Conflict and Compromise:

UN Integrated Missions and the Humanitarian Imperative

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KAIPTC Monograph

No. 4

June 2006

ACKNOWLEDGEMENTS

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[1] For information on this programme, see www.trainingforpeace.org".

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EXECUTIVE SUMMARY

The integrated mission has come into existence in the face of modern 'total war', where the classic UN peacekeeping and humanitarian response proved insufficient. Lack of communication, duplication of efforts, and a failure to adapt strategy to the new tactics of belligerents meant that the 'UN family' was ineffective at best. At worst, agencies found that the lack of coordination and standardization was actually feeding into the cycle of war. The idea of an Integrated Mission Task Force (IMTF) emerged in 2000 as a possible solution; a way to gather input from each of the stakeholders and eliminate the inefficiency and overlap that was plaguing the system.

Building on this concept, the organizational structure of an integrated mission invests the Special Representative of the Secretary General with responsibility for all of the elements of the mission, including the political, military, and humanitarian responses. It also frequently means that the responsibilities of Humanitarian Coordinator and Resident Coordinator are fulfilled by the same person. Integration is designed to streamline UN efforts and ensure that the objectives of all UN forces and agencies are channelled towards a common overarching goal. It is an approach that makes good organizational sense, but it is one that has raised significant objections from the humanitarian community who have serious reservations about the placement of the UN humanitarian agencies under the same control structure as the political and military branches of the mission.

Throughout the 1990's, the reputation of humanitarian action as a moral 'good' was co-opted by world leaders and academics who sought to cast 'just' military intervention – those undertaken (ostensibly) in the interest of human rights and humanitarian norms – as 'humanitarian' and thus apolitical in nature. For all their ideological similarities, however, peacekeeping and humanitarian assistance are two clearly distinct forms of action which often manifest divergent objectives and priorities. Peacekeeping may be 'just' and 'good' and 'right', but it can never be neutral or impartial and thus it can never be 'humanitarian.'

That said, it is sometimes difficult to determine precisely what is meant by 'humanitarian' in a world where the roles and identities of humanitarian actors vary so substantially from one organization to another. In recent decades there has been a proliferation of agencies and organizations that have donned the 'humanitarian' mantle, but few can be called 'neutral, impartial and independent' in any objective sense. Many ostensibly 'humanitarian' organizations have taken on tasks and objectives – such as human rights advocacy, or long-term development projects – that do not fall within the neutral 'humanitarian' remit. This, as much as integration or any external initiative, can be said to have contributed to the 'blurring of the lines' between the political world of peacekeeping, and the apolitical world of humanitarian assistance.

Given the variable objectives and abilities of its members, the humanitarian community – including the ICRC and UN humanitarian actors – is notoriously difficult to coordinate. And yet, in a world where civilians are strategic assets and a poorly planned aid response can result in the diversion of aid to the benefit of belligerents, coordination has become more important than ever.

However, the practice in integrated missions of combining in one individual the roles of both the Humanitarian Coordinator (HC) and the Resident Coordinator (RC) creates a tension between the ostensibly neutral HC and the explicitly political RC. But the real concern stems from the conflict in priorities created by this concentration, and by the UN's proclivity to de-emphasize, and – occasionally – even to undermine humanitarian action in favour of longer-term peacebuilding initiatives. The integrated structure is also accused of adding to the already

complex UN bureaucracy, and making reporting lines and accountable parties even more difficult to identify. Another major source of concern is the way in which integration further institutionalizes the poor treatment of humanitarian actors by the mission, and the military elements of the mission in particular. If the humanitarian community is to be expected to place its trust in mission officials, the mission, and the UN more generally, will have to prove that humanitarian concerns and priorities will not be subverted to the UN's political aims.

Ultimately, it must be understood that the outcry against integrated missions, and the widely cited degrading effect that integration is perceived to have on the humanitarian imperative is just a symptom of a wider dysfunction in the institutional relationships between the UN family and the international NGO community. While integration does pose a certain threat to humanitarian space, it does so in a context where humanitarian principles are compromised daily by humanitarian actors themselves; a reaction to the realities of modern humanitarian action. The integrated mission structure is problematic in that it exacerbates the tensions created by the UN's wider position on the politicization of aid, the de-prioritization of the humanitarian imperative in relation to the UN's own peacebuilding priorities, and the ongoing lack of respect and consideration with which non-UN humanitarian organizations have been met by UN officials and policy makers.

On the other hand, the integrated mission structure has the potential to be a clarifying and unifying force in peacekeeping contexts. However, if integration carries on as it has done to date – without the trust or willing participation of these non-UN partners – integration may well serve as a source of further fragmentation, and a bone of contention for those humanitarian organizations that never endorsed this change to begin with.

CHAPTER 1

INTRODUCTION

BACKGROUND

'Integrated missions' are the most recent incarnation of the UN's attempts to address the peacekeeping and peace building challenges that began to manifest themselves in the early 1990's, when a cessation of Cold-War hostilities resulted in the fragmentation of state systems around the world. The UN system, designed to respond to interstate conflict, had difficulty adjusting to the new prevalence of intrastate crises. The problem was the evolution of a new sort of warfare, one in which brutal tactics were employed against civilian targets. Issues of security became increasingly intertwined with issues of development, human rights, and the provision of humanitarian assistance as hundreds of thousands of people fled their homes. Human suffering had become a weapon, and the struggle to combat it necessitated a new 'multidimensional' approach to peacekeeping. The new face of warfare, the interconnectedness of politics, economics, and human rights, and the failure of the traditional UN crisis response system all indicated that if the UN was to live up to the role it had laid out for itself in the Charter, major changes would be needed in the way the organization approached peacekeeping.

Despite their lack of coercive power, most peace operations established during the Cold War were entirely military in composition and entirely military in mandate. The number of actors involved in the insertion of military observers or forces to monitor cease-fires was limited mainly to the UN Security Council, the Secretary-General, a few troop contributing countries and, of course, the belligerent member states. During the 1990s, however, the UN was called upon to oversee the implementation of a number of detailed peace agreements, which required its field missions to engage in a wide variety of non-military functions. The tasks of peacekeepers typically came to include the full range of measures stored in Boutros-Ghali's[2] conflict resolution "toolbox" – which went far beyond observing, monitoring and reporting on cease-fire agreements. Actual mission mandates during the 1990s thus covered such ambitious projects as disarming and demobilizing warring factions; transforming regular and irregular forces into a unified army; reorganizing and retraining the police; re-establishing or reforming the judiciary; providing food, water, sanitation, medical services, housing, and road repairs; and conducting or observing national elections. The more these and other tasks were included in the mandate, the more the mission approached "holistic" or "full-service" operations.[3]

In the 1990's, as the UN was trying to prove its new post-Cold War relevance, the relative impotence of the UN peacekeeping tools and humanitarian responses was exposed in a number of high profile debacles. In Somalia a lightly equipped peacekeeping force, reflecting the 'classical' peacekeeping standard of the time, had little choice but to stand by and watch passively while belligerent forces hijacked aid convoys and civilians starved by the thousands. In Sierra Leone, the international community suffered total humiliation when in May 2000 some 500 peacekeepers were taken hostage by Revolutionary United Front (RUF) rebels, and aid agencies were denied access to thousands of victims throughout the country. In Bosnia, a so-called 'safe-zone' in Srebrenica - patrolled by UN peacekeepers - became the site of a massacre of Bosnian

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[2] As articulated in the former UN Secretary-General's report on post Cold War peacekeeping. See B Boutros-Ghali, *An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peace-keeping*, United Nations, New York, 1992.

[3] See T Franck, "A Holistic Approach to Building Peace", in Michael Doyle and Olara Otunnu (eds.) *Peacemaking and Peacekeeping for the Twentieth Century*, Rowman and Littlefield, Maryland, 1998, p. 275 - 295.

Muslims who had taken refuge there, and who had protested that the aid delivered by the humanitarian community would only serve to allow them to die in better health.[4] Finally, in the African Great Lakes region, the UN failed to halt the systematic slaughter of over 800,000 Tutsi and moderate Hutu. Poor coordination and incoherent strategies meant that the work of the international community facilitated the conditions in which the perpetrators of the Rwandan genocide were able to profit from the international response. In the unprotected refugee camps of Eastern Zaire, the *génocidaires* and their allies consolidated their resources and their power, and engaged in offensive operations that have plagued the region for over a decade.

In his 1998 Report on the work of the UN, Secretary General Kofi Annan highlighted the changing rules of warfare and, perhaps most importantly, the changing stakes of the peacekeeping game.

"Although the United Nations was intended to deal with inter-State warfare, it is being required more and more often to respond to intra-State instability and conflict. In those conflicts the main aim, increasingly, is the destruction not just of armies but of civilians and entire ethnic groups. Preventing such wars is no longer a matter of defending States or protecting allies. It is a matter of defending humanity itself." [5]

All the rules had changed. Aid workers and peacekeepers became targets as they had rarely been before. The distinction between civilian and combatant – the touchstone of international humanitarian law, and the assumptions upon which the International Committee of the Red Cross (ICRC) predicates its position[6] – were blurred. The international community was at a loss to stem the flow of blood.

It is against this background that the notion of humanitarian intervention emerged as a potential means of preventing or stopping the mass killing of civilians caught up in armed intra-state conflicts. 'Humanitarian intervention' may be defined as military intervention in a state without the approval of its authorities, for the purpose of preventing widespread suffering or death among its inhabitants. However, the term was also confusingly used to refer also to the provision of major humanitarian assistance to people in emergency situations, not necessarily involving the use of armed force, and not necessarily against the will of the government of those people.[7]

The idea of legitimate, forceful military intervention on humanitarian grounds became more controversial when critics highlighted the perverse effects of NATO's 'humanitarian' intervention in Kosovo. For example, soon after NATO air assets started bombing Kosovo and Serbia on 24 March 1999, the number of refugees and displaced people increased from around 50,000 to 800,000; and the number of dead and wounded increased from around 2,000 to an estimated 15,000. Atrocities were reported to have been committed by the Yugoslav/Serb side, by the Kosovo Liberation Army, and by NATO. Ineed, NATO used depleted uranium bombs and cluster bombs and otherwise violated international law by deliberately destroying predominantly civilian objects and terrorising millions of civilians.[8]

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[4] F Terry, *Condemned to repeat: the paradox of humanitarian action,* Cornell University Press, London, 2002, p 22.

[5] United Nations, *Report of the Secretary General on the work of the Organization: The causes of conflict and the promotion of durable peace and sustainable development in Africa*, A/52/871 – S/1998/318, par.3.

[6] P Atkinson and N Leader, *The 'joint policy of operation' and the 'principles and protocols of humanitarian operation' in Liberia*, ODI, 2000, p 3.

[7] A Roberts, *Humanitarian Action in War: Aid, protection and impartiality in a policy vacuum*, Adelphi Paper 305, IISS, 1996, p 19.

[8] Jan Oberg, *The Horrendous Price of G8 Peace*, Transnational Foundation for Peace and Future Research, Press Info No. 69, 9 June 1999.

The NATO action in Kosovo – as well as other forceful military operations subsequently sanctioned by the United Nations – was political rather than humanitarian in nature; it was more an exercise in *international law enforcement* than a case of humanitarian intervention. As Jim Whitman puts it: "What is required is not a legal or quasi-legal empowerment of states to assert that their interventions are undertaken on behalf of the international community, but a range of measures (including intervention where appropriate) which are collectively determined, sanctioned and controlled. In other words … [international] law enforcement".[9]

While international policy makers have yet to articulate and apply a clear doctrine for international law enforcement, the multidimensional nature of contemporary conflicts had at least been acknowledged. The insecurity in each of the new trouble spots was attributable to a combination of economic, political, and human rights issues, but the multidimensional response needed for the effective resolution of conflicts and restoration of peace was hampered by the fragmented nature of the UN system – a loose amalgam of offices and agencies which operated more or less in isolation form one another. The realities of the new sort of warfare made it clear that the old system of isolated actors would need to be consolidated in order for the UN to address both complex emergencies and to restore failed or failing states.

The solution was initially sought through greater emphasis on the need for coordination between the various actors involved in peacekeeping and peacebuilding, and more recently though the notion of integration of all components and actors under a single, unified, UN mission structure with a clear chain of authority. Integration is intended to streamline UN efforts and ensure that the objectives of all UN forces and agencies are channelled towards a common overarching goal. It is an approach that makes good organizational sense, but one that has raised significant objections from the humanitarian community who have serious reservations about the placement of the UN humanitarian agencies under the same control structure as the political and military branches of the mission.

The main concern is that the integration of the UN humanitarians into peacekeeping missions would result in the politicization of aid, and the degradation of humanitarian space. As the shape of integrated missions has evolved over the past few years, two basic tensions have emerged. Namely, the tension between a) the pragmatic need to collaborate and coordinate the disparate crisis response systems in such a way as to carve security and stability out of highly volatile and multidimensional conflicts, and b) the need to respect the essential distinction between the political dimensions of the peacekeeping response, and the necessarily neutral and impartial position of humanitarian actors; UN and non-UN alike.

AIM AND SCOPE

The aim of this monograph is to provide an understanding of the source and severity of the tensions between integrated missions and the humanitarian imperative, and to identify and explain the nature of the concessions and adjustments that will have to be made by all parties if the integrated mission structure is to fulfil its purpose.

The study has an African focus, drawing heavily on the experiences of humanitarian actors and UN mission staff in Liberia, where interviews were conducted in March of 2006. Information is also drawn from documented experiences in Sierra Leone, Côte d'Ivoire, Somalia, Rwanda, the Democratic Republic of Congo (DRC), Bosnia-Herzegovina, and Afghanistan.

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[9] J Whitman, "A Cautionary Note on Humanitarian Intervention," *Journal of Humanitarian Assistance*, p.3. <http://www-jha.sps.cam.ac.uk/a/a022> Accessed on 15 September 2000.

The following chapters explore the clash of philosophies between the peacebuilding aims of multidimensional UN peacekeeping missions, and the ostensibly neutral and impartial objectives of humanitarian actors. They seek to delineate the substantial differences between the various actors that make up the 'humanitarian community' and to clarify the nature of their concerns with regards to the integration of the UN's humanitarian coordination efforts into the peacekeeping structure.

A cautionary note is in order at this point: In discussing the relationship of the 'mission' with the humanitarian actors, the false impression may be fostered that a UN peace mission can be understood as a unitary whole. This is clearly not the case; in addition to the humanitarian element, a peacekeeping mission is comprised of military, political, developmental, administrative, public information, human rights, security, and other essential elements – each of which has developed in its own unique historical, philosophical, professional and organizational context. They constitute categories unto themselves, and it is only because of the need to simply the comparative framework that the rudimentary division of 'mission' and 'humanitarian' has been used in this study.

CHAPTER 2

FROM COORDINATION TO INTEGRATION

THE COORDINATION CHALLENGE

As mentioned in Chapter 1, both the conditions that gave rise to civil wars and those that resulted from them called for a more holistic approach to intervention that went beyond military and security priorities to address issues of governance, legitimacy, political and social inclusiveness, and economic equity. It was widely argued that international assistance to war-torn societies would have to extend way beyond the initial intervention if these issues were to be resolved and the host society made resilient to new rounds of violent conflict.

