyms

ANALP	The Active Learning Network for Accountability and Performance in Humanitarian Action
ECHO	European Commission Humanitarian Aid and Civil Protection
IAC	International Armed Conflict
IASC	Inter-Agency Standing Committee
ICRC	International Committee of the Red Cross
IDRC	International Development Research Center
ICTY	International Criminal Tribunal for the former Yugoslavia
IDPs	Internally Displaced People
IFPRI	The International Food Policy Research Institute
IHL	International Humanitarian Law
IHRL	International Human Rights Law
MSF	Médecins Sans Frontières
NIAC	Non International Armed Conflict
ONODC	United Nations Office on Drugs and Crime
OCHA	Office for the Coordination of Humanitarian Affairs
OXFAM	Oxford Committee for Famine Relief
OHCHR	Office of the High Commissioner for Human Rights
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
WHO	World Health Organization

## 1. Introduction

*“... Increasingly, cities will be the main site of humanitarian response to the needs of the population”<sup>1</sup>*

António Guterres,  
Former United Nations High Commissioner for Refugees

Over the past decade, there has been a greater interest in urban violence from humanitarian actors. This interest is reflected in the increased presence of humanitarian actors in violent urban settings and the high level of protection and assistance provided to the victims of urban violence (Reid and Sending, 2014, Harroff 2010: 329-350). Contemporary urban violence is therefore a relatively new operational field for humanitarian actors. According to Reid and Sending in “The Humanitarianization of Urban Violence” (2014: 1-5), humanitarian actors are progressively focusing more on the urban environment in their operations to provide assistance and protection. They are becoming crucial actors in this field.

There are at least two reasons why humanitarians have turned to violent urban settings: Firstly, the urbanization of the world and in particular, the urbanization of conflicts in the developing world (Beall et al, 2013: 1-6; Reid and Sending, 2014:3-6). Secondly, in some cases the humanitarian consequences of urban violence are similar or even higher than the ones faced in a traditional armed conflict setting (Reid and Sending, 2014: 1-5), see also Ferris, 2011a:246-255). Reid and Sending state that the role of humanitarian actors in violent urban settings is particularly interesting. They came to this area late and with a “distinctive and self-conscious approach” (Reid and Sending, 2014:2).

However, similarities and differences between traditional armed conflicts or emergency operational needs and urban setting needs manifest the current challenges that humanitarian actors face (Reid and Sending, 2014: 2-4). If there is a need for adapting strategies and activities to protect people affected by new forms of urban violence, there is an important question to address: How do these strategies need to adapt to be effective?

In order to adapt, humanitarian actors are trying first to understand the urban setting and how this highly complex multiple featured environment (asymmetric levels of development, stressful population movements, density, diversity, large scale urbanizations, among others) has an impact on the vulnerability of its population (ICRC, 2015: 13-18; ICRC, 2016: 2) . Urbanization is one of the main stressors that has a clear nexus with violence. Since 2007,

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1 Opening Remarks by Mr. António Guterres, United Nations High Commissioner for Refugees, at the High Commissioner’s Dialogue on Protection Challenges for Persons of Concern in Urban Settings, 9 December 2009, Palais des nations Geneva available at <http://www.unhcr.org/4b26060c9.html>.

half the world's population, about three billion people, have been living in cities (Ferris, 2011a:251). This figure is increasing rapidly (Muggah, 2012: 1-2; Cohen, 2006:63-64; ICRC 2010:309) and with this increase links with the appearance of multiples forms of violence in cities (Harroff, 2010:332-334). These cities are characterized by having a high concentration of poverty, destitution and violence (Duijsens, 2010: 351-361). Therefore, mass urbanization is accompanied by the growth of vulnerabilities for urban dwellers, prompting humanitarian needs especially related to insecurity and high levels of violence (Ferris 2011a: 246-255).

Migration is another stressor entirely interrelated to urban violence; how migrants are assimilated, integrated, or isolated in violent urban settings is key to easing or triggering the violence (Bhavnani et al, 2014: 226-230). According to Ferris (2011a: 251-255), urban environments are in constant flux due to large-scale migration from rural to urban settings. This movement exacerbates susceptibilities to crisis. Therefore, migrants are highly vulnerable to the violence in urban settings. This vulnerability is further exacerbated when the services, institutions, and networks of the urban setting are disrupted. Migrants can also fuel violence in the urban setting by putting pressure on the host urban society, stretching the scarce existing resources, for example (Ferris 2011a: 253-254).

In many cities, the humanitarian consequences of urban warfare are equivalent or even higher than a traditional non international armed conflict. For instance, in 2014, 95.640 people were killed in Mexico, Brazil, Venezuela and El Salvador due to other situations of violence (other than traditional armed conflict) such as urban warfare (United Nations Office on Drugs and Crime, 2014). Elizabeth Ferris states that it is becoming more difficult to differentiate between urban violence and a traditional armed conflict as the lines between them are becoming blurred (Ferris, 2011a: 253). In response, humanitarian actors are learning how to address the needs of urban populations and the humanitarian consequences of the contemporary realities of violent urban settings (Reid and Sending, 2014: 2-7).

There are similarities and differences in the methods and modalities that guide humanitarian actors in urban areas (Reid and Sending, 2014:1-2). The differences relate to the lack of a standard method or humanitarian framework/doctrine guiding humanitarian activities in urban areas; in the violent urban setting, the approach, justification, and response differ from one humanitarian organization to another (Reid and Sending, 2014: 1-3). For instance, in Mexico Médecins Sans Frontières (MSF) is working on mitigating the consequences of urban violence by providing basic healthcare to migrants, while the United Nation High Commissioner for Refugees (UNHCR) is focusing on advocacy and long term solutions to reduce violence and enhance integration. There are also some similarities in the humanitarian

approach which are mainly linked to the construction and improvement of community resilience (Reid and Sending, 2014: 1-4). However, humanitarian organizations are still trying to consolidate a common response to the consequences of urban violence.

In short, there is a need to understand the nature of urban violence and the role humanitarian actors play in this setting (Sharp et al, 2016: 2-13), in order to adapt humanitarian strategies in violent urban setting (Grünewald et al, 2011: 20-50). There is also a need to fill the gap in academic literature with respect to the role humanitarian organizations play in providing protection to the victims of urban violence. This research will provide an understanding of the protection challenges that have emerged from contemporary urban violence. It will do so in order to generate a deeper understanding that could lead to adapting operational measures to implementing humanitarian programs and activities in violent urban settings.

Consequently, this study attempts to respond to the following question: What are the challenges caused by the dynamics of a violent urban setting that affect the humanitarian protection activities carried out by humanitarian actors?

To address this question, the study will look at in particular the situation in Mexico because of its high rate of urban violence. Violence in Mexico is characterized by drug gangs “challenging the power of the State by controlling some areas of the country but not necessarily taking over the State” (Albuja, 2014:114-121; see also Calderon et al, 2015: 1-7). Between 2006 and 2011, between 50,000 and 70,000 people were killed in urban/drug wars in Mexico (Albuja, 2014: 114). With two decades of intense violence, homicide rates dramatically increased from 237 in 2000 to 2,600 in 2009 (rates measured annually) (Albuja, 2014). These figures ranked Ciudad Juarez as the most violent city in the country (Calderon et al, 2015), and as epicentre of urban violence (Albuja, 2014:114-121). Although the homicides rates have been decreasing since 2012, there are many other humanitarian consequences, such as displacement and the abduction of migrants (20,000 annually), which are still ongoing and not well documented (Albuja, 2014:119). Albuja (2014) states that when we consider the extensive suffering of Mexicans, the country qualifies as undergoing a humanitarian crisis. The level of violence and its respective humanitarian consequences (considering the number of murders and other events related to urban warfare) could be higher than in a traditional non-international armed conflict. For some scholars, Mexico could meet the violence intensity threshold and other criteria to classify it as a non-international armed conflict (Roger, 2010:316). This is still a matter of debate and will be discussed in the section on legal challenges (Chapter 2).

Considering the aforementioned points, the main hypothesis of this research is that urban violence is challenging the protection work and its implementation strategies. As a result, humanitarian actors need to adapt protection strategies to the realities of contemporary conflicts. The research links urbanization and migration with urban violence, having the hypothesis that mass urbanization in violent urban settings is driving the need for new forms of protection action, and that migration to violent urban settings is challenging protection approaches carried out by humanitarian actors.

