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Post Interventions:
Relief and Development Obligations and Operational Realities
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I. Introduction

I have just come from a week in Geneva at the UNHCR Executive Committee meetings. Post intervention obligations and operational realities, tragic ones in Iraq and Afghanistan, are weighing heavily on the international community. The subject of this conference is certainly a timely one and I am very pleased to be here with you this weekend.

What I would like to do this afternoon is:

- Talk a bit about USAID, the Bureau in which I work, and the lens I'm using here today;
- Offer a perspective on the origins of civilian interventions in complex humanitarian emergencies (CHEs) and the impact these origins have had on the humanitarian community; and
- Then I would like to get to the crux of the matter: post intervention obligations, implementation principles and operational realities.

II. USAID/DCHA Vantage Point

USAID has regional Bureaus for Africa, Asia and the Near East, Europe and Eurasia, and Latin America. It also has central bureaus and one is called Democracy, Conflict and Humanitarian Assistance—DCHA

Within the Bureau of Democracy, Conflict and Humanitarian Assistance (DCHA) we have several offices: the Office of Foreign Disaster Assistance (OFDA), the Office of Transition Assistance (OTI), the Office of Food for Peace (FFP) and, just established, the Office of Conflict Management and Mitigation (CMM). DCHA is the part of USAID that manages all humanitarian assistance activities.

This past year, all of USAID's democracy and governance programs have also been included in this Bureau. We also manage the Agency's relationship with the NGO community.

The mandate of the Bureau has expanded beyond providing humanitarian assistance. We are the part of USAID that focuses on failed and failing states.

Our view is that humanitarian crises, natural or man-made, are most often symptoms of state failure. By combining our humanitarian offices with our Democracy Center, we can address the symptoms of the crisis in the short and medium term while, at the same time, focusing on the longer term root causes—the absence of good governance, the lack of transparency and accountability, corruption and the rule of law.

My perspective will be from the USG and civilian. I am more familiar with humanitarian than development issues.

III. Interventions and US Motivations

What I will be talking about today is interventions in humanitarian emergencies that surpass the capacity or willingness of the host government to respond.

These emergencies range from natural disasters to CHEs: hurricanes in Central America, earthquakes in India and Turkey, famine in Ethiopia and CHEs in Sudan, the Democratic Republic of the Congo (DRC), Liberia and Afghanistan (pre 9-11).

I have a rather benign definition of “intervention.” An intervention is when a government or governments involve themselves in the affairs of another state to help resolve a humanitarian emergency. What is important to me is that intervention is a process and not an event and a process that does not have a clear end state. An intervention is usually an escalation of activities already underway in the country. Interventions usually only introduce a new actor when it’s a military intervention.

I am leaving aside Afghanistan (post 9-11) and Iraq because they distort the discussion and, I think, are exceptions.

These interventions fall into four categories: civilian humanitarian interventions that could include military logistical support (natural disasters including Afghanistan before 9-11); diplomatic interventions with a humanitarian assistance component (Sudan at the moment, DRC and North Korea); humanitarian interventions supported by military force (Liberia); and military intervention with a humanitarian assistance requirement (Afghanistan and Iraq).

The US motivation for these interventions or US participation in these interventions is two-fold: to assist the victims of the emergency and to further the foreign policy objectives of the US.

One overarching foreign policy objective of the US is to provide humanitarian assistance to victims of disasters, regardless of their relationship to the US. There are other foreign policy objectives that come to play depending on the country and region. Since 9-11, the war on terrorism has become a powerful element in all of our foreign policy calculations.

As one moves from natural disasters to CHEs to Iraq, one can estimate the relative importance of the various policy objectives of the US.

From my position in USAID, however, all of the intervention my office becomes involved in are primarily to assist local populations and, by extension, to further the foreign policy objectives of the US government.

IV. A Comment on the Origins of UN Sanctioned Humanitarian Interventions in CHEs

The literature on interventions sets forth the origins of UN sanctioned military interventions in CHEs but is silent on the origins of UN sanctioned civilian humanitarian interventions in CHEs. The origins are different and may help explain the condition of the humanitarian community today.

We have had complex humanitarian emergencies all along. We just ignored them until the mid 1980s (except possibly for Biafra). We waited for people to cross a border and the situation to become a refugee emergency.

[I have my own definition of a complex emergency: It is a humanitarian emergency caused or complicated by civil strife that cannot be resolved simply by sufficient amounts of humanitarian assistance or a peace operation. A political resolution of the root causes is the only avenue to a solution.]

The intervention literature suggests that UN sanctioned military interventions in CHEs started in Iraq and then Somalia. That may be correct in terms of UN resolutions, but not in terms of non-military interventions in CHEs.

In my view, northern Iraq in 1991 was a coincidence that reinforced trends in humanitarian assistance already underway.

