Engaging with Non-State Entities: Definitions of key terms

Non-state entity: In armed conflict, an armed non-state entity is distinct from a governmental force. Its structure may range from that of a militia to rebel bandits. Other attributes may include independence from state control, the use of violence for political purposes and effective control over a territory/population.

International Humanitarian Law (IHL): A body of rules that protects persons who are not or are no longer participating in the hostilities, and regulates how wars can be fought. The rules apply to governments and their armed forces, and to NSEs. IHL is made up of the four Geneva Conventions of 1949 and their two Additional Protocols of 1977 as well as subsequent treaties, case law, and customary international humanitarian law.

Humanitarian Principles: Humanitarian assistance must be provided in accordance with the principles of humanity, neutrality, impartiality and independence

- Humanity: Human suffering must be addressed wherever it is found, with particular attention to the most vulnerable in the population, such as children, women and the elderly. The dignity and rights of all victims must be respected and protected.
- Neutrality: Humanitarian assistance must be provided without engaging in hostilities or taking sides in controversies of a political, religious or ideological nature.
- Impartiality: Humanitarian assistance must be provided without discriminating as to ethnic origin, gender, nationality, political opinions, race or religion. Relief of the suffering must be guided solely by needs and priority must be given to the most urgent cases of distress.
- Independence: Humanitarian objectives must be autonomous from the political, economic, military or other objectives that any actor may hold with regard to areas where humanitarian action is being implemented.

Humanitarian Access: The parties to conflict must allow and facilitate rapid and unimpeded passage of humanitarian relief for civilians in need, which is impartial in character and conducted without any adverse distinction, subject to their right of control.
Children Associated with an Armed Force or Armed Group: refers to any person below 18 years of age who is, or who has been, recruited or used by an armed force or armed group in any capacity, including but not limited to children, boys and girls, used as fighters, cooks, porters, spies or for sexual purposes. It does not only refer to a child who is taking, or has taken, a direct part in hostilities.

Protection of Civilians in Armed Conflict: Structures and policies developed by the UN, States and other humanitarian actors, and based in international humanitarian law, human rights and refugee law, to protect vulnerable populations from the effects of armed conflict, ranging from the most immediate priorities of minimizing civilian casualties, including killing, maiming and sexual violence, to more long-term priorities of promoting the rule of law and security, law and order within a State.

War Crime: Grave breaches of the 1949 Geneva Conventions, namely, any of the following acts against persons or property protected under the provisions of the relevant Geneva Convention, committed as part of a plan or policy or as part of a large-scale commission of such crimes, including:

(i) Willful killing;
(ii) Torture or inhuman treatment, including biological experiments;
(iii) Willfully causing great suffering, or serious injury to body or heath;
(iv) Extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly;
(v) Compelling a prisoner of war or other protected person to serve in the forces of a hostile Power;
(vi) Willfully depriving a prisoner of war or other protected person of the rights of fair and regular trial;
(vii) Unlawful deportation or transfer or unlawful confinement; and (viii) Taking of hostages. War crimes also consist of many other serious violations of the international laws and customs applicable in international and non-international armed conflicts, including intentionally directing attacks against a civilian population as such, against individual civilians not taking direct part in hostilities or against civilian objects. [See Geneva Conventions and Additional Protocols and International Criminal Court]

Sources:
Glaser, M., OCHA, UN and UNICEF