In this study humanitarian action will take into account the concept adopted by the Good Humanitarian Donorship meeting, in which the humanitarian action is described as a manner to *“save lives, alleviate suffering and maintain human dignity during and in the aftermath of man-made crises and natural disasters, as well as to prevent and strengthen preparedness for the occurrence of such situations”*, because this definition sees protection of persons as part of humanitarian action (Graves & Wheeler, 2006; Good Humanitarian Donorship Initiative, 2003:3). For Hugo Slim (2015) *“humanitarian action is a compassionate response to extreme and particular forms of suffering arising from organized human violence and natural disasters”* (Slim, 2015:1).

Humanitarian action must be driven by the humanitarian principles of humanity, referring to the supremacy of saving human lives and alleviating suffering wherever it is found; impartiality, in the sense that the humanitarian action makes no discrimination or negative distinction among human beings in need of protection or assistance; neutrality, connoting that the action should be conducted without taking part in hostilities or disputes; and, independence, *“indicating that the goals of humanitarian action are independent and autonomous “from the political, economic, military or other objectives that any actor may hold with regard to areas where humanitarian action is being implemented”* (Graves & Wheeler, 2006; Good Humanitarian Donorship Initiative, 2003:3). Additionally, Hugo Slim (2015) shows a modern construction of the humanitarian principles. Those principles influence the contemporary implementation of humanitarian action, and are relevant for the new humanitarian protection work in urban settings. For example, the dignity principles (respect, participation and empowerment) highlight *“the importance of respect for people’s dignity and their rights to participate in the process of delivering humanitarian action”* (Slim, 2015: 75).

This research will explore the complex dynamics of humanitarian action in urban settings focusing on how urban violence is defying humanitarian actors working and implementing protection activities. Specifically, how the development of urban violence has challenged

humanitarian actors and their protection operations deployed in violent cities, leading to a need to revise the current protection approach (Brown et al, 2015: 27-42; Ferris 2011b). The research will take into account a series of operational implications faced by protection operatives working in violent cities. Studying violent urban settings specifically related to the challenges faced by humanitarian actors when implementing humanitarian protection work, could enable the humanitarian community to take operational measures. These measures could help to adapt the protection response in order to cope with the humanitarian consequences of contemporary violence in urban settings (See Ferris 2011a:246-269).

The methodology of this study will be both qualitative and exploratory. It will focus on protection activities carried out in Mexico as an example of the new forms of urban warfare. The study will be developed by document analysis that is conducted by a literature review of primary and secondary sources, and complemented with interviews with urban violence experts working at the United Nations High Commissioner for Refugees (UNHCR), Médecins Sans Frontières (MSF), and the International Committee of the Red Cross (ICRC).

The primary sources of information will be semi-structured interviews with urban violence experts, such as Marc Bosch, Program Manager for Latin America, Colombia, Venezuela, Bolivia at MSF; Caroline Putman -Cramer, Head of Sector for the Americas, and Focal point on Youth & Urban Violence at Central Tracing Agency and Protection Division of the ICRC; and, a Protection Officer working at the UNHCR in Mexico. Given the lack of literature on protection in urban settings, it is important to get specific information about experiences of humanitarian actors in cities and their protection challenges. The secondary sources of information will be academic literature on new forms of urban warfare, humanitarian protection, and humanitarian action. Given the nature of the ICRC, MSF, and UNCHR as potential providers of protection to victims of urban violence, this research will explore reports from the mentioned organisations.

There are limitations to the research and although there is a vast array of literature concerning urban violence, there is limited academic literature on humanitarian protection in urban violence settings. The other limitation to the research is that it is conducted from Geneva and not from the field. Therefore, the study is based on a literature review and complemented by interviews in Geneva with organisations working in Mexico. Despite finding enough humanitarian workers to be interviewed, getting candidates who were available to be interviewed was often difficult. Moreover, the restricted time frame of the present research limited the development of some issues discussed in this study.

The dissertation will be divided into four sections.

The **first** section is the literature review, which explores three main subjects:

- a) The urban setting: this section develops the concept of the urban setting and its features, such as complexity, urbanization and migration; it highlights the relationship between the urban setting and violence.
- b) Violence: the definitions of violence and urban violence are examined; and the relationship with violence and humanitarian protection is explored; and
- c) Humanitarian protection of victims of urban violence is studied; in particular, the definition and characteristics of humanitarian protection, and the legal frameworks that protect victims of urban violence are explored.

The **second** section, based on evidence from a literature review and data from key interviewees, highlights the dynamics of protection in violent urban settings, and identifies challenges for the protection activities of humanitarian actors working in violent urban settings such as assessment, security, coordination, legal and human resources challenges. This section also refers to Mexico as an example of a context in which protection activities are carried out in cities.

The **third** section presents the conclusions of the study.

The **fourth** section offers some recommendations based on the findings related to humanitarian protection challenges.

## **2. Literature review**

As the general concepts of urban setting and violence are relevant to get a better understanding of the specific concepts of urban violence and protection in urban settings, the literature review will start exploring the different debates regarding the definition of urban setting, the vulnerabilities and opportunities it represents. Urban setting features such as urbanisation, mobility and migration and their relationship with violence are described. Then, the Literature review will conclude studying the concepts of urban violence and protection, in which their links with urbanisation and urban warfare are shown. Legal aspects of protection and their relationship with urban violence are also studied.

### **2.1 Defining urban setting**

There is no single or common definition for a "urban setting". Each branch of social and political science has a separate epistemology to understand how it works and how it is structured (Frey, 2001:15-18). Neither is there a universally accepted definition of the

concepts of rural and urban. The absence of a standard definition is one of the challenges this research has encountered when defining urban settings. A desegregated approach is in contradiction with the necessary holistic and eclectic feature of cities themselves (Frey, 2001:1-13). Compounding this difficulty, each country has its own definition about what composes and defines a rural and urban setting (Cohen, 2006:63-80). This research will therefore take into account a combination of concepts that have the commonality of seeing an urban area as multifaceted system.

The ICRC defines urban setting as: “the area within which civilians vulnerable to disruptions in essential services reside and the network of components supporting those services” (ICRC, 2015). This organization considers urban areas as complex and dynamic settings, which are characterized by multiple features. The features include asymmetric levels of development and service, stressful population movements, density, diversity, large scale, violence, among others that affect the vulnerability of its population (ICRC 2015: 13-18).

The ICRC (2015) further states that these multiple features lead to vulnerabilities and opportunities. Vulnerabilities include:

- a) The high level of dependence on basic urban services (water, electricity, health, education). These services can be affected during violence or before a crisis;
- b) The increased complexity of the urban setting, which makes essential urban services more vulnerable. For example, high technical expertise is required to run these services, so when disruptions occur, they have a large-scale impact;
- c) The diversity and density of urban settings have strong implications for the protection of the population. Violent acts can easily take place based on ethnic, political, sectarian and economic differences, for example, according to the ICRC “the synergies or tensions that exist between different groups in cities are often reflected in their protection, or abuse, by parties to the conflict, including armed non-State actors” (ICRC, 2015:15). The logistics for assistance provided to some sectors of the population is a challenge as they are spread out in the city (ICRC, 2015:13-18);
- d) The migration from rural and urban areas due to violence and work increases population density and places additional pressures on urban services;
- e) Development disparities within the urban setting. For example, there is sometimes a marked contrast between the wealthier areas with a full range of services and slums and other irregular urbanizations, which often have no access to many governmental services; and

f) Migration as a stressor, whereby the movement of the population to and from cities puts additional pressure on urban services, sometimes creating tension between migrants and host communities (ICRC, 2015).

Urban settings also present opportunities. These opportunities include:

- a) Community Resilience: urban areas are suitable spaces for capacity development, short- and long-term coping mechanisms and social networks that allow victims of violence to better overcome problems;
- b) Global networks: cities are globally connected and could receive more attention and resources to solve problems linked to violence; and
- c) Partnerships: urban settings give humanitarian actors far more opportunities to form partnerships (ICRC, 2015).