The strategic and operational challenge was both one of how to pull together the various elements of international assistance that coalesced separately at both ends of what was conceptualized as a 'continuum between relief and development', and how to leverage the short-term presence of intervention forces to create the building blocks for a 'sustainable' peace. It was in this context that the notion of 'post-conflict peacebuilding' emerged and appeared to hold great promise alongside other conceptual conflict management "tools" such as preventive diplomacy, peacemaking and peacekeeping.[10]

International peacebuilding efforts during the 1990s, however, were informed by the ambitions of *An Agenda for Peace*, which basically included the official mandates of UN departments and other agencies under the rubric of peacebuilding. Their resources were to be deployed in pursuit of an ambitious but strategically undifferentiated set of goals, as the final phase of international assistance with conflict resolution.[11] Once the potential components of international peacebuilding had been reasonably identified and embraced in notions such as the 'new peacekeeping partnership' with its emphasis on the civilian component of international interventions, attention shifted from the strategic issues of where, when and how to intervene, to the operational challenges of linking together the activities of a multiplicity of organizations, agencies and actors with different mandates, budgets and cultures. The ensuing focus of peacekeeping reform was thus on the mechanics and techniques of cooperation and coordination in pursuit of an elusive 'unity of effort'.

In 1991, the General Assembly passed resolution 46/182 *on Strengthening the Coordination of Humanitarian Emergency Assistance of the United Nations.* This was the first major resolution to emphasize the need to link peacekeeping with humanitarian and development assistance. However, the events of the 1990s illustrated continuing difficulties in putting this sort of collaboration into practice. In March, 2000 - in a step that would lead to the integration paradigm that dominates mission planning today - Kofi Annan addressed this gap, appointing a high-level panel to review UN peacekeeping operations. The so-called 'Brahimi Report' (named after the Former Foreign Minister of Algeria and Chair of the high-level Panel) produced the *Report of the Panel on United Nations Peace Operations.* It was the end result of a broad "review the United Nations peace and security activities," and intended to "present a clear set for specific, concrete and practical recommendations to assist the United Nations in conducting such

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[10] E Cousens, *Introduction*, in E Cousens and C Kumar (eds.) *Peacebuilding as politics: Cultivating peace in fragile societies*, Boulder, Lynne Rienner, Colorado 2001, p 1-2.

[11] Ibid., p. 7.

activities better in future."[12]   The Panel's work addressed a broad range of political, strategic, operational and organizational issues with a view to identifying "the key conditions for the success of future complex operations."[13] One of the most vexing issues identified in the report was the total failure of the UN family to work effectively together:

" There is currently no integrated planning or support cell in DPKO in which those responsible for political analysis, military operations, civilian police, electoral assistance, human rights, development, humanitarian assistance, refugees and displaced persons, public information and logistics, finance and personnel recruitment, among others, are represented." [14]

The report was well received, and made several valid arguments, not least the need for robust international political support, rapid deployment capabilities, and sound peace-building strategies. It highlights the need for UN agencies to work together and to maximize the impact of their collective resources, specifically with regards to the cooperation and coordination of different UN elements engaged in multidimensional missions. Given the complexity of modern missions, the Brahimi Report acknowledged that there is a need for the Department of Peacekeeping Operations (DPKO) to seek out input from a wide variety of UN departments, funds, agencies, and programs. The report further acknowledged that significant structural and operational barriers exist that prevent the free flow of input and ideas between agencies.

Challenges arising from parallel management structures, the physical separation of offices, and the lack of a formal network of contacts between the disparate offices, all meant that inter-agency consultation was dependent upon loose personal networks that had to be built from the ground up every time a new mission was deployed.[15]   These weaknesses led the panel to recommend the formation of an Integrated Mission Task Force (IMTF), a single point of contact that "includes all of the backstopping people and expertise for the mission, drawn from an array of Headquarters elements that mirrors the functions of the mission itself."[16]   The IMTF was initially conceived of as a headquarters-level response, to be employed in the earliest stages of the crisis response planning process. The concept has since been extended to the field level, where the need for coordination is the greatest.

THE INTEGRATED MISSION

While there is no precise or universal definition of an 'integrated mission', it can be broadly defined as an attempt to maximize the available UN resources and expertise, to bring about an end to hostilities and to promote long-term stability and development. In its May 2005 report on integrated missions, the UN Office for the Coordination of Humanitarian Affairs (OCHA) defined an integrated mission as "…an instrument with which the UN seeks to help countries in transition from war to lasting peace, or address a similarly complex situation that requires a system-wide UN response, through subsuming various actors and approaches within an overall political-strategic crisis management framework."[17]

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[12] UN Secretary General, *Letter dated 21 August, 2000 to the President of the General Assembly and the President of the Security Council*, A/55/305 - S/2000/809.

[13] United Nations, *Report of the panel on United Nations peace operations*, A/55/305- S/2000/809, par.3.

[14] Ibid. par.198.

[15] Ibid. par.198-200.

[16] Ibid. p 202.

[17] N Reindrorp and P Wiles, *Humanitarian Coordination: lessons from recent field experience: A study commissioned by the Office for the Coordination of Humanitarian Affairs*, ODI, London, 2001, p14.

This 'system-wide response' – which includes peacekeeping, human rights, development, and humanitarian actors – is reflective of the understanding that development and human rights issues are inseparable from peace and security and the creation of sustainable peace. It is also reflective of the fact that the UN, acting in many cases as an occupying power, has a duty to provide the population in question with the range of services and protections that would ordinarily fall under the remit of the state.

The lack of a clear definition of the integrated mission has been problematic for researchers and policy makers alike. OCHA has stated that only senior mission staff seemed to possess a clear understanding of the aims and objectives, and the practical shape of integration, and that the non-UN humanitarian workers in particular have complained that integration has never been adequately explained to them,[18] in spite of the material impact of integration on the work that they do. Recently, however, a draft UN DPKO report defines an integrated mission as"… *one in which there is a shared vision among all UN actors as to the strategic objective of the UN presence at country level. This strategic objective is the result of a deliberate effort by all elements of the UN system to achieve a shared understanding of the mandates and functions of the various pillars of the UN presence at country level, and to use this understanding to maximize UN effectiveness, efficiency, and impact in all aspects of its work at country level."*[19]

The adoption of an authoritative definition, and the promulgation of a UN policy on integrated missions, may do much to dispel misunderstanding and ambiguity – but it is unlikely to resolve the underlying tensions and attitudinal resistance to integration, without further debate and deliberation amongst a variety of key stakeholders.

Structure and Hierarchy

In an integrated context, the UN hierarchy channels the decision making authority for all branches of the UN through a single senior official; the Special Representative of the Secretary General (SRSG). Below the SRSG the configurations vary, though one general framework has become the norm. In Sierra Leone – a mission looked to as a model for integration[20] – and in Liberia, the SRSG was followed in the hierarchy by a Force Commander and two Deputy Special Representatives of the Secretary General (DSRSGs). In both of these cases, a single DSRSG was 'multi-hatted' – given the responsibilities of both Humanitarian Coordinator (HC) and Resident Coordinator (RC) – in addition to other roles and duties. The Humanitarian Coordinator is the most senior representative of the humanitarian cause within the mission. The RC is the head of the UN country team, a team that is comprised of both humanitarian and development agencies, but whose work is directly influenced by the host Government's long-term development objectives and, as such, is an explicitly political position.

The position typically involves a number of other responsibilities as well. For example, the HC/RC (in Liberia, the DSRSG for Recovery and Governance) is responsible for ensuring the coordination among the various sectors that fall within the 'recovery and governance' pillar; that is, for the Humanitarian Coordination Section (HCS), the Country Team, Civil Affairs, and the Relief, Recovery and Rehabilitation [RRR] process.) It is this arrangement – that is, the concentration of both the RC and HC in one person, and the SRSG's control of the military,

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[18] EB Eide, AT Kaspersen, R Kent, K von Hippel, *Report on integrated missions: practical perspectives and recommendations,* UN ECHA (Executive Committee on Humanitarian Affairs) Core Group, New York, 2005, p 17.

[19] UN *Guidelines on the Integrated Missions Planning Process (IMPP)*, Working group circulation draft, April 25, 2006.

[20] EB Eide, et al, op cit, p 12.

political and humanitarian actors – that has been most loudly opposed by the humanitarian community. However the structure itself is hardly the central issue in this debate.[21] Rather, the integrated mission structure exacerbates issues and concerns that exist quite beyond the integration debate.

The Integration of Humanitarian Elements

The UN's general policy position on the incorporation of humanitarian efforts into UN peacekeeping operations is summarised well in the following passage from the *Handbook on United Nations Multidimensional Peacekeeping Operations*:

"Humanitarian assistance never occurs in a vacuum and is never simply a matter of the delivery of food or medicine. The way in which assistance is designed and delivered, especially the selection of local partners and intermediaries, will almost invariably have important political consequences. It is critical to strategize, maximize the effectiveness of humanitarian assistance for beneficiaries and ensure that the UN humanitarian assistance complements UN efforts to resolve conflict." [22]

The Rwandan experience – where aid had fed the conflict and exacerbated the challenge of establishing peace and stability – brought about the unsettling realization that poorly coordinated and poorly strategized aid operations can do more harm than good.[23] It provided a necessary reminder of a fact that humanitarians had always known – at least in the abstract. Aid may be delivered in the spirit of neutrality and impartiality, but it operates at all times in a highly politicized context. And as such, there is a clear need to ensure that all of the international actors that appear on the ground in the face of a 'humanitarian crisis' are working towards (or, at the very least, not obstructing) the UN's peacebuilding objectives.

This may best be done though the central pooling and sharing of information within a mission. Indeed, the UN DPKO has recently elaborated a concept for the centralised direction, collection, processing and dissemination of information, and has established Joint Mission Analysis Cells (JMAC) in a number of its ongoing missions. The role and intent of the JMAC is to provide the expertise to handle information, conduct and present analysis, build databases, and provide advice at a level that will ensure that decisions are made with awareness of all available and relevant factors. The cell should be capable of providing in-depth current and longer-term analysis of issues affecting the mission. The JMAC will draw on information which is available from open sources, but it will also assess the information that is gathered by all elements of the mission. Importantly, humanitarian representatives are considered one of the key players in this respect. Others, such as security, UN police, military and political officers, will also contribute.

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[21] Ibid, p9.

[22] United Nations Department of Peacekeeping Operations (DPKO), *Handbook on United Nations multidimensional peacekeeping operations,* UN DPKO, New York, 2003, p 159.

[23] Examples of aid manipulation in the Zairean refugee camps were numerous and extreme. During March 1997, for example, Kabila's rebel forces obtained the fuel needed to airlift troops for an attack on the key southern city of Lubumbashi from a depot maintained by the UN High Commissioner for Refugees in Goma. More than 15,000 gallons of fuel were seized to ferry 300 troops and their weapons southward for the successful assault on Lubumbashi on 9 April 1997. In addition to stolen aid fuel, Kabila's army also relied on stolen aid trucks for transport and stolen aid food for sustenance. Likewise, Mobutu's army hijacked UN-chartered aircraft to transport weapons for its futile fight against the rebels. The planes flew into UN-run refugee camps, where the arms were distributed to Rwandan Hutu refugees who had become Mobutu's first line of defence. See J Pomfret, *Aid Dilemma: Keeping it from the oppressors*, Washington Post, 23 September, 1997.

The strategic intent of the JMAC is to harness information from multiple sources and services in order to provide operational focus and the ability to deter and defeat threats posed by armed groups and other spoilers within the area of operations. It is conceived as a multidisciplinary cell that undertakes analysis of information from all sources, analyses it and provides medium and long term intelligence advice to the senior mission management to assist the decision making process.

The integrated nature of the JMAC is designed to encourage the contribution of all components of the mission to improve situation awareness and make recommendations on measures to mitigate risk or threat to potentially exposed UN staff, offices, agencies and components. However, there is not insubstantial resistance to the JMAC concept at middle and senior management level in the missions where it has been implemented. The reasons for this vary from a lack of understanding of the concept, to an inbuilt resistance to what is commonly seen as a 'military' organisation, and basic turf issues as various organisations protect their spheres of responsibility.[24]

CONCLUSION

A substantive shift in the nature of warfare, and the demands that this shift has created for peacekeeping have meant that the UN had little choice but to overhaul its approach to international crisis response, or face more humiliating failure. Drawing on the policy guidance of resolution 46/182 and the *Brahimi Report*, the integrated mission approach aims to consolidate UN staff, resources and expertise, and to channel their collective efforts into a coherent, targeted response. In an attempt to better coordinate humanitarian assistance, and to minimize the manipulation of aid, this structural integration has included UN humanitarian agencies; a fact which roused significant protest for humanitarian actors who feared the impact that integration might have on humanitarian space

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[24] For a more detailed exposition of the JMAC concept, see M Malan, *Intelligence in African Peace Operations: Addressing the Deficit*, KAIPTC Paper, No. 7, August 2005.

CHAPTER 3

PHILOSOPHIES AND PRINCIPLES IN PEACEKEEPING AND HUMANITARIAN ACTION

INTRODUCTION

In the decade and a half since the end of the Cold-War, there have been a number of paradigm shifts in the practice of international relations, and in the norms of the international society of states. Arguably the most significant of these has been the shift from the dominance of sovereign inviolability to a wide – albeit not universal – agreement that there are circumstances in which internationally (i.e. UN) sanctioned intervention into the 'internal affairs' of a state is not just a right, but indeed an obligation that rests with the international community. Wheeler describes these military interventions as being perhaps the "only means of enforcing the global humanitarian norms that have evolved in the wake of the holocaust,"[25] and it can very well be argued that military intervention in the defence of international humanitarian and human rights norms is a moral duty of an ostensibly rights-based international society. This military enforcement of international and humanitarian law – hereinafter called 'international law enforcement' – is, however, often referred to as 'humanitarian intervention.' Unfortunately, this cooptation of the term 'humanitarian' has obscured the original meaning of the word, and has had the effect of merging military action and humanitarian action in the minds of both the international public and, in some cases, even the minds of world leaders and policy makers themselves.

Humanitarian action long pre-dates the notion of peacekeeping or international law enforcement and, in fact, was first conceived of in a time when the notion of sovereign inviolability reigned supreme. The term does not simply denote intervention in defence of perceived moral 'goods' – it is a technical term that assumes adherence to a number of principles, including Humanity, Impartiality, Neutrality and Independence – and an allegiance to the humanitarian imperative. While international law enforcement may often be needed in order for effective humanitarian action to be carried out, these still constitute two clearly separate approaches to conflict and suffering; human rights and humanitarian law are certainly related, but not interchangeable.

On the face of it, the 'integration' of the different branches of the UN in a crisis situation – the military, political and humanitarian – would seem to be a natural and logical step for organizations driven by similar moral objectives. As Sadako Ogata (former High Commissioner for Refugees) has said, "there are no humanitarian solutions to humanitarian crises,"[26] mass displacement, hunger, disease, etc. – are the humanitarian fallout of political failures. In order to effectively address these challenges there is, therefore, a need for military strength, political direction, and humanitarian action, and few would contest the need for these three elements to collaborate in the field. Nevertheless, differences in philosophy and operational priorities mean that these three types of response do not naturally co-exist, and when one understands the inherent tension between these forms of intervention, the objections of the humanitarians begin to make sense.

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[25] NJ Wheeler, *Saving strangers: humanitarian intervention in international society,* Oxford University Press, Oxford, 2000, p1.

[26] D Rieff, *A bed for the night: humanitarianism in crisis,* Simon & Schuster, 2002, p 22.

This chapter examines the historical and theoretical underpinnings of international law enforcement and humanitarian action. It explains the philosophical and operational barriers that make integration difficult, and posits a definition for 'humanitarian action' to be applied throughout the remainder of this analysis. Ultimately, it should be clear that peacekeeping and humanitarianism are complimentary concepts, albeit divergent in their aims, and that neither of these aims can be neglected in times of conflict.

