Introduction:

The Programme Guidance Note issued in November 2011 lays out the reasons for UNICEF to consider engagement with armed non-state entities and the purpose of such engagement within the context of humanitarian action. It also defines and analyses the broad legal and policy framework for engaging with NSEs, as well as considerations regarding the environment in which UNICEF undertakes this engagement. Finally, the guidance identifies methods for assessing if and when such engagement is appropriate, and how to proceed within the organisation once engagement has been initiated.

This guidance note covers situation in which UNICEF works to deliver results for children affected by crises through humanitarian action. “Humanitarian action” is programming that is guided by humanitarian principles. For UNICEF, the scope of “humanitarian action” is defined in UNICEF’s Core Commitments to Children in Humanitarian Action (CCCs) and includes the preparedness for response to humanitarian crises, the response itself including the early recovery approach.

Outline and Overview:

The Programme Guidance Note contains two main sections. The first provides an overview of the document. The second examines the justification and includes two sub-sections.

The first sub-section (2.1) reviews the reasons for UNICEF to engage with non-state entities, including:

- To advocate in favour of and to secure access to populations in need for the provision of assistance.
- To secure commitments on goals fulfilling the rights of children in humanitarian emergencies.
- To advance accountability for perpetrators of violence against children, and to assist the United Nations Security Council in its work to combat grave violations against children.
- To mitigate risks to staff security.
- To pursue UNICEF’s humanitarian mandate in post-conflict situations.

Sub-section 2.2 (pp. 5-9) reviews the applicable international legal and normative framework, which provides an analysis of the issue through the relevant IHL, IHRL, GA Resolutions, SC Resolutions and other normative documents.

In the three sub-sections of Section 3, the programme guidance becomes more operational, laying out the options for the approach UNICEF can take to engage NSEs. The first sub-section (3.1, pp. 9 - 12) describes the information needed to inform a decision to engage with NSEs, including:

- a solid analysis of the political context, conflict dynamics, stakeholder interests and operating environment;
- the identification of concrete objectives for such engagement;
- consideration of the range of options for engagement based on these objectives;

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• a shared understanding of the risks within the organisation; and
• possible strategies for their mitigation.

When **analysing the situation**, UNICEF should seek to understand:

• The overall political/security context,
• Key stakeholders
• The impact of the political/security environment on girls, boys, women and men,
• The presence and nature of UN peacekeeping or political missions, where deployed
• Perceptions of United Nations humanitarian actors,
• Practical considerations, specifically how to gain physical access to the group and the areas under its control, where, how and with whom contact should be made to maximize UNICEF’s ability to gain commitments from, and change the behaviour of, the group in question.
• Relevant global political issues
• Recent experience and lessons learned

Sub-section 3.1 also provides guidance on how to **clarify the objective of engagement** and addresses the issue of **responsibility for the decision** in the organization as the choice to engage NSEs is often a politically sensitive one.

The second sub-section (3.2. pp. 12-13) examines the modalities of engagement. When preparing a strategy, the RO/CO will need to consider whether engagement will be direct or indirect; open or confidential; high level or low level; and, bilaterally or through multi-party agreements.

The final sub-section (3.3, pp. 14-15) provides important guidance on risk management for engaging with NSEs.

**Resources and Support:**

The guidance is also available on the intranet at [http://intranet.unicef.org/Emops/EMOPSSite.nsf/root/Page010404](http://intranet.unicef.org/Emops/EMOPSSite.nsf/root/Page010404) and as part of the emergency E-Deployment Kit USB.

The intranet site also includes lessons learned and examples of past engagement with NSEs and links to a Community of Practice maintained by EMOPS.

Support to Country Offices is available via the EMOPS Humanitarian Policy Section (gboutin@unicef.org)