The Active Learning Network for Accountability and Performance in Humanitarian Action (ALNAP), The International Food Policy Research Institute (IFPRI), and the World Bank recognize that, despite the clear differences between urban and rural settings, the distinctions between them are in fact becoming blurred. These organisations also view urban settings as contexts with diversity, density, and dynamics. Some scholars argue that “in general, the larger the population centre, the more diverse, dense and dynamic it will be” (Ramalingam & Clarke, 2012; Garret, 2005). However, there is not a density threshold or level of diversity in order to define an urban area and no clear line divides an urban area from a rural setting. ALNAP states that there is continuum from the very rural (small village) to the very urban (mega cities), in which there is an interdependence that goes beyond the traditional urban/rural binary definition/distinction. There is a more complex representation of the elements encapsulating the concept of urban, which includes secondary cities, metropolis, and towns, among others (Ramalingam & Clarke, 2012; Garret, 2005).

Understanding the complexity of urban settings is therefore important for humanitarian organizations to understand the nuances of where they aim to work. The dynamics and elements of urban settings vary from one context to another and the analysis of them should not be limited to the formal borders of any given urban setting (Ramalingam & Clarke, 2012).

### **2.1.1 Urbanization**

One of the biggest challenges of urban settings today is the urbanization process, as this puts pressure on urban institutions. Urbanization, considered in this study as “the proportion of the total population living in areas classed as urban” (Tacoli, 2012: 4), provides more

opportunities for urban dwellers; but, at the same time, it exacerbates poverty and environmental dilapidation (Muggah, 2012).

The first urban settings arose around 5,500 years ago and from then on up until the first part of the 19<sup>th</sup> century the percentage of the world's people living in urban settings remained low at only 2.2 per cent. This world at this time was characterized by agrarian societies; but the industrial revolution provided the necessary environment to boost the transition from rural to urban settings (Frey et al, 2001:14-35). However, this transition has dramatically quickened over the past 50 years and we see an unprecedented number of people living in urban settings (Ramalingam & Clarke, 2012).

In 2014, the United Nations published a report on *World Urbanization Prospects* stating that “globally” 54 per cent of the world's population resided in urban areas. In 1950, 30 per cent of the world's population lived in urban areas, and by 2050, 66 per cent of the world's population is projected to be urban (UN, 2014). Various reasons have been given for the population explosion: industrial mass production replacing handcrafts, development of transport and communication systems, diversification of economies, new forms of socio-economic configurations, and rural-to-urban migration flows (Frey, 2001:14-35).

The dramatic population increase in urban areas has naturally had a huge impact on the world. While the urban population is growing, slums and poverty areas are also growing. Very often migrants come to live in cities and they have no financial resources; they are forced to live in poverty belts and other irregular settlements where urban services are limited. This is particularly true for the global south, for example, the *favelas* in Rio de Janeiro.

Slum-dwellers are exposed to multiple vulnerabilities. These increase when urban services or city institutions cannot cope with urban growth, social and infrastructure needs. In the global south, “the speed of urbanization is proceeding at a rate that exceeds the ability of city authorities and residents to respond” (IDRC, 2012); and also overtakes the States capability to provide assistance, basic services and protection (WHO, 2002).

One of the most important vulnerabilities, which is heightened by urbanization, is violence. Violence can come in different forms (Duijsens, 2010: 351-368). There is a clear link between population growth and urban violence (IDRC, 2012). Indeed, urban violence is seen as a result of an accumulation of multiple risk effects that are found in urban settings (IDRC, 2015). One of these risks is inequality which is understood as “a form of structural violence that often triggers more reactionary forms of violence” (ICRC, 2015). Inequalities encompass several elements that range from income disparities, to the deprivation of social services and protection, to the exposure to recurrent corruption, which have a strong impact on vulnerable

communities (ICRC, 2015). In order to provide protection and assistance responses to vulnerable and affected urban dwellers, humanitarian actors are increasingly adding urban violence to their list of issues to address when undertaking operations in urban settings.

Forced displacement due to violence has also been a determinant of migration flows to cities and the phenomenon of rapid urbanization (Weiss, 2014: 327). This pattern is seen in Africa and Latin America, where a large number of internally displaced people (IDPs) and refugees have contributed to the expansion of cities (Weiss, 2014: 327).

### **2.1.2 Migration and its link with the violent urban setting**

One of the main concerns of urban authorities and urban organisations is the relationship between violence and migration. Migration and urban violence have a multifaceted relationship, and in many countries in the Americas people flee their homes after suffering a direct attack or threat (Albuja et al, 2014: 115). Transit migrants have higher levels of vulnerability as they do not know the environment, its risks and ways to find support (Albuja et al, 2014:116-119). When the migrants arrive at their final destination, the process of integration begins. The success or failure of the integration process is crucial, because it is at this stage when urban violence can be easily triggered.

Migration also puts pressure on urban services that increases the possibility of social tensions and the birth of violence (Ferris, 2011a). However, even though migrants are not responsible for urban poverty they represent a big part of the urban poor: “Blaming urban poverty on migrants is not realistic, as not all migrants are poor” (Tacoli et al, 2015:27). However, migrants often have the same social conditions as the urban poor in slums (Tacoli et al, 2015:27).

Urban violence has a clear impact on human mobility; this is particularly true in the case of Mexico. The volatility of this context and its protection problematic is exacerbated by the mobility patterns of its population. Victims of Mexican criminal violence experience high mobility patterns within urban settings, for a number of reasons: violent threats, murders, sexual violence, inability to meet basic needs, the search for economic opportunities, political crises, among others (Albuja et al, 2014; see also Etienne et al, 2002; Zetter and Deikun, 2010). Understanding the dynamics and reasons behind mobility patterns is crucial for the protection analysis because, usually, many protection issues are interlinked with or even trigger population movements (Albuja et al, 2014; see also Etienne et al, 2002; Zetter and Deikun, 2010). How to protect migrants is still one of the biggest challenges, as will be discussed in the next section. According to Albuja (2014), migrants on their way to Mexico

fleeing urban violence in Central America have reduced possibilities of protection. This is because, despite the existing legal framework to protect migrants, there are, in practice, many limits to providing actual protection, since the focus has been on reducing criminality, punishments, and re-establishing public order instead of assisting migrants who are also victims of urban violence (Albuja et al, 2014:128-129).

## **2.2 Understanding violence**

This study will take into account the broad concept of violence developed by Johan Galtung. According to Galtung, violence is the negative worsening of a crisis, whether it is planned or spontaneous, visible or invisible, present or future. He states that there are three dimensions of violence; direct, structural and cultural. Additionally, violence is also defined as “the cause of the difference between the potential and the actual ... violence is present when human beings are being influenced so that their actual somatic and mental realizations are below their potential realizations” (Galtung, 1969). What prompts a situation of violence is the imbalance between two factors that he refers to as “the actual” and “the potential”. The actual is the present condition surrounding an individual or community at a given time; while the potential is the level of realization achievable for an individual and community taking into account their resources and insights at a given time. One core idea in Galtung’s theory is the notion that violence widens the gap between “the actual” and “the potential” as well as preventing the distance between the two aspects from narrowing. This concept of violence is more appropriate for this research since this definition is extensive and broad, and allows us to analyse the new and multiple forms of violence that take place in urban settings.

Moreover, the World Health Organization (WHO) defines violence as:

*“The intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment or deprivation”* (WHO, 2002:3-19).

The aforementioned definition has some points in common with Galtung’s notion of violence, such as the broader perspective that integrates not only physical acts but other ways to commit violence. The WHO also recognizes multiple consequences of violence which affect the individuals and collective welfare ranging from the most evident, such as physical harm, to the less evident, such as mental injury, dispossession, and underdevelopment, (WHO, 2002:3-19). Indeed, for Alberto Concha the problematic of violence is related to the social and health concerns of societies. He defines violence as the intentional use of force or power

with a predetermined end by which one or more persons produce physical, mental, psychological, or sexual injury, injure the freedom of movement, or cause the death of another person or persons including him or herself (Concha, 202:37-54).

All of the aforementioned definitions are in agreement with regards to the multifaceted and complex dimensions of violence and its multiple forms of expression, such as interpersonal violence and collective violence (for instance armed conflicts and urban violence).

### **2.2.1 Understanding urban violence**

The concept of urban violence is controversial and there is no universal consensus on its definition. The study will take into account the different elements developed by Carlos Iván Fuentes (2012), Kees Kooni (2012) World Health Organization (2002) and Alberto Concha (2002). According to Fuentes (2012) Urban violence is a term that described the myriad of violent behaviours occurring *“within densely populated areas, most notably in the so -called slums or poverty belts that surrounds many cities...particularly rampant in cities experiencing rapid growth”* (Fuentes, 2012: 288). While Fuentes recognizes that each city experiences violence in a different way, the forms of violence manifested in the cities can be classified into four different categories: institutional violence, economic violence, social violence, and socio-economic violence. Furthermore, he explores urban violence manifested by stable forms of violence, such as organized crime groups and other non-state groups labelled as terrorist groups.