JUST WAR THEORY AND 'ROBUST PEACEKEEPING'

UN peacekeeping is an endeavour, undertaken by the international community, to restore peace and stability to a country or region in the interest of maintaining international peace and security, and (more recently) in order to defend international human rights and humanitarian norms. There are two major strains of peacekeeping, although in practice a single peacekeeping force may move from one type to the other over time. These are Chapter VI peacekeeping - or 'classical' peacekeeping - and Chapter VII 'peace-enforcement'. While the former is an essentially neutral undertaking – a thin blue line deployed to supervise a truce or peace agreement - the later owes its foundation to Just War theory.[27] It is the product of a strain of thinking that defends the application of force in the defence of a moral good; for instance, in defence of civilians enduring indiscriminate attacks. Here, the defence of the individual and of the common good lies in the physical defence of a people against harm. It is an argument that is tied to a broad and unresolved tension surrounding the relative rights and responsibilities of the international community to intervene in a state's internal affairs, and the continuing need to observe state sovereignty.

The end of the Cold-War – catalyst for so many paradigm shifts in norms of the international community – caused academics and world policy makers to begin to question the very basis of sovereignty, and the validity of sovereign inviolability. Proponents of the inviolability of state sovereignty assert the absolute need to respect sovereign borders in the interest of preserving international peace and stability. It is a proposition which originated in the seventeenth century with the signing of the treaty of Westphalia, and one that had long been considered to be the bedrock of the international community as an entity. Sovereign inviolability is the product of the Realist assumption that states are only capable of self-interested action, and bolstered by the Pluralist assertion that military action will always be perceived as being self-interested, and thus threatens the cohesion and stability of the international community.[28]

The Solidarist theory, however, proved highly influential and much touted in the new era of human rights and UN activism. The Solidarists posited that sovereignty was first conceived of as a privilege endowed upon a state as recognition that the state is the body best able to represent the interests of the people residing within its borders. As such, sovereignty should not be taken to be ontologically prior to human rights but rather, a mechanism flowing from the need to *protect* those rights. Conversely, it is argued that a state which explicitly abuses its own people has abrogated this contract and therefore has forfeited its sovereignty. This argument has many detractors, not least the people who fear that influential states or bodies will use human rights arguments to justify intervention for the advancement of their own political ends. Nevertheless,

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[27] M Walzer, *Just and unjust wars*, Basic Books, New York, 1978.

[28] For further reading on English School pluralism, see H Bull, *The anarchical society: a study of order in world politics,* 3rd ed., Palgrave Macmillan, London, 2002.

international policy documents such as the Responsibility to Protect,[29] have firmly entrenched the Just War philosophy as an acceptable international norm.

Conflation of 'Just War' and 'Humanitarianism'

In the 90's this notion of Just War and the duty to intervene became entangled with the older and better established practice of providing humanitarian assistance. In the 1980's and early 1990's the international humanitarian community enjoyed the considerable respect and support of the western public. Aid workers were seen to be the human incarnation of the 'something must be done' sentiment that prevailed at the time. Unfortunately, in the minds of western observers, that 'something' did not extend so far as to support the commitment of national troops to fight and die in defence of the human rights of some indiscernible 'other'. Instead, politicians and policy makers manipulated the high profile of humanitarian assistance in a number of ways, offering aid in lieu of military action,[30] or committing troops for the express purpose of assisting the humanitarian response. This rhetorical and operational sleight of hand allowed governments to give the impression of having reacted, without the potentially messy political implications associated with the use of credible force in intrastate conflict situations.

In order to mobilize western publics behind peacekeeping commitments, these politics had to played down, and the 'innocent victims' angle amplified. In the case of the post- Rwandan genocide refugee crisis for instance, the western politicians and media put forward *"…a dramatic, well-publicized show of human suffering in which the enemy was a virus and the saviour was humanitarian aid. Paralyzed during the political crisis, military forces were suddenly mobilized for the 'humanitarian' disaster, transforming the genocide into a 'complex emergency' in which there was no good or bad side, only victims."* [31]

Having failed to act to prevent or curtail the genocide itself, the international community would characterize their late coming peacekeeping mission as a 'humanitarian' assistance mission, just as they had done in Somalia and Bosnia-Herzegovina. The public in troop contributing countries were assured that their soldiers would not be used to fulfil any sort of traditional military function, but rather, that they were there to assist with the distribution of aid, the digging of latrines, and other, equally innocuous and 'victim' oriented tasks.

Unfortunately, the term, 'humanitarian intervention' has persisted. Today "politicians routinely attach the word 'humanitarian' to political or military causes that need a wider moral justification."[32] As such, humanitarian action and international law enforcement have become interchangeable in the minds of the international public. While peacekeeping and humanitarian action have never been interchangeable concepts, the realities of modern peacekeeping missions make the difference all the more stark, and the distinction all the more important to maintain.

Use of Force in Modern Peacekeeping Operations

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[29] International Commission on Intervention and State Sovereignty (ICSS), *The responsibility to protect: the report on the International Commission on State Sovereignty*, <http://www.iciss.ca/pdf/Commission-Report.pdf> Accessed September 28, 2005.

[30] While intervention became more and more acceptable at the international policy level, public opinion in many western countries still stood in opposition to risking the lives of their own troops in the service of an a mission that was not a matter of domestic interest.

[31] F Terry, op cit, p 171.

[32] M Broughton, *Distinguishing between military relief and humanitarian aid*, MSF Website <http://www.msf.org/msfinternational/invoke.cfm?objectid=EA3E9932-8155-4879-B5F281986D5EF3A6&component=toolkit.article&method=full_html> Accessed May 14, 2006.

'Classical' peacekeeping as it was first conceived of in the 1950s entails the presence of a neutral 'thin blue line' of lightly armed peacekeepers observing the implementation of a pre-existing peace-plan or agreement. The deployment of a peacekeeping force was dependent upon the invitation of the parties to the conflict, and originally it was assumed that these 'parties' would be legitimate state actors. Peacekeeping forces were only deployed in situations when hostilities had already ceased. Lightly armed and instructed to fire only if fired upon, these were not soldiers in any conventional sense. Rather, these early peacekeepers were to be the eyes and ears of the international community, and were deployed to ensure that the terms of the peace agreement were carried out in good faith.

The 1990's saw changes in the nature of warfare, not least the shift towards complex intrastate conflict. In Rwanda, the peacekeeping force – present throughout the commission of the genocide – was understaffed and under armed for the situation they faced, and was powerless to stop the atrocities. The same was true in Bosnia-Herzegovina where the UN Protection Force (UNPROFOR) did not have a war-fighting mandate. The new realities of conflict cried out for a change in the way peacekeeping mandates were constructed.

Slowly, peacekeeping mandates have shifted from classical Chapter VI configurations to the more contentious and robust Chapter VII mandate. Peacekeeping now more closely resembles 'peace enforcement' and missions have more and more often been mandated to use credible force against particular actors in order to defend of international peace and security. The deployment of peacekeeping troops is still typically preceded by a peace-accord or ceasefire agreement. However, there is rarely a clear end to hostilities, or a clear beginning to 'peace-time', and often peace lapses back into conflict long after peace agreements have been put in place. In recognition of this, recent missions in Liberia, Sierra Leone, Cote d'Ivoire and the Democratic Republic of Congo have all been given robust Chapter VII mandates, and have been asked to use force in order to impose and maintain security. At times, the modern peacekeeping operations more closely resemble all-out war than a neutral observer operation.

The conflict in the Democratic Republic of Congo (DRC) is a good – if exceptional – example of this phenomenon. In 1999, the Lusaka agreement was signed, enacting a ceasefire among the many belligerent forces in DRC. With that the UN Mission to the DRC (MONUC) was deployed – initially as a modest observer mission, but since mushrooming into an operation with 16,700 UN soldiers on the ground. By October 2005, about 80 per cent of the mission's force was concentrated in the east. Today MONUC forces are performing combined arms operations against armed groups. The fact that they are doing this with the newly trained DRC Army (FARDC) is important militarily and politically. The strategic result is that MONUC can no longer be viewed as being truly neutral. Beyond the obvious political and military implications, there are consequences for humanitarian relief operations. Access and aid to the rebel groups and the Congolese that live near them has been impaired. Many of these rebel groups have families, but scant means to subsist. The local indigenous population, which already bears the burden of their long presence, has suffered from revenge attacks and been further victimized because of the joint MONUC-FARDC operations against the rebels.

However, the confrontational UN strategy accepts massive civilian displacement as a necessary evil in fight to neutralize the belligerent threat in the region. This is the picture of the modern peacekeeping force: an internationally sanctioned military intervention that brings force to bear on a conflict situation in defence of international peace and security, as well as international human rights norms and the 'collective good'. It is a military manifestation of the political position taken by the international community, which aims to bring about and maintain a cessation of hostilities, and establish long-term peace, security and stability.

HUMANITARIAN ACTION

Humanitarian action is the act of restoring basic living standards to individuals and communities who "have been deprived of them by circumstance."[33] It is based heavily on the pioneering efforts of the International Red Cross and Red Crescent Movement. It is a powerful assertion of the universal sanctity and dignity of human life, and a practical manifestation of the need to provide protection to civilians in times of crisis and conflict. Contrary to the value and politics laden concept of peacekeeping, humanitarianism is underpinned by the principles of Humanity, Impartiality, Neutrality and Independence - the observance of which is essential in order to maintain the trust of all sides of a given conflict, and to maintain access to victims. In recent decades, the number of humanitarian agencies has multiplied exponentially, and the interpretation and application of the core principles has varied slightly with each new addition to the 'humanitarian community'. This has made it difficult to pin down the precise meaning of 'humanitarian assistance', or even to call these many and disparate actors a 'community' in any useful sense of the term.

The Humanitarian Imperative and the Core Principles of Humanitarian Action

On a practical level, humanitarian actors insist that the delivery of humanitarian assistance is an international obligation. The basis of this assertion is couched in the principles of the *Geneva Conventions*, the *Universal Charter of Human Rights*, and the *Convention and Protocol Relating to the Status of Refugees*, which affirm the right to distribute aid to those who need it, and the obligation of governments, belligerent forces, and international bodies to allow aid operations to be carried out. This position is articulated clearly in the *Code of Conduct for the International Committee of the Red Cross and Red Crescent Movement, and NGOs in Disaster Relief:*

"The right to receive humanitarian assistance, and to offer it, is a fundamental humanitarian principle which should be enjoyed by all citizens of all countries. As members of the international community, we recognize our obligation to provide humanitarian assistance wherever it is needed. Hence the need for unimpeded access to affected populations, is of fundamental importance in exercising that responsibility. The prime motivation of our response to disaster is to alleviate human suffering amongst those least able to withstand the stress caused by disaster. When we give humanitarian aid it is not a partisan or political act and should not be viewed as such." [34]

This imperative is a fundamental right and a guarantee that the international community has long made to all humanity. Derived from the civilian protection laws enshrined in international humanitarian law, the humanitarian imperative asserts that 'humanitarian space'[35] is inviolable. It further asserts both the right to provide assistance to those who most need it, and the right of victims to receive it, whether or not such assistance is deemed to be politically expedient.

In the exercise of the humanitarian imperative, aid organizations are guided by Humanity, Impartiality, Neutrality, and Independence. Taken together, these are typically referred to as the 'core principles,' the observance of which is important in that they "were designed to guard

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[33] F Terry, op cit, p 17.

[34] The Code of Conduct for the International Committee of the Red Cross and Red Crescent Movement, and NGOs in Disaster Relief,
<http://www.icrc.org/Web/Eng/siteeng0.nsf/iwpList74/55272BAC31FAB677C1256B660059ADF7> Accessed November 30, 2005.

[35] 'Humanitarian Space' is the *"*scope for neutral and impartial humanitarian action in the midst of conflict." See: M Studer, "The ICRC and Civil-Military Relations in Armed Conflict," *International Review of the Red Cross* 83 No. 842, June 2001.

against the use of humanitarian assistance to induce … compliance"[36] – political or otherwise. Each of the core principles is derived from, and indispensable to the exercise of the others. It is a fragile enterprise to be sure, and one that demands constant vigilance against the co-optation of the language of humanitarianism into the broader – and fundamentally different – exercise of peacekeeping and peacebuilding.

The principle of **Humanity** denotes a duty to alleviate human suffering, to "protect life and health and to ensure respect for the human being,"[37] This principle is the essence of all humanitarian action and international humanitarian law (IHL) and is drawn from the experiences of the father of modern humanitarian action, and founder of the International Committee of the Red Cross, Henri Dunant.[38] The principle of humanity posits that 'respect for the human being is inseparable from peace' and that true peace demands that individuals are empathetic to the suffering of other people. Most important, it is asserted that this principle can not be attained by 'domination nor by military superiority'. This is the touchstone of humanitarian action, and the source of the other core principles.[39]

Impartiality is the foundation of neutrality and asserts that humanitarian assistance will be given solely on the basis of need, and without regards to nationality, race, religious beliefs, class, or political opinion. In other words, "human beings in distress are equal."[40] This principle has little impact in-and-of itself, but as the basis of neutrality, it is an important operational value.   This can be problematic in that victims tend to be more numerous on one side than on the other, and as such, aid is rarely distributed equally between sides. As such, aid agencies may appear to be partial to one side or the other simply on the basis of disproportionate need.

Neutrality is a controversial principle, interpreted differently by different organizations according to their specific objectives and organizational values. The original definition,[41] and the one that continues to be espoused by the International Committee of the Red Cross (ICRC) asserts that in order to gain the trust and confidence of all sides of the conflict, a humanitarian organization should not take sides or "engage at any time in controversies of a political, racial, religious or ideological nature."[42]   The ICRC adheres strictly to this principle, rarely making public denunciations, and preferring to influence parties to the conflict through education campaigns to disseminate IHL, and through quiet, behind the scenes diplomacy.

The ICRC's "austere and sometimes morally troubling"[43] adherence to the principle of neutrality has not come off without criticism – both internally, and from without. After World War II, it became clear that the ICRC had known about – and had chosen *not* to speak out about – the Nazi concentration camps and the methodical slaughter of European Jews. The ICRC had

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[36] F Terry, op cit, p 26.

[37] J Pictet, The fundamental principles of the Red Cross, ICRC, <http://www.icrc.org/Web/eng/siteeng0.nsf/htmlall/5MJE9N> Accessed 10 January, 2006.

[38] Startled by the suffering that he happened upon in at the battle of Solferino, Dunant proposed that even in times of war, our common humanity dictates that there must be limits to the infliction of human suffering. This was the impetus behind the Geneva Conventions and their Additional Protocols, though Dunant would likely be dismayed to see the state of the world, and the deliberate manipulation of civilian suffering in the 'total war' of our times.

[39] P Verri, *Dictionary of the international law of armed conflict*, International Committee of the Red Cross, Geneva, 1992, p 58.

[40] Ibid. p 59.

[41] As it applies to humanitarian assistance and International Humanitarian Law

[42] J Pictet, op cit.

[43] D Rieff, op cit, p 19.

believed this silence to be necessary in order for them to be able to continue to carry on their work with prisoners of war. However, it has since caused severe criticism to be levied upon the organization by outside commentators and ICRC staff alike. The organization has since apologized for what is now acknowledged to be a massive moral failure, but it still resonates as a vivid example of the moral tensions that declarations of 'neutrality' may tend to create.