I start from a different point--in Ethiopia and Sudan in the later 1980s. For the civilians, these emergency responses set the stage for subsequent interventions, both non-military and military, in Africa (Somalia, Angola and Liberia) and the Balkans.

Ethiopia. In the mid 1980s, the US and other donors were providing assistance to the Ethiopians in both government and rebel controlled areas. In rebel areas, the assistance was supplied through NGOs based in Sudan. Assistance traveled to Port Sudan and then cross border into Eritrea and Tigray.

Despite great sensitivities to the sovereignty issue, donors, for the first time, were consistently violating a nation's sovereignty to assist at risk populations in rebel-controlled territory. There was no UN participation in this cross border operation.

Sudan. At the same time, the war in southern Sudan coupled with a famine was becoming news. US NGOs insisted that the US fund and protect them in southern Sudan. USAID (OFDA) agreed to fund NGO cross border programs from Kenya and Uganda and to continue airlifts from Khartoum to the garrison towns in the south. As pressure built, the UN decided to become involved.

Jim Grant from UNICEF called and we spent a day in consultations, explaining the situation in southern Sudan and US programs to assist the victims of this crisis. We urged UN participation, hoping the UN would generate additional donor resources. Some weeks later, Grant announced the beginning of Operation Lifeline Sudan (OLS). The assistance routes we were using with the NGOs were the routes that appeared on the OLS maps.

Operation Lifeline Sudan was a UN civilian intervention endorsed by the Government of Sudan and the Sudanese Peoples Liberation Army (SPLA)—the first UN sanctioned civilian intervention in a CHE.

The humanitarian assistance world has never been the same and is still adjusting today. Prior to OLS we had: refugee camps, relative security, respected international symbols and few NGOs with clear mandates. The UN High Commissioner for Refugees (UNHCR) responded to refugee emergencies and the UN Disaster Relief Organization (UNDRO), remember that organization, responded to natural disasters. ICRC sometimes provided assistance in conflict situations.

This all changed in 1988 with OLS. With OLS, the international community intervened in complex humanitarian emergencies. Now security is gone, mandates are unclear, especially for internally displaced persons (IDPs), NGOs have proliferated, international symbols of neutrality are disregarded.

Human rights concerns are now integral elements of any CHE response and one can no longer make what was always a false distinction between relief and development activities.

This all set the stage for the military's humanitarian intervention in Somalia. It was a small step from US NGOs providing assistance in the midst of the war in southern Sudan to intervening in the chaos of Somalia and then appealing for protection from the US military.

USAID assisted the UN in negotiating the Special Relief Program for Angola (SRPA) in the early 1990s, which was very similar to the terms of OLS and UN peace keepers soon followed. Sovereignty concerns were not heard again.

V. Core Obligations

If we view emergencies, natural and CHEs, as symptoms of state failure and we intervene, it seems that certain relief and development obligations accompany the intervention decision.

To my mind there are four categories of core obligations. They involve both relief and development activities and they must be done simultaneously.

The first core obligation is a humanitarian response to meet the immediate life-saving needs of the victims of the emergency. Second, we must address the institutional failures that precipitated the CHE. If combatants are involved, and they usually are, the third obligation is to facilitate the DDRR process-disarmament, demobilization and rehabilitation and reintegration. The fourth obligation is security, a prerequisite for the other obligations to succeed.

The depth and duration of these obligations depend on the type of emergency and the type of the intervention. An earthquake might entail relief aid and longer-term engagement with the ministry that enforces earthquake standards for construction and not much else. The other extreme is nation-building going on Iraq that may require years of assistance.

A limiting factor will be the government's ability (Somalia and Liberia) or willingness to cooperate (Zimbabwe).

I would like to elaborate a little more on each of the four core obligations.

Our humanitarian obligation is to stabilize the situation by meeting the life-saving requirements. I would define this obligation broadly. This would include not only food, health, water and sanitation and shelter but also human rights protection. This obligation would include assistance geared to vulnerable populations: women, children, IDPs, refugees.

If the root cause of most CHEs is a failure of government, our core institutional development obligation is to assist the governing institutions in rehabilitating or developing transparent and accountable governing systems and promoting the rule of law. Essential institutions requiring assistance are governmental entities at all levels, the judicial system, the police and civil society.

When the resolution of a CHE involves warring factions, DDRR becomes the third core obligation. In meeting this obligation, the intervening military needs to assist in the disarmament of the combatants (militaries do not like to do that). The interveners, both military and civilian, are also obliged to reconstitute an integrated military and police force, to identify employment and training opportunities for the demobilized and mechanisms to carry this out.

We should keep in mind that as demobilization begins, it is a time of great distrust and fearful vulnerability for the disarmed and demobilized combatant. The presence of the intervening force through much of the early stages of this process is essential for its success. Finally, this process must be initiated if not completed quickly. (Angola offers two examples of how not to demobilize.)

The fourth core obligation is security, sufficient for the normal life and government functions. Without security the other core obligations will most likely not be possible.