Scholars have not found a clear link between the size of the city and the intensity of violence; not all cities are violent, megacities are not necessarily the worst places for urban violence. The deadliest scenarios for violence are the small and secondary cities, which are characterized by control disputes, extra-legal armed groups and new forms of social organization (Kaldor, 2013).

For Kees Kooning (2012) urban violence is not only the result of the urbanization of armed conflicts but also the result of socio-economic drivers as part of a protracted situation. For Kooning, criminal gangs show no clear political purposes, and “urban armed actors seek to exploit often illicit economic opportunities and seek to control the urban physical and social space” (Kees Kooning, 2012). Therefore, urban violence today is characterized by armed groups challenging the power of the state in its legitimate control, monopoly of territory and the use of force (Hobbs, 1962). When the state fails to provide the basic public services of health and security, the consequences of urban violence are huge for the urban dwellers. Under these circumstances, urban warfare becomes one of the most harmful forms

of violence. Indeed, in cities the intensity of violence can be similar or even higher than in an armed conflict (Apraxine et al, 2012: 14). Kooning (2012) states that “the conventional division between war-type violence and criminal violence, therefore, disappears as far as the impact on civilian populations is concerned” (Kees Kooning, 2012).

### **2.2.2 Urban violence or urban warfare?**

Mary Kaldor (2013) developed the concept of “new wars” as an attempt to define contemporary manifestation of armed violence worldwide. Additionally, Alberto Concha (2012) linked the definition of new wars with urban violence. Some of the characteristics developed by them are:

- a) The nature of new wars includes, apart from political motivations, economic, cultural, and social drivers;
- b) The actors of new wars are more diverse such as informal militias, gangs, urban armed groups, which are linked with the fragmentation of the society, and social exclusion, and;
- c) there are new patterns of war: “transnational (illicit) owns commodities and people, and new urban warlike identities” (Kooning 2012).

Alberto Concha (2012) stated that urban violence fits into the category of new wars, because it encompasses all of the aforementioned features of new war. He also takes into account the high intensity of the urban violence and its humanitarian consequences. In this sense, urban violence is also defined as an urban warfare, an evident phenomenon related to business, power, perceptions and multiple forms of urban control. Hence, the line between urban violence and urban warfare is blurred (Concha 2012).

For traditional armed conflicts, urban violence has hugely negative political and policy repercussions. The violence in urban settings has raised concerns about failed cities, because these failures challenge the concept of progress and urban development. It can jeopardize and disintegrate the social fabric (Muggah, 2012: 45-49). The concept of “failed or fragile cities” is used to mean the inability of city governments to control the security and provide protection in its official territory as its most fundamental public duty (Muggah, 2012:45-49).

The described concepts related to violence are relevant for this research as the elements discussed help to analyse the phenomenon of urban violence, and why and how humanitarian actors are responding in terms of protection work.

## 2.3 Protection

While there is considerable literature on protection from armed conflicts and disaster, there is little research specific to humanitarian protection in urban settings and protection related to urban or criminal violence. The majority of humanitarian actors have used the concept of protection through a maximalist definition developed by the ICRC in 1999 and, later adopted by the Inter-Agency Standing Committee (IASC). This definition states that the concept of protection encompasses “all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law (i.e. human rights law, international humanitarian law and refugee law)” (ICRC 2001). The aim of this definition is to provide a framework that can be adapted by different actors according to their scope of work. It has the advantage of covering a vast range of activities depending on the context in which humanitarian actors are operating. However, the concept has been subject to controversy because of its broad breadth and the discrepancies between theory and practice. By including “the full respect of the rights of the individual”, for example, the definition goes beyond physical security and provides enough room to include humanitarian and relief activities, such as food distribution, education and health care provision. The definition blurs the lines between a needs-based approach and a rights-based approach (Reichhold et al, 2013: 12,49).

The struggle of organizations to find a clear and robust definition for protection has jeopardized their ability to fully strengthen activities in an effective, coordinated, and coherent manner (Ferris 2011a: 274). For example, during the post-earthquake emergency in Haiti, relief organizations and actors involved in the emergency took time in defining protection. The agreed outcome, “full respect of all human rights” was too broad and different actors addressed protection actions with distinct approaches. In the case of the earthquake in Haiti, the broad definition inhibited the strength of the protection cluster and failed to protect the affected population (Ferris et al, 2012: S44).

The challenge of finding a solid definition stems from the fact that there are a myriad of factors surrounding the protection of civilians, including various protection implementers, the dynamics of the local community in itself, the source of the threat faced by civilians in a specific context and the disparate contemporary protection policies (Bellamy, 2010:127-162). Therefore, an overarching definition which complies with all factors may seem too broad for specific contexts and mandates, while narrower options do not guarantee inclusiveness. Other definitions of protection are narrower, for instance, OXFAM understands protection as the

provision of safety to civilians only suffering from violence and the European Commission Humanitarian Aid and Civil Protection (ECHO) defines it as a way to reduce the impact of violence on groups and individuals in situations of humanitarian crises (Ferris, 2011a: 276).

Despite the challenges, the broad definition presents some advantages because it integrates two key categories: negotiation and prevention (Ferris, 2011a: 275). Protecting civilians is a primary responsibility of national and international States, non-state political and military actors. Therefore, negotiations with government authorities are critical for humanitarian actors in order to encourage governments to comply with their responsibilities and enhance protection for their population (Reichhold et al, 2013). As Hugo Slim states in his book *Protection* (2005), humanitarian actors are not usually in the position to physically protect victims of war or disaster from violent attacks, suffering, and destitution. What these actors are able to do is create activities to tackle the roots of violence, through the establishment of bilateral dialogues with armed groups, influencing the behaviour of political and military decision-makers or by developing prevention activities such as supporting communities to enhance their resilience (Slim 2005).

This research will use the ICRC-IASC definition. The definition has a broad perspective to frame the protection activities in urban settings by including human security, economic, social, and cultural rights beyond physical protection. This definition, accepted by the majority of humanitarian actors working in urban areas (Ferris, 2011a: 274-275), is pertinent for this study as it focuses on the activities carried out by humanitarian actors who are not in the position to physically protect civilians but can offer protection activities intended to ensure the fulfilment of individual rights, depending on the applicable legal framework.

Distinctive legal frameworks are available to respond to vulnerabilities and provide protection to people, depending on the type of situation. When a situation of urban violence takes place in contexts of International Armed Conflict (IAC) or Non-International Armed Conflicts (NIAC), the International Humanitarian Law (IHL) still applies. Nevertheless, IHL would not apply to mere urban violence affected areas.

The applicable law in context urban Violence is the International Human Rights Law (IHRL) and domestic criminal laws. This is because urban violence, as a phenomenon other than armed conflict, usually, does not reach the threshold of IHL. Under IHL there are at least two criteria to define a situation of armed conflict (ICRC, 1977).

- a. Intensity: this criterion refers to the level of violence the confrontation reaches, taking into account which forces are involved (for instance, the police or the

army), types of weapons, munitions, duration of confrontation, etc. in order to assess whether the intensity passes the threshold of an armed conflict or not.

- b. Organization: the armed actor of the violence should have a level of organization to be categorized as a “party to the conflict”. This criterion refers to chain of command, capacity to conduct and maintain hostilities, ability to recruit members, involve complex logistics, among others.

There are debates about the application of other criteria such as territory control and political drivers. However, “International jurisprudence has clearly dismissed the suggestion of other criteria (such as political motivation) on the basis that the applicability of international humanitarian law should not become arbitrary” (Kolanwki, 2012: 96). The aforementioned two criteria are important in understanding whether there is armed conflict or not, and whether IHL applies or not. That said, it would not be difficult to imagine that in many contexts urban violence reaches the threshold of intensity and the level of organization to be classified as an armed conflict. In practice, the majority of urban violence situations are not classified as armed conflicts, and subsequently, IHRL has governed these situations of violence.

According to Albuja (2014) the features and consequences of the violence in Mexico reflect a clear humanitarian crisis. Mexico sustains an extensive and permanent threat to the lives of its population due to the violence, which is clearly represented by the figure of almost 70.000 people being killed between 2006 and 2012, and the mass murder of people fleeing violence in Central America (Albuja 2014: 119). Despite the level of urban violence due the criminal groups and state forces disputing strategic areas, economic benefits, or illicit activities, (Osorio, 2013: 348-417), Mexico has not been officially classified as a Non International Armed Conflict (NIAC).