Other organizations, many taking lessons from their established humanitarian counterparts – have interpreted neutrality differently. The best known of these is Médecins Sans Frontières (MSF), whose mandate calls for the provision of medical assistance to people in need, and to "raising awareness of the plight of the people that (they) help".[44] MSF speaks out – loudly and frequently – against those groups that it perceives to be in breach of international humanitarian law, courting the potent and essential international public opinion. In the 1999 Nobel Peace Prize acceptance speech, Dr. James Orbinski (then President of MSF) argued that: *"Silence has long been confused with neutrality, and has been presented as a necessary condition for humanitarian action. MSF was created in opposition to this assumption. We are not sure that words can always save lives, but we know that silence can certainly kill."*[45]

For MSF, *témoignage* – the act of documenting and speaking out about abuses on behalf of those who can not – is a moral obligation at the very heart of their work. 'Neutrality' is maintained in that the organization is equally well disposed to speak out against just about anyone. The organization has publicly denounced the actions of governments, regional organizations, and the UN, thereby bringing public attention to human suffering and abuse wherever they work. However, this decision to speak out has also occasionally resulted in MSF's expulsion from the country in question; specifically Ethiopia (1985), and Rwanda (1995).[46]

Independence is arguably the most important of the four. It is crucial, as it is an essential pre-condition to the maintenance of the other three. However, independence is a tricky principle to achieve in practice for a number of reasons. The principle posits that in order to be truly neutral and impartial, an organization must have un-qualified independence from all those governments, organizations, and individuals that might be seen to exert political influence over the way aid is to be distributed. In practice, the relative ability of different agencies to adhere to this principle is dictated in large part by the political sensibilities of their major donors (typically Governments). While all humanitarian agencies – UN and non-UN alike – have embraced impartiality in their mandates and rhetoric, there are very few that can claim to be completely independent in practice.

The ICRC is one of these, their unique stature and reputation garnering enviable long-term funding security. MSF is perhaps a close second. As one of the most widely recognized NGOs in the world, MSF has the luxury of being selective with their donors,[47] and possess sufficient funds to carry out projects where the need is the greatest.[48] The majority of humanitarian organizations, however, are largely dependent on the whim of their donors, and on the much

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[44] Médecins Sans Frontières International, About MSF: the MSF role in emergency medical aid, <http://www.msf.org/msfinternational/invoke.cfm?objectid=130CB2BA-E018-0C72-097046C7C42A8573&component=toolkit.indexArticle&method=full_html> Accessed February 7, 2006.

[45] J Orbinski, Médecins Sans Frontières Nobel Prize Acceptance Speech, Oslo, 1999.

[46] Médecins Sans Frontières Swizerland, Le Témoignage, <http://www.msf.ch/temoignage.45.0.html> Accessed March 1, 2006.

[47] In the crisis in Bosnia, MSF refused to accept funds from the governments that were party to the hostilities. See C Dumait-Harper, Speech in commemoration of the 25th anniversary of the UN International School, 2001.

[48] F Terry, op cit, p 23.

sought after media coverage that tends to dictate the quantity of funding available. To use a familiar example, the post- Rwandan genocide refugee crisis in Africa's Great Lakes region saw hundreds of thousands of refugees escaping into western Tanzania and the small town of Goma, in eastern DRC (then Zaire). While overwhelming need existed in both regions, the world media focussed almost exclusively on the crisis unfolding in Zaire. This lead most aid agencies to believe that they could not afford to be absent from Goma – that fundraising demanded that their organizational colours be represented on the nightly news that would be beamed back to the all important 'Western' audiences. It meant that aid was effectively distributed according to the publicity it would receive, as opposed to the relative need of the victims.

Operational Application of the Core Principles

Contemplated in isolation, these principles could well be seen to be academic and lacking pragmatic acceptance of real-world conflict situations. However, it is important to understand that the "principles are not an end in themselves, but rather a means to the end of assisting suffering people."[49] In conflict situations, where warring parties are concerned primarily with their own security and strategic interests, negotiating access to conflict victims demands that humanitarian agencies act and be seen to act in a neutral and impartial manner. For example, if an aid organization hopes to gain access to the victims of conflict living in territories controlled by parties A and B, it must conduct its relief efforts in such a way as to reassure party A that it is not affiliated with, or working in the interest of party B (and vice versa).

This is no small feat, and agencies are frequently accused by one side in a conflict of colluding with their enemies, or of taking sides in the conflict. In order to avoid the image of partiality, many (albeit not all) aid agencies go to significant lengths to maintain an independent identity – although it is important to note that aid organizations differ significantly in their respective policies in this regard. Most, for example, will not be seen riding in UN peacekeeping vehicles (distinguished by black UN lettering on a white background), and the use of peacekeepers' means of transportation – such as truck, helicopters, and military escorts – is largely discouraged, or undertaken with extreme caution. In DRC, where UN peacekeepers are engaged in direct conflict with rebel groups, MSF found that in spite of distinctive organizational insignias, the white SUVs being used by the organization were being mistaken for the similar white vehicles used by MONUC. In order to differentiate their vehicles, MSF has since begun to paint their vehicles pink.[50]

The importance of such distinction, of course, varies from case to case. In the spring of 2006, several months after the successful election of the new Government of Liberia the average Liberian on the street in Monrovia would be hard pressed to explain the difference between the ICRC and the UN, let alone differentiate between their organizational symbols or vehicles. Given the relative security and stability in Liberia this was not an issue of pressing concern.[51] In DRC however, the re-painting of the MSF vehicles – from white to pink – was prompted by the fact that villagers in areas where anti- MONUC sentiment was high had begun to hurl rocks, (along with anti-UN rhetoric) at MSF trucks, endangering the staff and putting the organization's operations at risk.

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[49] L Minear, "The theory and practice of neutrality: some thoughts on the tensions," *The international review of the Red Cross, v. 833 (p 63-71),* <http://www.icrc.org/Web/Eng/siteeng0.nsf/htmlall/section_review_1999_833?OpenDocument> Accessed October 3, 2005.

[50] Interview with Sebastian Weber, Head of Mission for MSF-Holland in Liberia, Monrovia, Liberia, 8 March, 2006.

[51] Ibid, and Interview with Dennis Johnson, Chief of the Humanitarian Coordination Section of UNMIL, Monrovia, Liberia, 9 March, 2006.

Some agencies choose to apply the four core principles more stringently in some circumstances than in others, determining that some levels of conflict necessitate a high level of independence, neutrality, and impartiality, while in others, access can be maintained regardless of perceived association with military and/or political actors. Others would argue that it is important to maintain the same level of separation between humanitarians and politico-military actors regardless of the prevailing security climate. As one senior humanitarian official in Monrovia argued, the situation in Liberia in March of 2006 was such that the distinction between humanitarian agencies and the mission was almost unnecessary. There is, at present, very little resistance to the mission, and as such the mixing of staff and the shared use of assets probably wouldn't have any negative short-term consequences for access or the delivery of aid.

However, in the long term, this could well prove to be problematic, and given the unpredictability of conflict, some organizations find it necessary to adhere stringently to the core principles in all circumstances in order to encourage consistency and predictability in organizational operating procedures. A senior humanitarian official proposed the following hypothetical scenario, which illustrates the point:

"The guys who are going to cause a problem for Liberia in five years time [hypothetically] – *they are already here. They see how people work and who is associated with whom. If today I met the different interlocutors and the different people on the ground and explain who we are and what we do and how we work and how we don't work; again, five years down the road he will recall* [how we operate]*."*[52]

In times when the threat of violence has been reduced, some aid organizations may see fit to relax their adherence to the cumbersome core principles and make open use of UN military assets, etc. If, however, the conflict were to re-ignite, that relaxed approach will have been witnessed by the actors who have returned to arms, and those organizations may well find themselves associated with the UN in the eyes of the belligerents.

Recent events in Cote d'Ivoire provide justification for strict and consistent adherence to the humanitarian principles. In January, 2006, after months of relatively low level conflict, violent anti-UN protests erupted in Abidjan. In Guiglo, a small town in the Western region of the country, UN and NGO compounds were attacked and looted. The exception was the MSF compound, where – it has been suggested – protest leaders prevented the looters from attacking MSF property in recognition of MSF as being distinct from the UN. The compounds of UN humanitarian agencies and several other independent NGOs were not so fortunate.[53] This event speaks to the value of a strong and consistent humanitarian reputation.

It also speaks to the regional dynamics that need to be considered, as international aid organizations do not operate in isolated contexts. An organization's approach in one theatre can be observed by belligerents in other conflict areas. One example is in Afghanistan where, in 2003, MSF staff members were accused by the Taliban of collaborating with US forces. In addition to impacting on their Afghanistan operations, this accusation caused the agency to take steps to protect its staff in Pakistan, Iraq and Somalia, where the organization feared it may face further repercussions.[54] West Africa presents a potentially similar scenario. While the atmosphere in Liberia is presently one of calm and reconciliation – one in which adherence to

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[52] Interview in Monrovia, Liberia, 9 March, 2006.

[53] Investigations were underway at time of writing, but it was generally believed to be the case by staff from MSF and other NGOs with operations in both Liberia and Sierra Leone.

[54] S Left, *A 'heartbreaking' decision*, Guardian Unlimited, London, 2004.

the core principles might be comfortably and reasonably relaxed – the same can not be said for Cote d'Ivoire. There is good reason to believe that the actions and policies of Liberian based aid organizations are being monitored by belligerent actors in Liberia's potentially explosive neighbouring state. The association of an aid agency with the UN forces in Liberia may have little real impact on their work in that country in its current state. However, an agency that gains a reputation for working with the UN in Liberia may face real dangers in Cote d'Ivoire where the UN has become a target of attack.

'Humanitarianism' Defined

While all of this may speak to the technical, historical meaning of the term 'humanitarian', the co-optation of the term by proponents of international law enforcement, and the ever widening scope of activities undertaken by ostensibly humanitarian actor has resulted in a marked lack of clarity with regards to the real meaning and implications of the word. The Inter Agency Standing Committee[55] (IASC) defined Humanitarian actors as *"…civilians, whether national or international, UN or non-UN, governmental or non-governmental which have a commitment to humanitarian principles and are engaged in humanitarian activities"*[56] This definition is broad to the extent of rendering it meaningless, but not unexpected given the range of activities, undertaken by the IASC membership. It is also illustrative of the broad and nebulous nature of modern humanitarian action. That said, this definition not only fails to exclude politically-oriented government agencies, but also does not provide any clues as to the meaning of 'humanitarian' itself.

For purposes of analysis in this monograph, a 'humanitarian actor' is defined simply as *a civilian organization, not under the control or leadership of any state or multi-state body, which carries out emergency relief operations in accordance with International Humanitarian Law, and whose policies and activities reflect an ongoing and deliberate commitment to the principles of Humanity, Neutrality, Impartiality and Independence.* This is the 'classical' humanitarian actor. It reflects the ideal industry standard to which most humanitarians aspire to some degree. While it is true that few members of the humanitarian community can claim to bear any true likeness to this, it is important to understand the ideal in order to understand the implications inherent in the *divergence* from this ideal. It is this divergence that is the focus of the next chapter below.

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[55] The Inter-Agency Standing Committee (IASC) is the primary mechanism for inter-agency coordination of humanitarian assistance. It is a unique forum involving the key UN and non-UN humanitarian partners. The IASC was established in June 1992 in response to United Nations General Assembly Resolution 46/182 on the strengthening of humanitarian assistance. See IASC website, <http://www.humanitarianinfo.org/iasc/> Accessed 15 May, 2006.

[56] IASC Working Group, *Civil-military relationships in complex emergencies*, IASC, New York, 2004, p 5.

CONCLUSION

The modern peacekeeping mission seeks to establish security, sustainable development, and long-term stability in a country or region that has been devastated by conflict. Modern peacekeeping norms endorse the use of force, and typically necessitate the defence civilians at risk, in accordance with international human rights norms. These are important objectives and serve the long-term interests of both conflict victims and the international community as a whole. Peacekeeping objectives may be 'morally good' but they are undeniably political, with successful peacekeeping strategies being constructed around a long-term vision. As such, certain short-term losses may be considered to be acceptable in light of wider long-term stability.

For its part, humanitarian action is a short-term enterprise aimed at relieving suffering as it occurs, and maintaining a certain basic standard of living for civilians living through the hardships of war. In stark contrast with the confrontational nature of modern peacekeeping, humanitarian actors operate in accordance with the core principles[57] and gain access to victims from all sides of conflict by virtue of their neutrality and impartiality. Furthermore, they refuse to sacrifice life in the short-term, as the principle of 'humanity' deems every individual life to be of equal worth; the notion of 'collateral damage' is inconsistent with the humanitarian imperative.

While 'western' policy makers and public opinion may have fused the two concepts together, the reality is that the humanitarian imperative is fundamentally incompatible with political objectives and military force. The only thing that binds peacekeepers and humanitarian actors together is the common desire to do what is 'morally right' in the face of brutality and hardship. Undertaken simultaneously, however, these two types of response can be highly complementary, offering victims of war the maximum possible protection in both the short and the long-term.

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[57] This is not true for all organizations that would call themselves 'humanitarian,' however it is true in terms of humanitarianism as a concept.

CHAPTER 4

UNPACKING THE 'HUMANITARIAN COMMUNITY'

INTRODUCTION

As is so often true, the industry standard of classical humanitarianism is rarely, if ever, reflected in the messy context of real world conflict. The humanitarian principles may represent the 'ideal case' in terms of humanitarian operational standards, but the bulk of the 'humanitarian community' does not have the means or the inclination to adhere to these principles with any sort of consistency. In fact, it would be difficult to find sufficient similarities among the diverse and disparate policies of 'humanitarian' agencies and NGOs to call them a 'community' in any useful sense of the term. Humanitarian action is carried out by a number of highly disparate organizations and agencies, and while all humanitarian organizations subscribe to the same core principles, there are significant differences in the interpretation and application of those principles in the field.

For the sake of clarity, humanitarian actors are divided here into three major identifiable groupings: the ICRC, the United Nations humanitarian agencies, and the Non-Governmental Organizations (NGOs). The latter grouping could easily be divided into any number of sub-groups, making it even more difficult to conceive of humanitarianism as a single coherent enterprise. This causes problems in that it makes the purpose of humanitarian assistance unclear. In other words, ostensibly 'humanitarian' organizations may be just as guilty of 'blurring the lines' as the military and political actors that they rail against.

With so many different objectives, capabilities, and levels of independence, humanitarian coordination is a daunting task. And yet, the propensity of warlords to manipulate poorly coordinated aid efforts to their own destabilizing ends means that now, more than ever, good coordination is an absolute necessity. This chapter examines the relative roles and objectives of the various branches of the humanitarian community, and explains why the integration of UN humanitarian action into an integrated mission structure is probably the most practical way to facilitate community-wide coordination; even in the face of stark differences between humanitarian action and peacekeeping objectives.

THE INTERNATIONAL COMMITTEE OF THE RED CROSS

The International Red Cross and Red Crescent Movement is, in many ways, the archetypal humanitarian organization, and yet it is unique in the world. Imbued with a distinctive legal personality within the international community, the ICRC is the guardian of International Humanitarian Law (IHL). International Humanitarian Law is applicable in situations of armed conflict, both international and internal. IHL was specifically designed to set limits to the way war is conducted and to safeguard and maintain the fundamental rights of military combatants and civilians in situations of armed conflict. IHL developed in two main streams; the Law of Geneva and the Law of The Hague. The Law of The Hague regulates the means and methods of combat. The main treaties are the Hague Conventions of 1907. The Law of Geneva is a body of law that protects the civilian victims of conflict and non-combatants such as the wounded and prisoners of war (POWs). The Geneva Conventions of 1949 and their Additional Protocols are binding nearly every state in the world.