VI. Implementation Principles

We are obliged to fulfill these obligations in certain ways and I would suggest seven guiding principles.

First, we cannot just provide life-saving humanitarian assistance. It must be provided in compliance with internationally accepted standards (SPHERE).

Second, while the interveners do not have to be neutral, they should provide humanitarian assistance to the needy impartially, based on need.

Third, the interveners are obliged to undertake their tasks in a way that does not leave a population worse off than before the emergency (three examples: Sudan, Iraq and artificial relief economies).

Fourth, the interveners are obliged to provide this assistance (health care, clean water, for example) without creating parallel systems/institutions that relieve the government of the responsibility to provide these services and allows the government to divert resources to other uses.

Fifth, we must remember that all assistance is political. Intervenors are obliged to provide assistance with acute sensitivity to its politicization and to its manipulation by various sectors of the society. We must be very aware of winners and losers as we inject significant amounts of assistance into resource poor environments.

Sixth, intervenors are obliged to manage expectations as we provide assistance. We should not make promises we cannot or will not keep.

Finally, seventh, cultural and ethnic sensitivities are fundamental to fulfilling the four core obligations.

VII. A Comment on the Role of the Military

The military's role in these interventions, with few exceptions, should be limited to security, logistics and engineering for a short time, providing assistance in hostile areas where civilian agencies cannot go and to participation in the DDDR process.

In non-humanitarian interventions of the nature of Afghanistan and Iraq, the role I've suggested may not be possible.

When "mission creep" happens, responsibilities become confused and it becomes more difficult for the players to carry out their assignments.

VIII. Operational Realities Intrude

Now the real world intrudes on the discussion and meeting the core obligations becomes very difficult. I've grouped these reality constraints into seven categories.

The number of emergencies and CHE continues and shows no signs of decline. The costly and long humanitarian emergency of the 1990s—CHEs—looks like it will continue its dominate role well into the 21st century. For my government, funds and staff are inadequate and that forces hard choices among emergencies. Unfortunately, some “forgotten emergencies” will not receive the attention they deserve from the US and the international community.

Second, priorities are not uniform throughout intervening governments or even within individual agencies. For example, USAID missions have their strategic plans and they often do not provide for unanticipated requirements to meet the core obligations of an intervention directed by Washington. The UN and its various agencies have similar constraints and NGOs have their own set of priorities.

Third, the political will is not present to make available the necessary resources to carry out our obligations after the decision has been made to intervene. Governments are rarely willing to provide the diplomatic muscle to carry through these obligations (we will see about Afghanistan, Iraq, Sudan and Liberia). If we as humanitarians are instructed to invest hundreds of millions of dollars in emergency responses, we should expect a similar commitment from our diplomats. But we rarely do. Responses to humanitarian emergencies are easy commitments to make. The political staying power required to meet the obligations and resolve the CHE are different matters. Providing humanitarian assistance cannot continue to be the easy out for governments

Fourth, legislation gets in the way for many interveners. In many of the countries, where we (the US) responds to CHEs, we do not have USAID missions to carry on with the development activities and our emergency accounts are prohibited from doing so (northern Iraq since 1991, Sudan until recently, Angola for a time and North Korea). Countries like Sudan and Somalia that had aid programs at one time in the past, have not repaid their development loans. Without a waiver from the Secretary of State or, in some cases, the President, development assistance cannot be provided.

Fifth and one of the most troublesome, is the problem of the timing of assistance. Humanitarian assistance can move quickly, development assistance cannot. Militaries can win their engagements quickly but police training and re-establishing judicial systems take time. During the gaps in these kinds of assistance, those who oppose a stable environment flourish and the likelihood of slipping back into chaos is high.

Sixth is the participation of the military. For the US military cooperation is a political-military plan but that is not sufficient for the rest of us. In general, the US military does not understand the strengths of the UN and NGO communities. The military likes to know who is in charge and when the task will be completed. The answers of “no one” and “we don’t know” usually lead to the military trying to take charge of civilian activities and then confusion and resentment set in. That is why it is important for the military, especially the US military, to stick to a limited role in humanitarian interventions. (The US military has little experience in peace operations unlike the Canada military.) Finally, the military, especially the US, by its very nature increases expectations and that is a difficult job for the rest of the community to manage.

Seven, early intervention is exactly what is needed but is not likely to happen. Most diplomats are reactive and members of Congress will not approve funds on the come. (The 1991 southern African drought response—no one died so some assumed we wasted the money.)

IX. Final Thoughts

Responding to CHEs is new business and we should not forget that. We only started responding to CHEs 16-17 years ago. We have a lot to learn, but we’ve come a long way.

When we intervene in CHE, we, as a community and as individual actors, do not have a common understanding of what obligations we have just taken on. Until we do, our interventions in CHEs will be poorly designed and inadequate and they will bear little fruit.