### **3. Dynamics and challenges of protection work in violent urban settings**

To fully understand the challenges of protection work in violent cities it is important to analyse the elements and dynamics of protection work in violent urban settings. According to the interviews conducted, it is important to acknowledge that protection work in an urban setting could be either implemented directly or integrated using multi-sectoral responses, which explicitly integrate multiple disciplines, sectors and/or departments (health, water and habitat, psychosocial, legal, and protection, among others) in addressing an issue. Moreover, the humanitarian protection work developed in urban areas is as broad as it is complex. For

example, in Mexico, protection work encompasses a vast array of urban situations<sup>2</sup> that range from the ones stipulated in legal instruments, such as law enforcement, IHRL promotion, detention and dialogue with authorities and armed actors, to community based activities, community self-protection, gender issues, social inclusion, education, advocacy and transformative agendas, among others (Grünwald et al, 2011 and interviews with MSF, ICRC, and UNHCR).

In urban settings such as in the Mexican cities, protection issues have blurred lines that stem from the interconnection between emergency and development, rights-based and needs-based approaches, humanitarian protection in violent urban settings and poverty and insecurity, as well as protection and assistance (Ferris, 2011b). Elizabeth Ferris (2011b) recognises this by stating “The line between the two types of work (referring to emergency and development work) is often blurred, but it seems to take on a different dimension in urban settings”. “Protecting IDPs in Haiti or in the Democratic Republic of the Congo, for example, means working on issues of security sector reform” (Ferris, 2011b). However, due to the nature of humanitarian organizations, very often, they do not have mandates and/or resources to cope with development, structural and chronic issues (Ferris, 2011b). Many scholars have argued that due to the particularities of the urban setting, humanitarian actors need to adapt and implement new and specific modalities and strategies to respond to the protection problematic in violent urban settings (Brown et al, 2015: 18). This confirms the hypothesis of the present research that humanitarian organizations need to adapt their approaches and modalities to respond to the protection needs of violent urban settings. Additionally, even though the ICRC recognises that there is a need to adapt, it is also important to integrate the experience gained in conflict areas (Interview with Caroline Putman Cramer, Head of Sector for the Americas, and Focal point on Youth & Urban Violence at Central Tracing Agency and Protection Division, ICRC, 21 July, 2016<sup>3</sup>). In short, humanitarian organizations accept the validity of the humanitarian action in urban settings, and are now concerned with what methodologies, approaches, and tools will be used to tackle the violent urban setting and its humanitarian consequences regarding protection (Lucchi, 2012: S90).

The complexity of the urban setting poses many challenges for the protection work implemented by humanitarian actors. This has been repeatedly identified during the interviews and literature review. In this sense, the characteristics of the violent urban setting

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<sup>2</sup> Taking into account activities of organizations such as MSF, UNHCR and ICRC in Mexico. Interviews conducted with representatives of the mentioned organizations in July 2016.

<sup>3</sup> Hereinafter, Interview with ICRC Focal point on Youth & Urban Violence, July 2016.

make the protection issues specific and more difficult than those in rural areas; access to victims, mobility of the population in need of protection, the multiplicity and diversity of urban actors puts challenges to the protection work conducted by humanitarian organizations (Brown et al, 2015: 23). As mentioned by Ferris (2011a), these features of the violent urban setting test the conception of protection, modalities and tools that humanitarian actors have implemented in rural areas and in traditional armed conflicts (Ferris, 2011a: 245-255). The MSF, ICRC, and UNHCR representatives mentioned during the interviews that even though there were many transferable experiences from traditional conflicts, they were also aware of the challenges which meant adapting modalities and tools to respond to the characteristics of the urban violence in a contextual manner.

Consequently, based on evidence from a literature review and data from key interviewees, the study proves that the violent urban setting challenges the protection activities of humanitarian actors working in cities. The data evidences specific challenges that have an impact on protection work. Those challenges are clustered in this study within different categories such as assessment, security, legal, coordination and human resources challenges. Their characteristics and key ideas are described below.

### **3.1 Assessment challenges**

#### **3.1.1 Data collection and analysis**

Analysing and assessing the urban setting is itself a challenge. As urbanization is intricate with multiple phases, defining its limits, demarcating the elements that compose it and their linkages poses challenges. For example, clarifying the characteristics of the population, socio-economic dynamics, political factors and the interrelation among these, involves different analytical processes that are more difficult to predict due to their volatile nature (Lucchi, 2014: 13-15). Rampant urbanization has turned urban demography studies into a complex endeavour (see also Grünewald, 2011); and the density of the settings coupled with population mobility, further complicates the humanitarian action.

In a violent urban setting, vulnerabilities interrelate, overlap, and include “direct and indirect effects of violence, mental and physical effects, and acute and chronic needs” (Lucchi, 2014: 13). Therefore, humanitarian actors face during assessments the challenge of being capable of evaluating multi-layered and changeable urban systems (Lucchi, 2014: 13-15).

In the ICRC’s experience, one of the biggest challenges working in violent urban areas, including in Mexico is the collection of reliable data which truly could show the magnitude of the protection problematic (Interview with ICRC Focal point on Youth & Urban Violence,

July 2016). Criminality and homicide rates are often the main data used to depict the situation in an urban violence context, which does not provide a comprehensive picture of the overall situation. What would give a more global vision is by exploring the phenomenon of disappearances, the psychosocial impacts of the violence, how basic services are interrupted, or how people manage to still access services, for example; however, this is much more difficult endeavour as that data is harder to collect (Interview with ICRC Focal point on Youth & Urban Violence, July 2016).

### **3.1.2 Identifying and accessing people in need of protection**

Differentiating between potential beneficiaries from the rest of the population in violent urban settings is often difficult in part because it is not always clear who needs humanitarian protection due to urban violence and who are dwellers living in conditions of poverty (Ferris, 2011b: 245-255). Moreover, the heterogeneity of the population, the density of the city and the dispersal of people in need of protection make the targeting task more complicated (UN-Habitat, 2011:13-15). Some victims wish to be anonymous in order to avoid stigmatization or security problems (UN-Habitat, 2011:13-15, and Interview with ICRC Focal point on Youth & Urban Violence, July 2016. , July 2016). Furthermore, differentiating between victims from perpetrators is complicated by the fact that both live in the same social conditions, sometimes in the same area of the city or even are close neighbours (Kolbe, 2013; Lucchi, 2014). Not only victims suffer serious consequences of mistakes made in targeting, but also humanitarian actors, whose safety and the neutrality principle can be compromised. This might happen when targeting only one sector of the population or when targeting victims of violence of a sole armed actor.

According to the interview conducted during the present study, population mobility represents a major challenge for humanitarian actors because of the difficulty accessing to the victims in order to evaluate needs and provide protection. The particular nature of mobility of the migrants makes gaining access to them more complicated, as the migration dynamic is characterized by “in and out mobility”, this is to say migrants are entering and leaving Mexico constantly (Interview with Marc Bosch, Program Manager Latin America, Colombia, Venezuela, Bolivia. Médecins Sans Frontières - OCBA, July 2016). As discussed in the literature review, urban violence pushes migration in different ways. All the persons interviewed agreed that urban violence was one of the causes forcing migrants to move. In Mexico this is particularly evident. Most the migrants entering Mexico from the northern

triangle are fleeing from gang violence. Some of these stay in Mexico while others continue their journey to the United States (Marc Bosch, Interview, July 2016).

Urban victims (Migrants, IDPs, Residents, among others) not only are moving but also are less visible within the density and diversity of urban contexts, Therefore, it is more difficult to gain access to them. Moreover, in some urban areas, including in Mexico, there can be found “law of silence”- where people in need refuse to talk due to fear of reprisals, where victims and perpetrators live side by side (Interview with ICRC Focal point on Youth & Urban Violence, July 2016) “The only way to know about the protection problematic is by maintaining a regular presence, building trust with the local communities, , implementing tangible activities in total transparency and fulfilling promises made, and constantly disseminating the organization mandate and activities” (Interview with ICRC Focal point on Youth & Urban Violence. , July 2016) In addition, the migration flows from Central America make it difficult to provide protection for those in need because naturally the migrants, many of whom are in an irregular legal situation, do not want to be recognized by the Mexican authorities (Albuja, 2014:130-132).