The history and mandate of the ICRC have been discussed already, as the history and principles of the ICRC *are* the founding principles of humanitarianism more broadly. Established in 1863, the ICRC was created to "preserve a measure of humanity in the midst of war."[58] The organization is founded on the belief that even in times of war soldiers need to know the acceptable limits of their actions; especially with regards to the treatment of civilians. This is the central philosophy that governs the work of the ICRC and it is basis of International Humanitarian law. As the guardian of IHL the ICRC has a very specific mandate, and adheres rigorously to the principles of humanity, neutrality, impartiality and independence – the rules that it created for itself. As such, ICRC enjoys unparalleled access to victims in conflicts, and unequalled authority and credibility in the field. In this sense, it is difficult to compare ICRC to any other humanitarian organization, and yet all such organizations owe their philosophical origins to the ICRC and its pioneering work.

In the field, the ICRC operates through 'negotiated access' and never intervenes in any country or region without first securing the permission of whatever authority controls the area at a given time. Access granted in this manner is highly dependent on the organization's reputation as a truly neutral, impartial and independent body, and there is not another humanitarian organization in the world that is as well recognized for upholding these principles. When working in coordination with humanitarian NGOs, ICRC has a strict code of conduct that must be upheld by all its partners:
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"…the Red Cross (ICRC) cannot associate with any other institution which does not have absolute respect for its moral and material independence, for any deviation from this course would have fatal consequences. If the Red Cross cooperates with other humanitarian organizations, it is only on the condition that these institutions, in the common work, fully respect Red Cross principles." [59]

This ensures, to a large extent,[60] the safety and security of ICRC staff and assets. This connection with regional leaders also tends to mean that ICRC staff is among the first to deploy into conflict areas, and among the last to withdraw when conditions become precarious.

In terms of funding, the ICRC receives some 80% from Governments.[61] However, with its long history, and a mandate that has been independently endorsed by over 191 states in the Geneva Conventions,[62] ICRC can count on large contributions from the international community. In 2004 for example, some 84 %[63] of all ICRC funding was available for 'non-earmarked' purposes, and as such the organization was free to apply it where the need was deemed to be the greatest. Flexibility in funding gives ICRC the freedom to work more or less independently of the UN. Where many NGOs need to balance their need for independence with their need for logistical or

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[58] International Committee of the Red Cross, *Discover the ICRC*, ICRC, Geneva, 2005, p 3.

[59] J Pictet, op cit.

[60] This is not always the case, as ICRC assets are frequently looted and there have, on occasion, been violent and sometimes deadly attacks on ICRC staff. Nevertheless, independence and strict adherence to the code of conduct is often the best measure of protection that ICRC have given their refusal to carrying weapons, or make use of armed escorts.

[61] ICRC, *Finance and administration: extract from the ICRC 2004 annual report*, <http://www.icrc.org/web/eng/siteeng0.nsf/html/6d7lan> Accessed 2 April, 2006. Note: the overall contributions in 2004 amounted to 757.6 million Swiss Francs

[62] Geneva Conventions of August 12 1949 Additional Protocols, ICRC, Geneva, 1949.

[63] ICRC, *Finance and administration: extract from the ICRC 2004 annual report, op cit.*

protection capabilities, ICRC's substantial purchasing power means that the organization does not need to rely on UN mission assets for logistics or supplies.[64]

The ICRC's approach to neutrality and discretion is illustrative of the sometimes controversial nature of ICRC's work and operational policies. Still, controversial or not, the tactics employed by ICRC, the dedication of their staff, and the substantial funding available to the organization mean that ICRC is often the first organization to engage in even the most dangerous contexts, and among the last to withdraw when security becomes perilous. ICRC staff is afforded a heightened level of protection by the agreements that their officials forge with local leadership and as such will tend to have privileged access to victims that few other organizations can secure.

THE UNITED NATIONS HUMANITARIAN AGENCIES

The UN humanitarian agencies[65] are perhaps the best known actors in the international aid community. These agencies (henceforth referred to as the 'UN Humanitarians') were created by the UN General Assembly, and each is mandated to fulfil particular roles in service of the UN's overarching role as defined by the UN Charter. That said, these agencies are formally designated to be 'from, but not of' the UN system. Each of them operates according to a distinct mandate and their operations were originally intended to be carried out in relative independence from the UN's core bodies.

The realities of modern conflict, however, do not leave much room for 'independence' in any substantive sense. UN Humanitarians are funded by the UN member states, through a Consolidated Appeals Process (CAP) that is initiated by the UN Secretary General, and these agencies report back to UN headquarters on their activities and on the events and issues that they witness in the field. As MSF has argued,

"…although the humanitarian nature of some UN agencies is asserted, it remains difficult for them to enjoy the absolute political freedom required to be called 'independent and impartial humanitarian organizations.' This difficulty is aggravated when the UN is also engaged in measures such as sanctions or peacekeeping operations."[66]

There is little question of the UN Humanitarians being entirely 'independent' of the rest of the UN system. In the field, as members of the 'UN family', the presence of the UN humanitarians is largely dependent upon the agreement of the government in charge, and is geared towards long-term peacebuilding initiatives, rather than strictly neutral endeavours; the work of the UN-humanitarians is politicized from the outset.

The roster of UN humanitarians includes a broad range of agencies with various responsibilities, including health, education, food security, development and the protection of children and displaced persons. Some, like the World Food Program (WFP), have a fairly straightforward and specific role; in this case, the provision of food to people in need. Others have a much more varied and cross cutting task, such as the UNHCR's task of providing shelter, security, resettlement, etc., for refugees and the internally displaced.

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[64] On *very* rare occasions – as in Somalia – ICRC has elected to employ armed security guards. However, this was an extreme case, where ICRC deemed it necessary both continue their operations, and to provide security for their staff.

[65] Those that are included in the Inter-Agency Standing Committee are: FAO, UNDP, UNDPA, UNHCR, UNICEF, WFP, and WHO.

[66] C Dumait-Harper, Speech in commemoration of the 25th anniversary of the UN International School, 2001.

Where no peacekeeping mission is present, these agencies are organized into 'country teams' each of which is led by a Resident Coordinator (RC) – often the Representative for UNDP – who acts as a liaison between the country team and the government of the state in question. There may also be a field office established for OCHA, to assist with the coordination of the activities of the UN agencies and NGO actors, which is necessary in that these UN agencies do very little direct implementation of the programs that they oversee. At the operational level, the UN humanitarians engage the human resources and expertise of a multitude of international and local NGOs, using them as contractors and partners to implement projects.

The mandates of the UN humanitarians – like the NGOs they work with – are broad and include both humanitarian and developmental initiatives. In keeping with the UN's broader task of maintaining peace and stability in the international community, the UN humanitarians seek not just to provide assistance, but to influence the political environment in which their programs are implemented.

NON-GOVERNMENTAL ORGANIZATIONS

The Ubiquity of NGOs

NGOs have become increasingly important players in international crisis response. In 1995, one study counted 28,900 non-governmental aid agencies operating in three countries or more. Major NGOs such as CARE, Save the Children, Catholic Relief Services, Médecins Sans Frontières, and World Vision, etc. – as well as many lesser known organisations – have been in the front lines of relieving desperate human suffering in throughout the world.

In many ways the ICRC is the only purely humanitarian organization in operation – but then, they *did* write the rules themselves. Modelled very loosely after the ICRC, there are literally thousands of 'humanitarian' NGOs operating in every part of the world. Within the NGO community there is a huge breadth of mandates and capabilities, such that the term actually has very little meaning in and of itself. The two major NGO sub-groups include the International NGOs (INGOs) – typically large, well funded organizations with an international reputation and operations in several countries; and local NGOs – the grassroots organizations that work exclusively in a particular location or territory. Like the UN humanitarians, their areas of expertise can range from refugee protection, to education, to food security, and their levels of expertise and operational capabilities vary as much as their interests; all NGOs are *not* created equal.

That said, the NGO community plays a substantial and indispensable role in the delivery of aid. Whether working as contractors for UN agencies, or operating independently in the field, it is estimated that anywhere from sixty to ninety percent of all humanitarian assistance can be attributed to the NGOs. Angela Kearney, the Representative for UNICEF in Liberia, described this relationship as follows: "We can do nothing without NGOs. We're not going to be out there giving the vaccines to the children or doing the teacher training. We will fund it, we will [develop policy], but we need NGOs to implement it for us." [67] [sic]

The mandates of these organizations – separate as they are from the constraints and bureaucracy of the UN apparatus – make the NGOs more flexible on the ground, and able to act in situations where the UN humanitarians may not. In Somalia in 1991 and 1992, for example, the persistent instability and propensity of the warlords to target aid workers for looting and personal attacks caused the UN to suspend its relief activities and withdrew staff, leaving UN

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[67] Interview with Angela Kearney, Representative for UNICEF in Liberia, Monrovia, Liberia, 7 March, 2006.

supplies languishing in warehouses while ICRC and the NGOs scrambled to deliver what assistance they could under highly dangerous circumstances. It is predicted that in 1992 alone, aid agencies – including ICRC, MSF, SCF-UK, CARE, and World Vision, among others – saved some 90,000 Somali lives.[68] Whatever the challenges that exist within the NGO community – inefficiencies, competition for funding, lack of coordination – they are indispensable to both the UN and to the victims that they endeavour to help.

A Shift Away from Classical Humanitarianism

A major criticism of the NGOs is the lack of consistency in their interpretation of the humanitarian principles and imperative. While the classical interpretation of humanitarian action – as observed by ICRC – is narrow and apolitical, many NGOs of today have adopted a much broader approach to their work:

"… the UN system and NGOs that collaborate with the UN agencies situate humanitarian activities for the most part within a broader political framework. Unlike the ICRC, many of them embrace explicitly political tasks such as addressing the underlying causes of suffering, including ethnic tensions, racism, conflicts over resources, warlordism and criminality, and, above all, war and injustice."[69]

Where the ICRC conceives of its role as alleviating suffering within a given – albeit unjust and undesirable – situation, most modern NGOs believe that they have a responsibility not just to alleviate suffering, but also to influence the political context that has caused that suffering in the first place.

Testimony and Human Rights

The move away from ICRC's silence-as-neutrality model has been a major factor in the shift away from classical humanitarianism. Ironically, this shift was most famously made by the group that, to this day, resembles the ICRC most closely in its philosophy and operational standards. Médecins Sans Frontières was founded by a number of young ICRC doctors who broke away to pursue their own vision of humanitarianism. The organization has made public testimony (or *témoignage*) one of their core responsibilities. Other NGOs will issue press releases and make public statements testifying to the abuses they are witnessing in the field, and still others have accepted contracts to make ground level 'intelligence' regarding human rights abuses available to government bodies and international institutions.[70]

Whatever the organization's interpretation of 'neutrality,' most would argue that it isn't possible or even desirable to stay completely outside the realm of politics. Jean Pictet – former president of the ICRC – once said, "the ICRC is …unceasingly confronted with political events. Indeed, like a swimmer, it is in politics up to its neck. Also like a swimmer, who advances in the water but who drowns if he swallows it, the ICRC must reconcile with politics without becoming a part of it."[71] Many organizations today would argue the opposite – that to truly fulfil their duty to the victims of conflict, they need to engage fully in the political cesspool that their work is inevitably immersed in.

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[68] TG Weiss, *Military-civilian interactions: intervening in Humanitarian Crises,* Rowman & Littlefield, Oxford, 1999, cited in NJ Wheeler, op cit. p 175.

[69] L Minear, op cit, p 63-71.

[70] D Rieff, op cit, p 221.

[71] J Pictet, op cit.

Compromising the Core Principles

Discussions relating to the pitfalls of integration for the non-UN humanitarians are made difficult by virtue of inconsistent policies governing the use of mission assets in the delivery of aid. While no organization is under any obligation to use mission assets, each group espouses a different degree of willingness to compromise humanitarian principles for more immediate logistical or protection needs. In Liberia, for instance, certain organizations were noted to have observed humanitarian principles throughout the duration of the conflict, whereas others were happy, or even eager to make use of UNMIL assets in order to maximize the scope of their projects.[72] In an extreme example, testifying to MSF's aversion to the use of military assets, the organization is reported to have hired a large team of people from a village to carry relief supplies through an impassable section of road in the rainy season, rather than employing UNMIL helicopters. While this sort of resourcefulness is admirable, it *can* be impractical, and even MSF officials will concede that there are emergency circumstances that might warrant the use of peacekeeping resources.[73] Some organizations have clear guidelines and policies governing the use of military assets, while others will pick and choose when to use military assistance, and when to disassociate themselves, creating a grey-zone of sorts that itself contributes to the blurring of the lines between humanitarian action and international law enforcement.

Funding is another area where necessity sometimes demands certain compromises. Many organizations are dependent upon funding from government agencies – some of whom are actively engaged in the conflict – which raises questions as to the neutrality of the assistance being given. As Sebastian Weber puts it:

"Some NGOs also pretend to be…non-governmental but they are 100% funded (by) USAID …, and they pretend to be humanitarian but (the organization is) really… a service implementer for a government. And there it becomes tricky, because 'humanitarian' becomes a word used for everything…. They are doing great work but again their neutrality, humanitarian principles? I am not quite sure." [74]

Some organizations, like MSF, have been known to refuse funding from states that are taking part in the conflict, whereas other organizations have been founded largely on the basis of government funds. Many are simply somewhere in between, where it becomes a choice between the use of funds directed towards certain projects for potentially political reasons, or the inability to act at all. The work of these organizations is frequently good, and the motivation of the staff is not in question, but the true neutrality and impartiality of their work is precarious at best.

The availability of funding also varies widely, depending on the media coverage, and general popular awareness of the disaster at hand. The discrepancy, already discussed, between the levels of assistance offered in Goma as opposed to Tanzania is just one good example. Turf wars are a constant feature in a world where hundreds of NGOs must compete every day for the funding to carry out their work. While funding crises can result in a direct dependency on one political entity (as with the agencies funded entirely by USAID, for instance), it is more often the case that NGOs develop an indirect dependency on media attention and the fickle concern of western donor audiences.

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[72] Conflict Security and Development Group, "Sierra Leone Report" in *A review of peace operations: a case for change,* International Policy Institute, King's College London, London, 2003, par. 117. <http://ipi.sspp.kcl.ac.uk/index.html> Accessed 16 March, 2006.

[73] Interview with Sebastian Weber, op cit.

[74] Ibid.

Finally, the 'mission-creep' of humanitarian assistance into long-term development projects represents a shift towards long-term peacebuilding. Here again, the work that is being carried out is positive and a necessary precondition for sustainable peace and security, but development work tends to be carried out in accordance with the long-term political objectives of the UN, or of national governments. As Terry puts it, "either aid is given without discrimination and in accordance with the greatest need, or it is given in the interest of peace."[75] Many organizations, operational during the crisis stage, will often carry on their work long after stabilization has occurred and the humanitarian crisis has passed. In this way, the programs of humanitarian organizations have increasingly overlapped with the peacebuilding aims and objectives of the mission.

COORDINATION OF THE HUMANITARIAN COMMUNITY

Simply put, the 'humanitarian community' is a tenuous community at best, operating under similar, if loosely interpreted principles. Very few organizations remain committed to the original purpose and operational standards of classical humanitarianism, but the UN and the bulk of the humanitarian community members tend to undertake much broader programs, the objectives of which often spill-over into the development and peacebuilding fields. As such, it should not be surprising that the coordination of these diverse entities in any kind of meaningful strategic way has been likened to 'herding cats.'[76] In spite of these challenges, however, the integration of the humanitarian response into the broader peacebuilding effort *may* be a pragmatic way to make efficient use of resources, while ensuring that aid is not manipulated to work against long-term stabilization efforts.

The aid experiences of the early 1990's highlighted the implications of poorly coordinated assistance,[77] and the wide scale manipulation of aid in the Goma refugee camps brought about a major crisis of confidence in the aid community. In Liberia, insecurity and looting – notably the looting that occurred in Phebe in 1994 and in Monrovia in April of 1996[78] – prompted the realization that the failure of humanitarians to coordinate their programs was facilitating the factional manipulation of aid,[79] bringing about an examination of the degree to which aid can fuel conflict. This unsettling reality has been a catalyst for the establishment of more comprehensive 'industry standards' and operational codes of conduct,[80] and for the realization of a need for better coordination in the field, although both have been elusive in practice.

Context specific standardization documents have been created as well. The aid community in Liberia, for example created two; the *Principles and Protocols of Humanitarian Operation* (PPHO), and *the Joint Policy of Operation (JPO)*. The PPHO was established in 1995, and is comprised of input from UN and NGO actors alike. It was designed to establish the basic standards and assumptions of aid agencies in the area, and to improve coordination. The Joint Policy

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[75] F Terry, op cit, p 24.

[76] Interview with Jan Rabantek, Civil Affairs Officer for UNMIL, Monrovia, Liberia, 6 March, 2006.

[77] For a list, see p 3 of P Atkinson et al.

[78] P Atkinson et al. op cit, p 19. ODI report on Joint Policy operation, p 19

[79] Ibid.

[80] The Sphere project, initiated by the ICRC and a group of humanitarian NGOs produced both the *Humanitarian Charter*[80] and the *Minimum Standards of Operation and Accountability*. This is a general set of guidelines that has been designed to be applicable in humanitarian crises- natural or man-made- wherever they might occur, and is constantly updated to reflect new lessons and realities.

Operation was an NGO initiative undertaken after the April 1996 crisis in the capital, Monrovia, where humanitarian agencies saw millions of dollars worth of relief resources looted. Here "the… feeling was that the NGOs could not just start up again with 'business as usual' approach," but something had to be done "to break the cycle of looting and harassment" …and prevent what they saw as the "periodic harvesting of the agencies by the factions."[81] Coordination, then, has not just been about efficiency, but also about the protection of aid resources and staff, and about maximizing the humanitarian impact of aid, while minimizing the harmful fallout of the diversion of aid resources to belligerents.

Given the potentially disastrous implications of poor coordination, it is astounding that the state of coordination continues to be so primitive. For the most part, coordination efforts – even in integrated mission contexts – amount to little more than information sharing sessions. What little strategic coordination there is tends to be handed down intermittently from above, with little NGO consultation. UNMIL went through two stages of coordination – the first prior to integration, when OCHA was operating in the field, and the second after Humanitarian Coordination had been integrated and fell to the Humanitarian Coordination Section within the mission structure. In both cases, coordination was characterised as "not great,"[82] with integration adding a further bureaucratic hurdle, but little value to an already weak system.

Coordination efforts – such as they are – have been further stymied by the tendency for humanitarian NGOs to overestimate their own capacity and to make promises in line with what they would *like* to be capable of, rather than what they can do within the scope of their resources and capabilities. As Dennis Johnson, Chief of the UNMIL Humanitarian Coordination Section puts it, good coordination necessitates an "… understanding [of] the roles, and intent, and the purposes, and the resources that each group has to be able to do their job."[83] An ICRC official echoed this sentiment, arguing that the value of a coordination body lies in its understanding of roles and capabilities of the actors involved, and the way that these capabilities can be used in concert to fulfil the wider assistance needs.[84] The diversity of actors, the variability of their capabilities, and the tendency of some organizations to overestimate their own capabilities, all create major barriers to substantive coordination.

CONCLUSION

Far from being a cohesive or consistent community, the international humanitarian response is a loose amalgamation of organizations and agencies with a disparate range of objectives and capabilities, and little common understanding of 'humanitarianism' as a concept. That said, it is equally true that the humanitarian failures and manipulation of the past fifteen years have served as a wake-up call to humanitarian organizations who thought that their work was unambiguously 'good'. If the definition of 'humanitarian action' posited in Chapter 2 is reflective of the humanitarian ideal, then the reality of humanitarian assistance can be summarised as follows:

1. While some (very few) humanitarian organizations have the resources and the expertise to be completely independent, the vast majority of humanitarian groups are dependent, in some way, on UN missions to provide them with security, and/or logistical support.

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[81] P Atkinson et al, op cit, p 22.

[82] Interview with Dennis Johnson, op cit.

[83] Ibid.

[84] Interview in Monrovia, Liberia, 9 March 2006.

2. Humanitarian agencies no longer limit themselves to traditionally 'humanitarian' projects. In many cases they have expanded their mandates to encompass development, the protection of human rights, and a number of activities that are more accurately described in 'peacebuilding' terms (and as such, overlap with the mandate of any UN mission).

3. Coordination is no longer just desirable; it is necessary in order to avoid waste, ensure maximum relief coverage and to guard against manipulation that might cause aid to prolong the conflict at hand.

Given these realities, and given the UN's role as either the occupying power, and/or the international community's official representative, the UN mission would seem to be a practical vehicle for the coordination of humanitarian relief efforts, despite the essential divisions between classical humanitarianism and peacebuilding. Furthermore, many, if not all, humanitarian officials interviewed would agree that the UN has a responsibility to facilitate coordination. The tension, then, lies not in the fact that the UN has incorporated humanitarian coordination onto the peacekeeping mission *per se*. Rather, humanitarian officials tend to emphasize their concern with the *way* in which this integration has been carried out.

CHAPTER 5

HUMANITARIAN CHALLENGES TO INTEGRATED MISSIONS

INTRODUCTION

In a very general sense, humanitarian agencies – and NGOs in particular – object to the integration of humanitarian coordination into peacekeeping missions because it brings the humanitarian action in direct contact with the political and military branches of the UN crisis response. Humanitarians fear the long-term repercussions of working – and *appearing* to work – in conjunction with missions that are mandated to take a strong stance against one or more parties to conflict, and to use force in the opposition of those parties.

Nevertheless, the realities of humanitarian action mean that contact with the mission – that is, contact with political and military elements – is a necessary evil, and a compromise that needs to be made in order for many, if not most, humanitarian programs to be delivered effectively. As such, the integration of the UN humanitarian coordination mechanisms into the mission structure is only an indirect cause for concern. While humanitarian agencies might prefer a completely independent coordinating body, the mission integrated coordination is mainly problematic in that it may tend to exacerbate tensions that already exist in the context of the UN's broader approach to the humanitarian imperative, and the treatment of humanitarian actors.

This chapter examines integration in terms of the prioritization (or rather *de*-prioritization) of humanitarian assistance, the relative clarity of roles and responsibilities – including reporting lines – within the UN family, the challenges inherent in the relationship between humanitarian and military actors, and the treatment of non-UN humanitarians in relation to the mission. It argues that integration, if handled prudently, has the potential to alleviate some of these tensions – but that recent innovations in mission structures have served to exacerbate tensions that already exist between the UN and the humanitarian community.

THE INTEGRATED MISSION STRUCTURE

The chain of command within the peacekeeping mission raises one of the most often articulated concerns of the humanitarian community in that it creates and institutionalises a permanent and highly visible link between the explicitly political offices of the RC and the SRSG, and the ostensibly neutral office of the HC. In such circumstances, where the SRSG has the final say within the mission, he or she is ultimately responsible for the political, military *and* humanitarian direction of the mission. In a 2004 article criticizing integration, Ann Jeffreys and Toby Porter from Save the Children UK summarized this concern as follows:

"If anyone wanted a concrete example of why most NGOs are concerned about UN missions that integrate military peacekeeping with humanitarian aid, look no further than recent events in Ivory Coast…[where] *the senior UN humanitarian official in the country reports to the same individual commanding the troops that have just been mandated to use all means necessary to maintain the ceasefire..."*[85]

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[85] A Jefferys and T Porter, *Ivory Coast is a case of too much UN coordination*, AlertNet <http://www.globalpolicy.org/ngos/aid/2004/1126ivorycoast.htm> Accessed 21 October, 2005.

In an integrated mission, humanitarian action is characterised as just another political tool in the service of the mission's long-term political objectives. This is a valid, if slightly vague objection. It does highlight the clash between the humanitarian and peacekeeping philosophies, which has proven to be a genuine and ongoing concern by incidents such as the recent events in Guiglo.[86] Nevertheless, the broad objection to the structure of integrated missions resonates mainly at a theoretical level. Viewed in isolation, it would be easy to assume that humanitarian organizations are focussed on the optics of the new integrated arrangements, without taking potential operational benefits into account. In reality, concerns about the structure of the mission are underpinned by a number of more substantial, if less straightforward concerns.

When a single individual is vested with multiple – and sometimes conflicting – responsibilities, it is inevitable that a certain hierarchy of priorities will emerge. In a peacekeeping context, stability and long-term security must be the UN's objective, the mission's 'centre of gravity'. To that end the SRSG and his or her DSRSGs have good reason to channel all the tools and resources at their disposal towards the cultivation of this long-term objective. Humanitarian action should not, however, be used as political leverage. Aid cannot be offered or worse, withheld, on the basis of political cooperation, and still be humanitarian. Yet this is precisely the way that aid has been applied in several recent conflicts, most notably in Liberia and Sierra Leone. Mission leadership are working with limited time and resources, multiple responsibilities, and a mandate focussed on long-term peacebuilding. In this sort of a context the senior mission leadership may tend to use the UN humanitarians (and, by extension, their partner organizations) that have been put at their disposal in such a way as to promote long-term stability, but deny the immediate needs of conflict victims.

It is a question of sacrificing a certain number of human lives in the short-term, in an effort to create widespread stability in the long-term. Given the sometimes contradictory role that aid can play, and the need – fully supported by humanitarian agencies – to create a lasting peace, this sacrifice has become known as the 'pragmatic choice.' However, it is also a clear violation of IHL: *"Humanitarian action, as we understand it, challenges the logic that justifies the premature and avoidable death of a part of humanity in the name of a hypothetical collective good."*[87]

Humanitarians would never deny that the creation of a stable peace is in everyone's best interest. However, they would also assert the need for humanitarian action to exist alongside the peacebuilding efforts in order to uphold the principle of humanity and the protection of civilian life as long as the conflict rages. Humanitarian principles assert that no political or structural priority – including peace – must be seen to be ontologically prior to the protection of the individual. A mission, however, can only have one 'centre of gravity'. When both politics and humanitarian action are placed in the hands of the same people, and the objective of the mission is incompatible with the objectives of the humanitarians – as it is by its very definition – the neutral distribution of aid according to need will tend to be de-prioritized or co-opted into the service of the broader political mission aims.

The humanitarian community – and the NGO community in particular – has good reason to believe that the UN is predisposed to sacrificing the humanitarian imperative on the alter of political objectives, with examples to be seen in both UN run and UN supported actions. In Liberia, prior to the intervention by UN peacekeepers, the Economic Community of West Africa (ECOWAS) fielded a regional intervention force (ECOMOG) to promote stability. By 1993, ECOWAS – with the full and open support of the UN – was using food embargoes as a strategy to weaken the rebel forces. An ECOMOG commander is quoted as saying that "it worked in

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[86] See full description of Guiglo incident on p 23.

[87] JH Bradol, Speech addressed to the Royal Institute of International Affairs, London, 2004.

Biafra and we'll make it work here too, we'll starve the bastards."[88] This attitude culminated in the ECOMOG bombing of several humanitarian targets[89] including an MSF food convoy[90] which was delivering food to civilians who had also been victimized by the embargoes placed on the region.

Although the UN was only indirectly involved, their endorsement of ECOWAS policies was such that the ICRC, who *very* rarely make public denunciations of any kind, issued a statement decrying the UN for politicizing aid, and for using hunger as a weapon.[91] The UN Special Representative to Liberia at the time is known to have responded to the incident by asserting that "certain organizations have the task of bringing relief to those in need. We have a more important task: bringing peace. If relief gets in the way of peacemaking then there will be no relief."[92] Peace is a worthy and necessary objective, and the UN is well within its rights, and its mandate to prioritize peace above aid in its *own* activities, but to take a position of active opposition to aid delivered independently by private organizations is both criminal and inhumane. At the very least, this sort of position hardly encourages humanitarians to entrust their coordination to a UN body.

Given this shaky start, it is perhaps unsurprising that the arrival of the UN peacekeeping mission to Liberia (UNMIL) was met with a degree of scepticism by the humanitarian agencies already in the field. The SRSG at the time was not disposed to embrace the divergent position of humanitarian actors at a time when his own objectives were centred around the active – that is, military – pursuit of peace and stability at all costs: *"There was division within the UN, within the NGOs and between the two, with particular tension between the humanitarian agencies and the political side of the UN as represented by the SRSG, dating from his prioritization of military objectives over humanitarian ones."*[93]

As the work of the mission progressed, the impatience of the SRSG with the humanitarian community "was very clear,"[94] and the humanitarian dimension continued to be de-emphasized, with the SRSG attempting to issue 'orders' to humanitarian groups, and political decisions taking clear priority over the humanitarian considerations. This could have been dismissed as simply a personality clash – which certainly accounts for some of the friction – but it also speaks to the very role and direction of a mission. Even when the original SRSG was replaced by an official with a long humanitarian history, the political priorities of the mission were still emphasized with humanitarian costs. In the fall of 2005, for example, the mission found itself under pressure from donors to close IDP camps and get Liberians back to their homes in time for the winter election. According to humanitarian officials in the country, certain regions were prematurely declared 'safe,'[95] and the whole re-location process was undertaken during the rainy season, when conditions for return were far more difficult on the returnees than would have been the case if the initiative had been postponed just a few months. In spite of the tremendous importance

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[88] P Atkinson et al, op cit, p 12.

[89] Ibid

[90] F Terry, op cit, p 24.

[91] P Atkinson et al, op cit, p 12

[92] F Jean's "Liberia: leave it to the neighbours" in *Life, death, and aid: The MSF report on world crisis intervention*, 1993, p 55, Cited in F Terry, op cit, p 24

[93] P Atkinson et al, op cit, p. 18.

[94] Interview with Dieneke van der Wijk, Programme Director fro Save the Children-UK in Liberia, Monrovia, Liberia, 13 March, 2006.

[95] Interview with Dieneke van der Wijk, op cit.

placed – and rightly so – on the success of the election, it is clear that this operation was driven by political ends as opposed to humanitarian criteria. The politics-first approach was, without question, a successful one with regards to the accomplishment of the UNMIL mandate, but the way that the approach was carried out – or rather imposed, as it seems from the humanitarian perspective – it certainly has not fostered sympathy for the integrated mission.

The UN objective, and the military approach used to accomplish that objective are both necessary, and recent success stories in Sierra Leone and Liberia are a testament to the UN methodology. However, they do point to a tendency to subordinate and repress the humanitarian response in times when the civilian fallout might be the most severe. That said, there will always be humanitarian actors working in the field, regardless of UN priorities. The importance of coordination is clear and accepted, as is the UN's responsibility to facilitate that coordination. However, the willingness of the NGOs to participate in UN lead coordination efforts will depend heavily on the degree to which the UN is able to engender the trust of the humanitarians who may feel that their work is actually threatened by the mission. In other words, an integrated mission is useful only to the degree that it is able to carry out its peacebuilding mandate, without abusing, and thus fragmenting, the humanitarian community.