In addition to the difficulties in identifying and accessing urban victims, migration (in and out of Mexico) and internal mobility of urban dwellers presents further protection challenges. Tensions can be created among the host communities when immigrants arrive (Interview with ICRC Focal point on Youth & Urban Violence , July 2016). These tensions can originate from pre-existing prejudices (Bosch, Interview, July 2016), or due to the lack of institutional integration programs; when this is the case, also security issues could emerge. UNHCR tries to have integration programs that also benefit the host community (Interview with a Protection Officer. UNHCR Americas. Mexico, July 2016) in order to reduce tensions and minimize security problems.

### **3.2 Security Challenges**

The nature of the violent urban setting means that humanitarian organizations face security issues specific to this environment (Lucchi, 2014). For one, humanitarian actors are more exposed to criminality and the action of gangs (Ferris, 2011a:252). Moreover, urban armed groups and individuals find it hard to believe that humanitarian actors are both neutral and independent (ICRC, 2013). Urban settings possess specific security risks that could come from not only urban armed groups but also from the population that might, in certain circumstances, mistrust or not understand the humanitarian principles. “Where violence is

without an overt political nature, individuals approached by agencies will have motives and rationale that humanitarians may understand less and the risk of confusion and attack will be thus greater” (ICRC 2013). Conversely, Marc Bosch stated that taking into account the experience of MSF it cannot be said that violent urban settings represent more security risks than rural settings, but understanding the challenges and differences of the violent urban areas is crucial to being able to implement humanitarian activities (Bosch, Interview, July 2016) This criterion was shared by the Protection Officer at UNHCR (Interview, July 2016).

According to the ICRC’s experience (Interview with ICRC Focal point on Youth & Urban Violence, July 2016), violent urban contexts such as Mexico could represent a security challenge “due to the difficulty to know who is who” because of the close proximity and the blurred lines between different actors in an urban community, and the lack of direct contact with cartels. She added that there are methods and modalities related to security implemented in contexts of traditional armed conflict that are valid in and transferable to violent urban settings such as the entire ICRC doctrine regarding security<sup>4</sup>. However, it is important to adapt the security modalities to violent cities.

In urban violence contexts, as in NIAC contexts, a risk and security assessment is conducted, and some measures have been adapted. For instance, in order to avoid a perception that a single ICRC employee has too much information, a distribution of areas and interlocutors has been put in place in certain instances. Close coordination with local and national organizations is very useful; for example, in Mexico field trips are coordinated with the Mexican Red Cross as it has acceptance, deep understanding of the context and close relationships with urban stakeholders and communities (Interview with ICRC Focal point on Youth & Urban Violence, July 2016).

Security is linked with having a dialogue with urban armed actors; indeed, where urban areas controlled by gangs, humanitarian actors need explicit or implicit authorization from those groups to conduct protection activities (Lucchi, 2014:12). In Mexico, according to Putman (Interview, July 2016), the armed groups implicitly accept the regular presence of the ICRC in violent urban areas of the country. However, there is further challenge when negotiating access and security with gangs, as some do not necessarily know or understand what a humanitarian organization is or the humanitarian principles are (ICRC, 2013).

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<sup>4</sup> This doctrine is based in seven security pillars as explained here: [https://www.icrc.org/eng/assets/files/other/secure02\\_dind.pdf](https://www.icrc.org/eng/assets/files/other/secure02_dind.pdf)

### **3.2.1 Dialogue with armed actor/criminal gangs**

Criminal gangs are a phenomenon that can be found in all parts of the world and present a major challenge to humanitarian organizations. This is because urban gangs have unique features, modus operandi, methods of warfare, and because of the humanitarian consequences they cause (Kolbe, 2013: 4). It is not easy to understand the complexity of these urban armed actors due to the diversity of groups, blurred lines with the rest of the population, and multiplicity of motivations (illicit activities, business, political, social, cultural), among others (Ferris, 2011b). There are also a high number of governmental forces (such as police and army) with which humanitarian organizations need to engage in order to provide protection programs to urban dwellers and to maintain perception of neutrality. This is especially important for understanding how law enforcement is carried out and in order to address any related issues, including through dialogue and promotion of adherence to international standards. However, still humanitarians find it difficult to understand the interests and drivers that define criminal gangs. Indeed, as humanitarian actors want to dialogue with such urban armed groups, it is crucial to understand first their interests. Without this, it is hard to create common understanding between humanitarians and urban armed groups, which give the basis for acceptance of the humanitarian actors.

The ICRC, as an actor working in urban violence, is interested in establishing a dialogue with urban armed actors (Interview with ICRC Focal point on Youth & Urban Violence, July 2016). In Mexico, the ICRC is still consolidating its understanding of the urban armed actors in the areas where it has activities; this process is time consuming as it encompasses an analysis of multiple features such as structure, objectives, functioning, engagements with communities, and motivations, which are crucial to determine the possibilities and approaches for engagement (Interview with ICRC Focal point on Youth & Urban Violence, July 2016). The motivations of urban armed groups are multiple and variable. Even if the urban armed actor is very often involved in illegal-profit making activities this is not necessarily the only driver or its main focus. Changing social conditions can also be a driver of urban armed actors and it is important to understand this to hold dialogues with them (Interview with ICRC Focal point on Youth & Urban Violence, July 2016). A risk analysis is always conducted, enabling the ICRC to decide if and when it is appropriate, and if so, which approach to use in the dialogue. Contact can be either direct (between ICRC and armed actor) or indirect (through community and partners). While armed actors in the urban contexts might not see any reason to enter a dialogue with humanitarian actors, the ICRC will still try seek to obtain, through

other approaches, that the armed actors present provide the minimum security guarantees to deliver protection and assistance (Interview with ICRC Focal point on Youth & Urban Violence, July 2016).

### **3.3 Coordination with other protection providers**

As discussed during the literature review, urban settings could have a higher presence and diversity of actors and institutions at local, national and international levels (see ICRC 2015). Humanitarian organizations confront challenges to coordinate with urban actors to avoid duplication and have a consistent protection intervention (Bosch, Interview, July 2016). The MSF Program Manager for Latin America (Interview, July 2016) affirms that coordinating with a vast array of institutions, in particular public organizations, is the main challenge that MSF faces in urban contexts such as Mexico. In urban settings, humanitarian action and actors are not necessarily well known by institutional authorities. The MSF must adapt and integrate itself to the dynamic of the violent urban setting. This adaptation is complicated because it cannot compromise the neutrality and the independence of the organization. Bosch (Interview, July 2016) states that there is no other way to do it than coordinating and having an integrated response (Interview with ICRC Focal point on Youth & Urban Violence, July 2016) The ICRC experience is that the situation varies from city to city, and not all urban areas necessarily have a high multiplicity of actors; however, in the case of Mexico, where there are a high number of governmental institutions, it is not possible to work in an isolated way. In this situation it is crucial to understand, coordinate and engage with the local institutions, national and international organizations, community-based organisations, as well as the private sector and academia. The ICRC naturally seeks to parent with the National Societies of the Red Cross, where possible. (Interview with ICRC Focal point on Youth & Urban Violence July 2016). Not all of these groupings might respect the fundamental principles of the Red Cross Movement, and this is impossible to impose; only through dialogue and reaching basic agreements is it possible to engage in partnerships - for reasons of security and perception (Interview with ICRC Focal point on Youth & Urban Violence, July 2016).

Accurate coordination with institutional actors is not always possible and sometimes the lack of coordination has negative effects on the capacity of governmental institutions to lead protection activities as the primary actor (UN Habitat, 2011). The UNHCR Protection Officer in Mexico stated that while it is vital to coordinate with host governmental institutions to engage with local organizations and communities in order to analyse the context and achieve

a real local integration, so far it remains in an embryonic stage in Mexico, in the sense that there is no clear strategy of how to achieve this (UNHCR Protection Officer, Interview, July 2016).

### **3.4 Legal Challenges**

In situations of urban violence legal frameworks are more controversial (Grünewald et al, 2011). One of the challenges is to conduct a legal analysis and assessment so as to apply the adequate legal framework to the violent urban setting. Specific and diverse legal bodies have been created to tackle specific and diverse issues (Apraxine et al, 2012). “Applying the wrong legal framework or applying a mix of legal frameworks might jeopardise the protection of victims of violence” (Apraxine et al, 2012).