LACK OF CLARITY IN MANDATES AND CAPABILITIES

Another challenge posed by integration – to humanitarian and non-humanitarian actors alike – is the lack of clarity surrounding the roles and responsibilities of various actors, and the ways in which those actors are meant to come together under the new integrated structure. Within any given mission, the sheer size and variety of component actors means that there is often a lack of understanding of the roles and mandates of particular bodies, or of the experience or capabilities of their staff. Shifting operational priorities, visions and structures make it difficult to know who is ultimately responsible for any one part of the mission – even at headquarter level – and integration, which is meant to simplify and clarify, seems instead to have added another layer of bureaucracy without reconciling the systems that came before it.

Within the UN family there are numerous bodies and agencies involved in crisis response which configure themselves differently according to the nature of the emergency, and the players involved. This means that as the context changes, so to do the agencies involved, the degree of authority held by each respective agency, and the way in which the UN family interacts with non-UN bodies and stakeholders. Within the mission in Liberia, a number of overlapping systems governing different aspects of the mission coordination are in place at any one time. Erin McCandles (head of the new Evaluation and Strategic Coordination unit in UNMIL,) characterised this overlap as chaotic, stating that "…all these competing structures or forms of organization … set different priorities and have different processes, and similar actors involved – it's just mind boggling."[96]

Also problematic is the lack of inter-agency understanding of mandates and capabilities. While integration is intended to foster better inter-agency relationships, representatives of the different sections (i.e. Humanitarian Coordination Section [HCS], RRR, and Civil Affairs) "hardly know each other" even at the most senior levels, and as such, field level understanding of the activities of fellow UN agencies is exceptionally low.[97] This is exacerbated by the fact that the vision and purpose of various sections tends to change along with sectoral leadership. Unfortunately, even within integrated missions, the UN has very few standardized guidelines governing these

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[96] Interview with Erin McCandles, Head of the Evaluation and Strategic Coordination Unit for UNMIL, Monrovia, Liberia, 10 March, 2006.

[97] Ibid.

relationships, and where guidelines have been developed, they have tended not to be shared from mission to mission.[98]

If this confusion is true within the mission proper, it is especially so when one considers the relationship between the mission and non-mission actors such as the NGOs. This leaves the NGO community in a position whereby it is unclear where they should take their complaints and concerns. NGOs are faced with a myriad of potential reporting lines – country team leadership, individual UN humanitarian agencies, CAP coordinators, cluster leaders, the HCS, and the DSRSG who manages the HC portfolio.[99] In any given situation it is unclear who is best placed, or most *likely* to take the issue forward. This is further exacerbated by the 'multi-hatting' discussed above. The DSRSG is not perceived to have the time to fully address issues that may be brought before him/her. This stands in contrast to the representatives of individual UN-humanitarian agencies – the most likely point of contact for NGO concerns in the absence of integration[100] – which have humanitarian issues as their central concerns, and are thus more likely to address them in a timely and comprehensive manner. Even in traditional un-integrated contexts, these types of reporting lines can be inconsistent. However, the integrated structure as it exists now is not sufficiently well developed to give humanitarians confidence that their concerns will ever be heard or dealt with.

COOPERATION BETWEEN HUMANITARIAN AND MILITARY ELEMENTS

Nowhere is the spectre of misunderstanding as evident as in the relationship between civilian and military components of a mission. The separations between military and civilian organizational cultures, hierarchies, and operating standards are huge and, in some cases, almost irreconcilable. This issue is one that exists quite beyond the integrated mission debate, and can be found wherever military and civilian functions collide. However, the conflict is particularly marked between the military and the humanitarian communities, and amplified by the integration process which brings the two sets of actors under a single hierarchical structure.

The relationship between humanitarians and military personnel has always been, and may always be a challenge. Rarely do you find two sets of actors whose organizational cultures and languages, objectives, and skill sets contrast so completely, and yet, whose respective mandates make communication and coordination so utterly necessary. In conflict situations, the lack of security is one of the major barriers to humanitarian access to victims. Many humanitarian organizations do not have the capacity to operate in insecure environments, and as such, they are dependent on peacekeeping forces to create security, or – in some cases – to accompany aid workers and convoys into the field. This is clearly not in keeping with the humanitarian principles outlined in Chapter 2, but it has been the pragmatic response of the majority of aid agencies in the face of security conditions that would otherwise leave victims without any assistance at all.

In addition to security, peacekeeping forces can provide logistical assistance, and help with the rehabilitation of essential infrastructure. Military support of humanitarian operations is frequently central to their success, and the terms of the peacekeeping mandate often stipulate a duty to "facilitate the provision of humanitarian assistance."[101] Nevertheless, the need to

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[98] The UN is in the process of establishing better shared and standardized guidelines.

[99] Interview with Áine Bhreathnach, Protection Advisor for Oxfam in Liberia, Monrovia, Liberia, 10 March 2006.

[100] Ibid.

[101] UN General Assembly, *UNMIL mandate: resolution 1509*, <http://www.unmil.org/content.asp?cat=mandate> Accessed 23 Feb, 2006.

maintain divisions between military objectives and humanitarian work makes this relationship particularly difficult to navigate – especially when peacekeepers exhibit a lack of understanding of the humanitarian principles, or worse, when particular contingents decide to take on 'humanitarian' activities without consulting their humanitarian counterparts. [102]

While understanding of the humanitarian principles is generally limited, the standards, objectives, and capabilities of the humanitarian community – let alone individual agencies – are often a mystery to the military actors that operate alongside them.[103]

"The military always feel that as long as they have moved into an area then its safe for anybody else to follow along the next day. And they expect that as soon as they move into a community, the next day the relief, and recovery and transition trucks are going to be immediately following them along, throwing bags of rice out the back to needy people. And, this is one of the most difficult issues. I mean, even in the higher levels of the military its difficult to get across to them that that's just not the way that the humanitarian community works. There are some humanitarian organizations that are already up there before the military get there, and the military are always quite surprised to find that someone has taken the risk to go out there and assist people who, you know, are still carrying guns in their community, for example. But, you know, the Red Cross and MSF and other organizations are usually in a situation where they're willing to take those risks." [104]

The necessity of the independent assessment of need and the capabilities of some humanitarian organizations to operate completely independently of the military is simply not understood. In Sierra Leone, for example, prior to the signing of the Abidjan Peace Agreement (1996) severe insecurity impeded the delivery of aid outside the capital of Freetown. However, throughout the conflict several aid agencies, including ICRC, and MSF were operational throughout most of the country. While these organizations are an exception to the norm, the military misconception that aid can not be delivered without them feeds into the mentality that humanitarian assistance should be subordinated to the broader securitization project.

It also feeds the perception that military actors are, themselves, better placed than the humanitarian actors to carry out humanitarian projects. While military peacekeeping contingents are certainly capable of setting up a hospital, building a school, or distributing food – and in some cases, capable of doing so more quickly and efficiently than the average NGO – this sort of divergence form traditional military activities is potentially detrimental both for victims, and for the humanitarian imperative as a whole.

The most widely argued reason to limit military involvement in humanitarian action is a simple matter of motivation. Military forces (including peacekeeping forces) are known to engage in aid projects in order to win the 'hearts and minds' of the communities in which they are based. Far from the neutral and impartial motivation of humanitarian aid, 'hearts and minds' work distributes assistance to populations to gain their trust. This is used variously "to protect the force, gather information and ease deployment of troops."[105] While this makes perfect sense from a military perspective, it can tend to blur the lines between what is military and what is humanitarian, and leave local populations questioning who they can trust. As one senior

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[102] Interviews with Dennis Johnson (op cit), Dieneke van der Wijk (op cit) and Nick Sanders, Project Manager for Landmine Action in Liberia, Monrovia, Liberia, 11 March, 2006.

[103] That said, NGO workers often do not have a strong understanding of the military mandates, capabilities or operations. It is a two way communication gap.

[104] Interview with Dennis Johnson, op cit.

[105] L Sida, *Challenges to humanitarian space: a review of humanitarian issues related to the IN integrated mission in Liberia and to the relationship between humanitarian and military actors in Liberia*, Monitoring and Steering Group, Monrovia, 2005.

humanitarian official noted, military planners "need to understand they can't go in one day with their assessment mission and pretend its all humanitarian, and then… two days later come back with the same people in the same cars and start arresting people."[106]   If aid becomes associated with information gathering and pacification, the genuine humanitarians, their operations, and the people who depend on them are ultimately placed at risk.

Whatever their motivation, however, it is also true that military contingents do not have the experience or organizational understanding to carry out humanitarian work.[107] According to an OCHA study, when asked about the military undertaking humanitarian projects, humanitarian actors responded that "the issue was less … the military's delivery of assistance (though that, too, was a concern), but more often ... the unintended impact that such deliveries had on the operating environment."[108]   In one Liberian example, peacekeeping contingents are known to have been involved in supporting the running of substandard orphanages, as a result of a failure to consult with UNICEF, or any of the child protection NGOs in the region.[109] Another example was the running of a public hospital by a contingent of South Asian peacekeepers who refused to admit women for treatment on the basis that they did not have a female doctor on staff.[110]   In both cases, the well meaning efforts of the peacekeepers resulted – albeit unintentionally – in the delivery of substandard and – in the second case – discriminatory aid operations, which reflect poorly on the aid community as a whole, and may tend to cause harm where they were trying to do good.

Theses sorts of efforts, described by one Force Commander as 'merely gestures of good will,' may viewed by the well meaning troops as simply nice things to do for the communities in which they work. Even if that were true – if the well articulated 'hearts and minds' doctrine was not a factor – true humanitarian assistance is never just a gesture of good will; it is an international responsibility, and a victim's right.   That being true, the international community has a responsibility to deliver such services to a high level of competency. To quote one Save the Children official: "Let them do the road repair. INGOs don't need to do the road repair. We're not good at it… let *us* do the humanitarian work – we know how to do that."[111] In the interest of the victims, aid projects are best left to – or, done in close consultation with – those agencies and organizations who are experienced in the delivery of aid. To characterize this work as a good-will gesture is to trivialize humanitarian action as a mere side project. It is symbolic of a general lack of understanding, at the most senior military level, of the complexity and importance of humanitarian work, and the expertise of humanitarian staff.

Within UNMIL, the attitude of Civil-Military Coordination (CIMIC) personnel has further illustrated the low level of importance that is placed upon humanitarian action, and on communication with the humanitarian community. When a group of INGOs – members of the Monitoring and Steering Group (MSG) – made an effort to foster better communication between the humanitarian NGOs and the military elements of UNMIL, they were met – and continue to be met – with both a substantial lack of knowledge, and apparent lack of concern for effective cooperation. The first CIMIC officer sent to attend the MSG meeting was well-

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[106] Interview with Tobias Epprecht, ICRC, Monrovia, Liberia, 09 March 2006.

[107] The 'do no harm' principle borrows form the medical Hippocratic oath, and posits that aid, delivered without sufficient understanding of potential unintended consequences, can actual do more harm than good.

[108] N Reindrorp et al, op cit, p 31.

[109] Interview with Dieneke van der Wijk, op cit.

[110] N Reindrorp et al, op cit, p 31 (footnote 51).

[111] Interview with Dieneke van der Wijk, op cit.

meaning, but low ranking, and had only recently arrived in the country, making him unsuitable to discuss issues that would have required more experience in the Liberian context.[112] With some time and persistence, the MSG managed to secure the attendance of a senior UNMIL CIMIC officer. The official, a high ranking military man, arrived late to the meeting, was unable to name even one NGO when asked, and after 15 minutes of superficial engagement, took his leave, explaining that he was hungry and wanted to get lunch.[113] While this attitude can clearly not be generalized to the military establishment as a whole, the appointment of such a person to a senior CIMIC role is evidence of the low prioritization that this sort of interaction is given within military circles.

Effective communication and adequate levels of understanding between military and humanitarian actors will always be a challenge, and there will probably always be cases of military contingents taking on humanitarian projects, irrespective of the mission structure. Integration can, however, have a material impact on this, in both a negative and a positive sense. By institutionalizing communication and consultation between the Humanitarian Coordinator and the Force Commander, integration has the potential to force a breakdown of the barriers that make cooperation between these two groups so difficult. That said, integrated missions to date have not succeeded in facilitating this sort of interaction, and severe levels of tension and misunderstanding still exist at even the most senior levels, according to NGO and mission officials alike. In fact, where a mission has given clear priority to military action, and has de-prioritized humanitarian aid, there is little incentive for military officials to consult with humanitarian actors at all.

UN TREATMENT OF NON-UN HUMANITARIANS

In addition to the concerns associated with the structural relationships and priorities associated with integration, humanitarians in Liberia have experienced a certain arrogance on the part of the UN. This was described by a member of a very credible INGO as follows:

"There has been an ongoing master-servant relationship where they [the UN] *have done all of the key strategy work, and have always regarded the NGOs as implementers only. So, we've never been invited to the tables to deal with strategic work (or) policy work. There's been a definite arrogance in the UN machinery that they are the people in charge, and that NGOs just get permission to go off and do bits of work for them."[114]*

One major example provided has to do with the way in which OCHA office in Liberia was dissolved and replaced by the mission-based Humanitarian Coordination Section. The decision was made at the senior levels of the mission; NGOs were not consulted, and the changes were pushed through against the objections of NGOs and UN humanitarians alike. [115]

In Sierra Leone, the relationship between the UN Observer Mission in Sierra Leone (UNOMSIL) – the observer force that preceded the UNAMSIL peacekeeping force – and the humanitarian community was strained from the outset. This was due largely to the "poor quality of information available to the UN agencies and the NGOs, and the alleged politicization of the small amount of intelligence released to the humanitarian sector" which, "undoubtedly put the

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[112] Interview with Nick Sanders, op cit.

[113] MSG Meeting minutes, Monrovia, Liberia, 11 February, 2005.

[114] Interview with Phil Samways, Country Program Manager for Oxfam in Liberia, Monrovia, Liberia, 10 March, 2006.

[115] Interviews with Áine Bhreathnach (op cit), Dennis Johnson (op cit), Erin McCandles (op cit), Sebastian Weber (op cit).

lives of aid workers at risk."[116]   In addition to failures of information sharing – deliberate or otherwise – the NGOs frequently complain of being frozen out of the strategic level planning regardless of the fact that they will ultimately be called upon to deliver the vast majority of the programs and services on the ground.[117]

This was found to be the case in a number of integrated missions, with OCHA asserting that integration tends to be something that is declared without the implications of the changes being sufficiently explained to humanitarian actors involved.[118] What is interesting to note here is the fact that, despite the objections that many humanitarians had to integration, the real and most serious objections were not to the structural changes, but rather to the abrupt, authoritarian manner in which the changes were announced; with little regard for the people that it would affect the most.

CONCLUSION

Given the prevailing realities, integration may well be the most logical way for the UN to conduct business, and the most practical structure from which to facilitate the coordination of humanitarian actions. That said, the implementation of the integrated mission design leaves much to be desired, and the working relationships and attitudes exhibited by various branches of the UN will require serious review. If the UN were capable of carrying out humanitarian assistance independent of the rest of the humanitarian community, then its attitudes might be viable, if not entirely acceptable. But the current reality is that humanitarian aid – a legal and moral responsibility of the international community – is delivered in overwhelming proportions by non-UN humanitarian actors in the field. In other words, where humanitarian action is concerned, the UN needs the NGOs just as much as the NGOs need the UN, and as such, the mission is not well placed to simply disregard the concerns that these organizations have raised.

The UN's attitudes, however, have not been reflective of this reality. The Liberian experience illustrates a frightening willingness to politicise aid – including aid being delivered entirely outside the UN system – and to subordinate the humanitarian response to the political peacebuilding agenda. The lack of clarity with regards to the roles and mandates of various branches of the mission, and the fact that integration seems to have exacerbated already poor military-humanitarian relations, are factors that contribute to the reticence with which the integrated mission concept has been approached by outside actors. Finally, the blatant disregard that senior mission personnel have displayed in their handling of humanitarian issues and staff all point to a culture of disrespect, where the UN may operate by decree, and the smaller organizations around it are simply expected to do as they are told without consultation or consideration. If the effective coordination of humanitarian elements is to happen within an integrated mission structure, the UN will have to learn to respect and consult with the non-UN humanitarians whose work is materially affected by UN decision making.

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[116] Conflict Security and Development Group, op cit. par. 122.

[117] Interview with Áine Bhreathnach (op cit) and Dieneke van der Wijk (op cit).

[118] N Reindrorp et al, op cit, p 17.

CHAPTER 5

CONCLUSION

SUMMARY

Integrated missions are dangerous to the humanitarian community in that they 'blur the lines' between politics and humanitarianism, and threaten the perception of humanitarian neutrality, impartiality and independence. This is the criticism, posited time and again by the international humanitarian community. While this argument is undoubtedly true, and the threat real, evoking the humanitarian imperative is a bit like evoking a right. It demands total capitulation and leaves no room for compromise. This sort of clarity is simply not possible in the context of the integration debate. The reality is that humanitarian action and peacebuilding are no longer clearly separate concepts, and that most humanitarian actors have to compromise every day – choosing to use armed escorts, military transport, or targeted funding – in order to get the job done for the people who need their help. The practical overlap between modern humanitarian and peacebuilding efforts speaks to the need for a structure that can unify these two sorts of response. In that sense, the integrated mission may well be the only logical way forward.

Integration is not simply the invention of an overzealous UN bureaucrat, but the reaction to a number of startling failures on the part of the international community. The 1990s were a decade of re-evaluation for the peacekeeping and humanitarian communities alike, when the interconnected, or 'multidimensional' nature of conflict resolution, and the darker side of aid were both revealed. The result has been a necessary push to coordinate the work of all actors present in conflict situations. Unfortunately this has brought humanitarianism and peacekeeping – two essentially irreconcilable forms of action – into close contact in such a way as to put the humanitarian imperative at risk.

In conflict situations where the Security Council mandates action, the UN is responsible, first and foremost, for establishing order, whereas humanitarian assistance is a short term endeavour, and will never assure peace and security or *resolve* conflict. As such there are few who would argue with the need for the UN to pursue and emphasize peacebuilding objectives. That said, humanitarian assistance, and the prerogative to *deliver* that assistance is necessary during periods of insecurity, and indeed throughout the course of conflict and recovery. When humanitarian actors, working in tandem with military peacekeeping forces, are seen to be affiliated with the same forces that are taking offensive action against the interest of one group or another, their capacity to act – to negotiate access and to gain the trust of belligerents – is compromised. This sort of affiliation can jeopardize the humanitarian credentials of the organization in question, and cast into doubt the reputation of the humanitarian community as a whole. Simply put, humanitarian action and peacekeeping are at operational and ideological loggerheads, and the incorporation of humanitarian action into the mission threatens the long-term viability of the humanitarian imperative. In the context of Chapter VII peacekeeping, this is a particular concern.

Of course, this argument is most true when dealing with the classical humanitarian actors, whereas the modern humanitarian community is comprised mainly of actors whose principles and objectives place them somewhere in between the humanitarian and peacebuilding ideals. These actors will tend to pick and choose when to adhere staunchly to the core humanitarian principles, and when the use of military security and logistics are more conducive to their aims. In fact, the success of many humanitarian programs is often dependent, in one way or another,

on the support of the UN mission, and as such the vocal disapproval of the integrated mission structure appears to be an almost academic position. Given that humanitarian actors have demonstrated a pragmatic willingness to be flexible with their own principles, and that contact between non-UN humanitarians and the UN political and military actors is already standard procedure, then one might be forgiven for wondering what it is about integration that causes humanitarian actors such concern.

Practically speaking, most humanitarians do realize the need for stronger integration in the coordination of the international crisis response, and while the integrated mission structure has acted as a sort of lightning rod for humanitarian criticism, the structure itself is not at the heart of the problem. Rather, the integrated mission structure has been targeted because it exacerbates and institutionalises a number of tensions and conflicts that exist between the UN and humanitarian actors quite beyond the confines of integration. Prime among these is the UN's relative willingness to actively subvert the humanitarian imperative to peacebuilding objectives, and the way in which the structure formalizes the master-servant (UN-Humanitarian) relationship, without providing humanitarians with any clear recourse for their complaints and concerns. Until the UN system begins to be more responsive to non-UN agencies and their priorities, integration will be a point of contention between these two essentially like-minded communities.

RECOMMENDATIONS

Clarify terms and concepts

The humanitarian community has suffered from a steady erosion of the meaning of the term 'humanitarian'. Since the early 1990's, the moral currency of humanitarianism has been mined by academics, politicians, and international policy makers in an attempt to mobilize public support behind the UN's new interventionist stance. It has been misapplied even by the humanitarian community itself, as the modern realities of conflict have prompted humanitarian organizations to take on roles that are increasingly human rights oriented and developmental in nature. As a result, the term 'humanitarian' has come to be associated with everything from peacebuilding, to all-out military intervention, and in the process its original meaning, and the protective value of this meaning for humanitarian workers, has deteriorated.

It may be too late to return to 'humanitarianism' as it was originally understood, but the UN and humanitarian organizations alike can go a long way towards eliminating the ambiguity now associated with both the term, and the humanitarian enterprise as a whole. In UN resolutions and the wording of mission mandates, 'humanitarian intervention' must not be used as a substitute for military intervention, or 'International Peace Enforcement' as it has been described in this work. Troop contributing countries must not deceive their citizens with misleading rhetoric, but acknowledge the necessary distinction between humanitarian assistance, and the roles of military observers or enforcers. Finally, the international public should never be lead to believe that military peacekeepers are best used in humanitarian roles.

At an operational level, the 'humanitarian' mantle must cease to be used as just a convenient label to ease the deployment of troops or the access of an international agency. As argued above, 'Humanitarian' organizations must be clear – amongst themselves, and within the international community – about the assumptions that underlie their work and their policies must be consistently reflective of their organizational interpretation of the core principles. Finally, in addition to being detrimental to the wider humanitarian imperative, ambiguity of

principles and priorities among humanitarian actors makes coordination more challenging, and reinforces the misunderstanding of humanitarian action and actors among mission staff.

Clarify roles and responsibilities

The relative merits of different mission configurations have been the topic of much discussion and debate within the humanitarian community and the UN system as a whole. There is no question that the range of 'hats' or responsibilities allocated to key individuals – especially at the senior policy making levels of the mission – will have a significant impact on the way belligerents perceive the mission, and there have been calls for allocating the role the Humanitarian Coordinator and Resident coordinator roles to separate officials. However, it does seem that the 'multi-hatted' DSRSG, vested with the responsibilities of the HC and the RC (as well as other management roles) has become a standard.

Even in the absence of a mission, the UN country team (consisting primarily of UN-humanitarian agencies) is typically lead by an official bearing both the HC and RC mantles. While country team leadership does not encompas the same military ties as a mission's DSRSG, the RC position here is just as explicitly political as it would be in a mission context. Given this reality, and given both the humanitarian and developmental roles taken on by the modern humanitarian community, the separation of these two roles would be of little practical benefit to the humanitarian response. Furthermore, discussions with non-UN humanitarian staff suggest their concerns are based primarily on the UN's track record on the de-emphasization of the humanitarian imperative relative to the political aims of the mission, and the reliability (or rather, un-reliability) of recourse and reporting lines when they feel their interests are at risk. While the joint HC/RC does create certain optical issues, in terms of the perceived neutrality and impartiality of the humanitarians, the real concern is the potential conflict of interest that will inevitably exist between the long-term peacebuilding aim of the RC and the immediate humanitarian priorities of an HC.

Any chapter VII UN peacekeeping mission will have, at its heart, long-term peacebuilding objectives, and the RC will inevitably be constrained by those objectives. That said, the 'multi-hatted' HC/RC must ensure that she or he is clear and open with the humanitarian regarding the nature and motivation of her/his decisions, and acts in good faith to engage UN and non-UN humanitarians in an ongoing dialogue. The HC/RC must seek input and criticism from the humanitarian community with regards to the humanitarian fallout of the mission's political decisions, and take credible steps to minimize that impact, ensuring that the inevitable tensions between politics and humanitarianism do not result in the blanket subversion of the humanitarian imperative. Furthermore, there must be a ceiling placed on the extent to which any one official is 'multi-hatted' to ensure that the individual vested with these tasks is not so overburdened with responsibilities that this sort of engagement becomes unworkable.

The lines of responsibility throughout the mission structure must also be made clear, both to the humanitarian community, and to the officials themselves. In an integrated mission, the non-UN humanitarians may be particularly and justifiably sceptical of mission motivations and priorities. In such circumstances a clear and reliable reporting line, where organizations can air their concerns, and where those concerns are known to be taken forward, may go a long way towards allaying the fears of the humanitarians and improving cohesion and cooperation between the mission and a defensive humanitarian community.

Enhance civil-military understanding

Much has been written about the differences in military and civilian cultures, and also of the great chasm that exists between civilian mission staff and their military counterparts. In an integrated mission, this divide is further amplified by the close proximity and co-existence of antithetical humanitarian and military mandates. Yet humanitarian action in the absence of security and military logistical support has become a daunting task in the modern conflict environment, and one that few organizations have the resources to carry off. Accepting that military contingents will continue to carry out a humanitarian support role, there should be greater emphasis placed on the training and sensitization of senior military officials and dedicated CIMIC officers, such that UN and non-UN humanitarians have a reliable and informed military point of contact with whom to discuss their activities and concerns.

CIMIC officers should be receing sufficient training so as to furnish them with a reasonable grounding in humanitarian principles and a fairly in-depth understanding of the roles of the various categories of humanitarian actors that will likely be found in the mission area. It is equally important to ensure that CIMIC officers are consulted by senior military policy makers to guarantee that the humanitarians have a voice in the notoriously un-consultative, top-down military planning structure. Modern warfare has forced the humanitarian community to make compromises with regards to the use of military assets and protection. Similarly, senior military peacekeepers have to compromise some of their absolute control and acknowledge that in the context of a multidimensional mission, they can not fulfil their 'peacekeeping' objectives without input from their humanitarian partners.

CONCLUSION

Both peacekeeping and humanitarian action are necessary, complimentary, and mandated by international law. Recent experience has shown that undertaking action of either type without good strategic coordination is inefficient at best, and often counterproductive. Furthermore, the work of the humanitarian community – UN and non-UN alike – includes both classical humanitarian efforts, as well as projects that feed directly into the peacebuilding process. As such, these groups must necessarily be included in any UN wide coordination efforts. However, by including UN-humanitarians in the integration effort, the UN has indirectly imposed integration on their non-UN implementing partners, and indeed the humanitarian community as a whole.

These non-UN actors are being asked to be flexible in their association with what is first and foremost a peacebuilding operation. In return, the UN must learn to be more accommodating of the humanitarian imperative. Sincere efforts must be made to gather input from the non-UN humanitarians at every level of the strategic planning process, and the UN must learn to be less domineering in its leadership. The non-UN humanitarians are not just contractors, but independent organizations with resources, experience, and technical expertise to bring to the table. Furthermore, where humanitarian assistance is concerned, they also happen to bring between sixty and ninety percent of the implementation capacity.

For their part, the humanitarian organizations must be more honest and consistent in their interaction with the mission. NGOs need to develop clear and reliable guidelines with regards to the use of mission assets, as well as honest statements as to their organizational interpretation of the core humanitarian principles. NGOs that use classic humanitarian rhetoric while demanding UN military protection and logistical assistance are as guilty as anyone of convoluting the notion

of humanitarian space. They are also guilty of exacerbating tensions between humanitarians and UN missions – and the military in particular- effectively biting the hand that feeds them.

The integrated mission structure represents a confluence of modern day warfare, aid manipulation, and the prevailing desire to uphold human rights and humanitarian norms at an international level. It is the compromise of idealism in favour of a pragmatism that reflects the imperfect and sometimes ambiguous realities surrounding peacekeeping, peacebuilding, and humanitarian assistance, and it has the potential to be a powerful tool in maximizing the potential of the international community to do good in the world. However, in order to be effective, the parties involved – the leadership of UN missions, and the humanitarian community – must learn to be more honest about their own capabilities and about the extent to which they depend on each other. Most importantly, parties must recognize the validity and necessity of the other's objectives.

The delivery of humanitarian assistance is a right and a duty in and of itself; an affirmation that no human being should be left behind in the pursuit of an abstract future 'good'. Sustainable peace, however, is the solution that seeks to make humanitarian assistance redundant, and as such, aid – and it's potential to exacerbate conflict – must also be carried out in such a way as to limit its negative impact on peacebuilding efforts. The UN has tried to subordinate humanitarian action to its broad political aims, and has faced resistance – and the fragmentation of coordination efforts – from those people who would assert the centrality of the humanitarian imperative. While integrated missions can provide a coordination framework, it will be up to individual officials to foster the common respect and understanding that will be necessary for integration to be of any real use.

In spite of the tensions, the conflicting priorities, and the mutual distrust, it should ultimately, be remembered that both peacekeepers and humanitarians are working to eliminate human suffering under conditions that defy imagination. Both of these sorts of action are founded on the premise of a common humanity, and on acceptance of the universal value of each and every individual. The realization of this vision is challenging enough without the division of those people and organizations that share in it, and 'modern' norms of humanity and human rights will have truly failed if the pursuit of humanitarian and peacekeeping ends is defeated by a culture of disrespect.

ABBREVIATIONS AND ACRONYMS

CAP	Consolidated Appeals Process
CIMIC	Civil-Military Coordination
DPKO	Department of Peacekeeping Operations
DRC	Democratic Republic of Congo (Formerly Zaire)
DSRSG	Deputy Special Representative of the Secretary General
ECOMOG	Economic Community of West African States Monitoring Group
ECOWAS	Economic Community of West African States
FAO	Food and Agriculture Organization
FC	Force Commander
HC	Humanitarian Coordinator
HCS	Humanitarian Coordination Section (within UNMIL)
IASC	Inter Agency Standing Committee
ICRC	International Committee of the Red Cross
IMTF	Integrated Mission Task Force
INGO	International Non-Governmental Organization
MONUC	*Mission de l'Organisation des Nations Unies dans la République Démocratique de Congo*
MSF	*Médecins Sans Frontières*
MSG	Management Steering Group (Liberia)
NGO	Non-Governmental Organization
OCHA	Office for the Coordination of Humanitarian Affairs
RC	Resident Coordinator
RRR	Relief Recovery and Rehabilitation
RUF	Revolutionary United Front (Rebel group in Sierra Leone)
SRSG	Special Representative of the Secretary General
UN	United Nations
UNAMSIL	United Nations Mission in Sierra Leone
UNDP	United Nations Development Program
UNHCR	United Nations High Commissioner for Refugees
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UNMIL	United Nations Mission in Liberia
UNOMSIL	United Nations Observer Mission in Sierra Leone
UNPROFOR	United Nations Protection Force (Former Yugoslavia)
USAID	United States Agency for International Development
WFP	World Food Program
WHO	World Health Organization

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