The applicable legal framework in Mexico (as in most contexts of urban violence) is the International Human Rights Law and domestic law. This situation implies some challenges, for example “humanitarian actors have less ability to negotiate in domestic issues” (Lucchi, 2014) and it indicates that humanitarian workers should better understand national frameworks, mechanisms and systems to implement protections activities (Grünewald et al, 2011). Nevertheless, there is currently a debate on whether the situation of urban violence in Mexico fulfils the criteria to be classified as a NIAC, which would mean that IHL would be applicable. Until this is resolved humanitarian actors are unable to clarify some legal obligations of the armed groups in Mexico such as the distinction between those who are and are not directly involved in the violence (Albuja, 2014; Martin, 2014). This debate has offered multiple arguments regarding intensity of the violence, the sophistication and organization of the armed groups and the warfare methods used. According to Albuja (2014:115-121) the intensity of the Mexican criminal violence attains the threshold of armed conflict and it can be classified as NIAC. He states that the intensity criteria, taking into account the interpretation made by the International Criminal Tribunal for the former Yugoslavia (ICTY), integrates duration, weapons typology, military forces involved and humanitarian consequences such as internally forcibly displaced people. Albuja (2014) asserts that Mexico meets all of those criteria as Mexico presents chronic violence, highly sophisticated weapons used, and the involvement of the Mexican army in violence contingency operations in various states. The humanitarian consequences have been enormous including high levels of forced displacements; however, accurate data has been hard to obtain due to the lack of reporting and documentation. Albuja (2014) affirms that an IHL analysis of the violence indicates that Mexico meets all criteria laid down by the

additional protocol II and jurisprudence to determine if there is an armed conflict, except the criteria of organization. He states that although Mexican violence had been conducted by groups with a high level of organization, in recent years, the structure and organization of these groups has become unclear; this is because the composition of these groups is mutable and ever-changing. Whether Mexico is a case of a Non International Armed Conflict (NIAC) is still being hotly contested by academics and politicians. It would be important to conclude the legal debate so that humanitarian actors can use a more precise legal lens in order to clarify the legal responsibilities in Mexico (Albuja 2014; see also Apraxine et al, 2012).

Furthermore, there are also legal challenges regarding protection of migrants and people moving because of urban violence in Mexico. Albuja (2014) affirms: “Exiting norms and praxis do not fully respond to the complexity of human mobility in situations of intense criminal violence”. Although new interpretations of the Refugee Law could offer a broader protection for people fleeing urban violence, in practical terms the law is rarely implemented. Furthermore, even when national laws are developed specifically to protect people moving from urban violence, such as in the case of Mexico, the impact of the new legal measures remains insufficient (Albuja, 2014: 123-128). Complementarity of the Refugee Law with IHRL (see Apraxine et al, 2012) is still limited, and access and promotion of the human rights of the migrants in transit in Mexico is notably poor. Moreover, the political climate in the United States and Mexico is such that creating further protection measures for asylum seekers escaping urban violence would meet resistance (Albuja, 2014: 129-130). What is more, the responsibility of protecting urban dwellers falls on the shoulders of the state as one of the main responsible of protection (Ferris 2011a, see also Gentil, 2011). Because this is the case, if states do not have the political will to implement protection mechanisms, the task of humanitarian actors becomes more difficult.

### **3.5 Human resources challenges**

To better tackle the challenges posed by the violent urban context, humanitarian organizations personnel should have the suitable skills and capacities to operate in the multifaceted dynamics of violent urban settings. The ICRC Focal point on Youth & Urban Violence (Interview, July 2016) highlighted that the challenge for the ICRC human resources team to find adequate candidates to work on protection in urban violence contexts, given the complexity and volatile nature of the urban settings. Moreover, suitable candidates should not only have solid experience and skills in working on urban violence issues, but also be highly motivated to work in this setting.

Understanding urban violence, the humanitarian consequences and developing personnel competencies entails much time and organizational resources. In-depth assessment will involve actors from different disciplines ranging from lawyers to engineers to anthropologists, among others; and the effort puts the humanitarian worker at risk (Lucchi 2014). Additionally, the organization's credibility among the different interlocutors and stakeholders is closely linked to the personnel's ability to foster trust and dialogue with the different actors (Lucchi 2014: 9). In urban violence operations, where it takes considerable time to understand the dynamics, build a rapport with communities, armed actors and other stakeholders short missions of ICRC's international staff are not always adapted (Interview with ICRC Focal point on Youth & Urban Violence, July 2016).

#### **4. Conclusion**

This study has claimed that since humanitarian actors are increasing their operations to provide protection of victims of urban violence, humanitarian practitioners have been facing a number of challenges imposed by the complexity of the violent urban context. A major implication of this is that humanitarian actors would need to revise and adapt protection approaches, modalities, and tools implemented in traditional armed conflict settings. It means that recruitments, urban assessment and analytical tools (for example) would be adapted accordingly in order to meet the contemporary urban context

The present research has found that protection work in urban areas is as broad as it is complex and encompasses a wide range of activities including community based protection, gender, transformative agendas, and school programs (including working with youth, who tend to represent a high rate of victims and perpetrators) , among others. The protection work in violent urban settings is characterized by having blurred lines throughout the elements and approaches that interact between each other. For example, this interaction includes blurred lines between emergency and development; rights based approach and needs based approach, and assistance and protection. It implies that in urban violence humanitarian actors rarely tackle the urban problematic with a single approach, but combine different approaches and integrate various forms of response. Thus, humanitarians working in urban violence are no longer able to argue that they are only integrating an emergency approach, nor a purely development approach. This situation has major implications on working in this setting. For example, the operational strategies should take into account not only a emergency approach but also strategies to tackle more structural problems usually linked with development. This

shift will, perhaps, have an affect on convincing donors of the urgency to finance humanitarian operations in violent urban settings.

Even though the violent urban setting is currently a relatively new field for humanitarians, the mass urbanization of the world over the next two decades means that this setting will become a common field of activity for humanitarian actors, indeed it could be their main field.

By exploring the multiple protection challenges that emerged from the dynamics of this setting, the study identified challenges related to assessment, security, coordination, legal, and human resource activities.

Regarding assessment challenges, there is a discussion on how the volatile urban setting confronts data collection, contextual analysis, and targeting tasks. Moreover, this section explored the mobility patterns of urban dwellers and the challenges they represent for accessing people in need of protection. This paper demonstrated that the multifaceted and rampant urbanization phenomenon coupled with the high density of the setting, complicate how humanitarian actors approach protection assessments. The specificities of the violent urban setting such as the density, the dispersal and heterogeneity of people in need of protection require that humanitarian actors adapt assessment tools; this adaptation is a challenge itself (see Ferris 2011b).

Blurred lines between multiples urban actors, high exposure to criminality, lack of direct contact with criminal gangs clearly represents security challenges to the humanitarian actors. In addition, urban armed groups present a lack of awareness about humanitarian organizations and humanitarian principles. This paper explored those security challenges in violent urban areas and showed how some humanitarian organization are approaching this challenges by building up trust with communities, using and adapting their experience in traditional armed conflicts.

With the information provided by key experts on urban violence interviewed, the paper discussed how the diversity and multiplicity of armed actors, and their myriad of motivations, modus operandi, and close ties with communities constitute a major challenge to engage with armed urban groups (interviews conducted in July 2016; see also Kolbe, 2013; Ferris 2011b). Furthermore, establishing dialogue with armed urban groups is crucial for the work of humanitarian organizations and in particular for being able to provide protection to urban dwellers. Likewise, acceptance by those groups in violent urban areas is critical to ensure security.

The coordination among the array of diverse urban actors, especially governmental agencies, appeared as a recurrent challenge. Engaging community, national, international organizations

while having a broader approach to work with the public and private sector is one of the basis of working in violent urban settings. Interviewees like Bosch (Interview, July 2016) affirmed that due to the high of diversity of actors in some urban settings, in particular public institutions, the coordination with them is one of the main challenges for humanitarian practitioners.

Discussed was the challenge of conducting a legal analysis and applying the appropriate legal frameworks in violent urban settings in order to enhance protection. The main legal challenges emerged from the fact that each country has its own body of law; the humanitarian actor's ability to negotiate in domestic law and Human Rights frameworks, and understanding of national legal mechanisms to provide protection to urban dwellers were stated as major concerns (see also Lucchi and Savage, 2014). Moreover, the case of criminal violence in Mexico was studied as an example of debates about the applicability of IHL and IHRL in situations of urban violence.

Lastly, this dissertation showed how human resources of humanitarian organizations have a major challenge to find the right profiles to work in urban settings; the study highlighted the importance of training the current staff and develop the skills to face the complexity of urban settings; and extend the length of missions of humanitarian practitioners in urban settings (Interview with ICRC Focal point on Youth & Urban Violence, July 2016).

Hence, the main hypothesis of this research that urban violence challenges the protection work and its implementation strategies is proved. The study showed that humanitarian actors need to adapt protection strategies and modalities to the realities of contemporary urban conflicts. However, it was said that the human actor's experience in traditional armed conflict settings is also relevant and useful for violent urban settings; this is the case of some security management strategies, for example. Moreover, the research demonstrated the hypothesis that mass urbanization in violent urban settings creates protection concerns for humanitarian actors, and that migration to violent urban settings calls for new protection approaches carried out by humanitarian actors.

This research has provided an overview of some of the operational challenges related to the protection work of humanitarian organizations. Further research regarding operational solutions to those challenges, and a deeper analysis on legal, and ethical challenges, is needed to understand more profoundly the new role of humanitarian organizations working on urban violence and their adaptation needs. Additionally, it could be interesting to explore the view of different urban community actors and other national and public actors, regarding the work of humanitarian organizations in violent urban settings, in order to enhance protection

strategies that consider urban dwellers as an agent of their own protection. Indeed, empowerment of urban community actors would continue being a major task for humanitarian and national actors.

Maintaining the integrity of humanitarian principles when working in urban settings was identified as a transversal concern for humanitarian actors. It emerged from the study that many of the challenges were concerned with keeping the neutrality, independence and impartiality of humanitarian actors working in violent cities. What is more, this creates the challenge of not only respecting those principles but also being perceived as doing so. This raises important questions of how to disseminate those humanitarian principles in cities and thereby ensuring the urban dwellers understand them.

Some suggestions regarding the challenges identified and in order to give insights about how adapting protection approaches to urban violence settings are presented below (Section 5). This is because acknowledging and understanding protection work dynamics and challenges in the context of violent urban settings should enable the humanitarian community to adapt and implement operational measures in order to provide suitable protection to the victims of urban violence, and copes with the realities of violence today.

## **5. Recommendations**

The following recommendations are based on the literature review and the interviews conducted during the research process. Even though the research had a focus on Mexico, the recommendations could be applicable to other contexts. The recommendations are related to the challenges identified in the previous chapter and organized accordingly.

### **5.1 Assessment Challenges**

#### **Consider the complex nature of the context**

Analyse and understand the complexity of the violent urban setting, taking into account the roots of urban violence, the diversity and multiplicity of actors and their motivations (Lucchi 2014:13), in order to adapt protection activities, assessment tools, and methods accordingly (Grünwald et al, 2011). Mapping and data visualisation tools have proved to be useful for this task (Lucchi, 2014).

#### **Data collection**

Collect data beyond the homicides rates, for example information regarding disappearances and psychosocial impacts of urban violence. It could mean the

implementation of baseline surveys on that protection concerns. However, potential security implications of undertaking these activities should be considered.

### **Involve communities in protection assessments**

Despite involving communities not being new or exclusive to urban settings, when working in urban violence, protection assessments must integrate a bottom-up approach, which involves the population during the assessment. This is because communities should be considered as an actor in their own protection. Focus group discussions and interviews with key members of urban areas are useful tools (Interview with ICRC Focal point on Youth & Urban Violence, July 2016; Lucchi, 2014).

## **5.2 Security**

### **Approach to security**

According to the interviewees, their experiences working in urban violence have shown that some modalities or security management approaches from traditional armed conflicts are still valid in urban violence; but modalities should be adapted to the context. It is vital to conduct a risk and security assessment, prior to any urban violence operation, and involve local and national organizations. For example, the ICRC in Mexico coordinates field trips with the National Society.

### **Understanding and engaging urban armed groups**

As discussed urban violence is a relatively new field for humanitarians, and it is characterized by multiplicity and diversity of armed actors, whose motivations, modus operandi, and structure vary from context to context. In order to engage the urban armed groups, it is crucial to take time to understand the specific dynamic in the city to design and implement the right strategy to engage the urban armed groups. Engagement with armed groups can be direct or indirect through other channels such as the community. In this sense, assistance activities have been an effective method of getting faster acceptance, opening up access and transmitting security messages to criminal gangs. All interviewees agreed that, as in other settings, engaging communities, building up trust with them, and implementing a community-based approach, while working with local organizations and institutions, were some of the best proven ways to gain access to violent urban settings.

### **Promote humanitarian principles in violent urban settings.**

To improve understanding of humanitarian principles it is recommended to carry out diffusions and trainings. It would be crucial to develop a specific discourse and specific

communication strategies to promote and defend humanitarian principles in urban violent settings.

### **5.3 Legal Challenges**

#### **Include advocacy to strengthen existing legal framework.**

According to Bosch, advocacy and a transformative agenda need to be included in the project design so as to influence urban polices and make visible the urban problematic (Bosch, Interview 2016).

#### **Build national legal capacities.**

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

### **5.4 Coordination**

#### **Coordinate with the multiplicity of actors**

In violent urban settings, it is essential to be aware of the multiplicity and diversity of actors that characterize that setting. The interviewees suggested that one of the best ways for humanitarian organizations to respond to the urban violence problematic is to coordinate and work with local partners; it is by building urban networks with local, national and international organizations, the public and private sector. Indeed, the academia has proven to be an important actor, in particular during analysis and assessments (Interview with ICRC Focal point on Youth & Urban Violence, July 2016). Yet, it is important to be careful with the selection of partners as not all are well perceived of or respected or even knowledgeable on humanitarian principles (Lucchi, 2014). A stakeholder matrix would be a useful tool to identify relevant partners.

#### **Implement a multi-sectoral approach**

In urban settings protection should be integrated in the strategy, and the response should be multi-sectorial, thus providing an effective response and faster community acceptance of the organization. This means not only integrating all the different relevant departments in the strategy design but also including relevant actors from all sectors of the community, whether national or international, public or private sectors that can influence behaviour

and promote change. This multi-sectoral collaboration should be integrated into all phases of the program management cycle, from the assessment until implementation and monitoring (Interview with ICRC Focal point on Youth & Urban Violence, July 2016). In some violent urban contexts, assistance activities, such as first aid trainings, should be integrated first, where responding to real needs, or in parallel with protection activities, and may serve to facilitate acceptance and understanding of the impacts of the humanitarian actors.

### **Foster community-based protection and involve host community**

According to UNHCR (Interview, July 2016), they would be able to expand their reach by supporting social and community networks such as small entrepreneurs or the private sector or faith-based organizations, among others. Additionally, when the protection activities target the protection of migrants and refugees in violent urban settings, it is critical to involve the host community and create initiatives or assistance services that benefit not only the newcomers but also the local population (UNHCR Protection Officer, Interview, July 2016). Humanitarian actors should, therefore, privilege the reinforcement of community efforts by supporting formal and informal social institutions instead of substituting them to ensure protection and prevent violence. This serves to enhance local capacity, which then increases the possibility of a lasting solution.

## **5.5 Human resources**

Longer missions (as of 18 months) are recommended for urban violence contexts, as it takes time to understand the complex urban setting and build trust with interlocutors (Interview with ICRC Focal point on Youth & Urban Violence, July 2016). Furthermore, longer term positions are critical to cultivate relationships and enhance the institutional positioning. Training the humanitarian staff to build capacities and skills to be able to operate on urban issues is highly recommended. Additionally, the organizations should find strategies to capitalize on previous knowledge, exchange and systematize experiences so the lessons learned are passed to new staff. It is also recommended for humanitarian organizations to lay down guidelines and policies related to the work on urban violence (For example, the ICRC has elaborated internal guidance for its field delegates working in urban violence settings).

In general terms, the aforementioned recommendations coupled with the experience of the interviewees working in violent urban settings, underpin that a mid/long-term approach, for at least five years, must be considered. Positive protection impacts on urban violence require considerable knowledge, time and resources as the urban violence problematic has social and structural roots (Bosch, Interview July 2015). Urban violence is not necessarily an emergency and as such in order for there to be an impact a development mode approach is needed in many cases. Thus, for organizations to tackle urban violence problems they should design operations that move out from emergency mode and adapt a long-term approach (Lucchi 2014).

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