Humanitarianism and civil–military relations in a post-9/11 world

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Humanitarianism then and now: Exploring the boundaries of civil–military relations in a post-9/11 world

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Humanitarianism, by its very nature, takes place in complex and challenging circumstances. The primary objective is to mitigate the violence and suffering that is engendered by crisis, disaster and conflict. Creating the humanitarian space for the delivery of aid relies upon adherence to the principles of humanity, impartiality, neutrality, and independence.[1] In recent decades, however, the idea of humanitarianism has broadened to become more inclusive. A narrow focus on providing rescue and relief in the immediate term has been overshadowed by a wider focus on addressing the root causes of human suffering. A further complication is that the number and diversity of both civilian and military agencies working in conflict zones has expanded rapidly throwing into sharper relief the tensions between humanitarian and political objectives. Under current conditions, there exists a serious risk that the divergent interests, perceptions and identities of the various agencies involved in humanitarian operations may impede the effective and impartial delivery of aid.

Shifts taking place within the global political and security environment are also an important determinant of a changing humanitarian landscape. The so-called 'war on terror' has increased political pressures on militaries to become more involved in humanitarian assistance. In Iraq and Afghanistan, the blurring of boundaries between aid work and combat has been further reinforced by an instrumentalist approach that privileges means over ends. In these cases, the alleviation of human suffering remains subordinate to the broader aim of rebuilding fragile states as the *sine qua non* for maintaining international peace and security.

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[1] These principles are often referred to as the core principles of humanitarianism. Humanity refers to the basic goal of alleviating human suffering through providing assistance and protection. Impartiality means that assistance and protection should be afforded on the basis of need without discriminating on the basis of nationality, race, religious or political beliefs or on the basis of possible outcome. Neutrality denotes a duty to refrain from taking part in hostilities or from undertaking any action that furthers the interests of one party to the conflict or compromises the other. Independence suggests that humanitarian agencies endeavour not to act as instruments of government foreign policy, or connected with any of the parties directly involved in an armed conflict. This further implies that humanitarian agencies should refuse or limit their reliance on government funding. For further discussion of these principles, see Jean Pictet, "The Fundamental Principles of the Red Cross: Commentary", <www.icrc.org/web/eng/siteeng0.nsf/htmlall/fundamental-principles-commentary-010179?opendocument>.

The practical and ethical challenges arising from a more complex and politicised humanitarian space continue to attract considerable attention from scholars and practitioners alike. Less attention, however, has been given to the particular dilemmas inherent in the changing nature of civil–military relations. On both sides, there exists a growing recognition of the mutual benefits to be gained from cooperation. Militaries can provide critical logistical support and facilitate safe passage for relief agencies. Non-governmental agencies (NGOs) usually have greater access to local knowledge and act as a vital bridge to working with afflicted communities. At a broader level, working together is essential in order to facilitate a transition from a state of conflict to a process of reconstruction. But getting too close also has its potential downside: NGOs risk compromising their legitimacy in the eyes of local communities; and militaries risk the dilution of their central mission.

This collection of essays is the final result of a one-day workshop hosted by the Department of International Relations at the Australian National University in March 2008. The workshop provided an opportunity to reflect on the changing nature of humanitarianism as practiced in the early twenty-first century as well as focus on the specific concerns of civil–military cooperation. Its aim was to narrow the gap between ideas and practice by initiating a dialogue between academics and practitioners on the critical issues relating to humanitarianism as they are being experienced in the regions of the Middle East and the Asia-Pacific. Focusing on the provocative theme of 'Humanitarianism in an Age of Terror', participants were asked to consider a number of key questions: how has the idea of humanitarianism changed in the context of the so-called 'war on terror'? What are the key challenges for the agencies involved in practice? Can civil–military cooperation work? And what roles should civil society organisations and militaries play in the alleviation of suffering? This *Keynote* comprises a selection of the presentations that were made to this workshop.[2] In the discussion that follows we briefly reflect on some of the key themes and issues that arose from these papers and from the workshop's discussions.

Overall, the contributions to this *Keynote* demonstrate that the past informs the present and that the dynamics of humanitarian action in a changing geopolitical context diverges from any singular interpretation that predicts the demise of humanitarian principles. The preservation of humanitarian space may be at risk, but the principles that undergird it continue to provide legitimate grounds for humanitarian action. In debating the future of civil–military relations it also became clear that simply imposing an artificial divide between these two sets of actors

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[2]   Other presenters included Nicholas Coatsworth, Nicole Hogg, Sonja Litz and Roger Noble.

was neither feasible nor necessarily desirable, and could not alleviate current tensions. Civilians and militaries have always interacted and are increasingly called upon to do so in contemporary conflict zones. The main challenge is one of arriving at a consensus over how to govern these interactions. In other words, what principles and considerations guide it, both in theory and in practice? This is not an isolated question but instead part of an important and complex debate about the relationship between humanitarianism and politics more broadly.

The *Keynote* opens with an essay by Michael Barnett that provides a balanced platform for the subsequent discussions. From a historically informed perspective, he argues that humanitarianism has always been political and to a certain degree securitised, and that humanitarian agencies themselves have contributed to this outcome as a consequence of the choices that they have made. He also highlights some of the positive trends that are taking place in the humanitarian sector thus raising the question of whether we live in an 'age of terror', or instead a 'golden age'. Essays by Megan Chisholm, Brian Cox, and Archie Law and Jacqui Whelan bring together NGO and military perspectives on the nature and scope of civil–military relations in a post-9/11 world. In discussing the practical challenges confronting agencies on the ground, special consideration is given to the guidelines and priorities that determine humanitarian action, the role of the military in occupying humanitarian space, and the challenges of understanding the local context. In his concluding essay, Raymond Apthorpe compels us to rethink certain ideas and assumptions. He reminds us of the critical importance of gauging the effectiveness of humanitarian aid by drawing upon the perceptions of those on the receiving end, who all too often do not have a voice in humanitarian debates. Equally silent, in his view, are the 'lessons learned' across time and space that prevent the realisation of a humanitarian future that is de-linked from the mistakes of the past.

Turning to the more specific issue of civil–military relations, three themes emerged during the course of our discussions that merit further attention and provide the basis for a continuing dialogue between scholars and practitioners: the potential to establish a *modus vivendi* for the conduct of civil–military relations in the context of the proliferation of agencies with diverse objectives and capacities; the legitimacy of the role and mandates of various agencies involved in humanitarian operations; and the relationship between humanitarian and political agendas.

MODUS VIVENDI IN AN EVER-CROWDED 'HUMANITARIAN SPACE'?

In the contemporary era, the interactions between civilian humanitarian agencies and the military have become more intense. This is not a new phenomenon. The negotiation of the terms and conditions governing the relationship between the military and humanitarian agencies provided the foundations of International Humanitarian Law in the Geneva

Conventions. The conditions under which these interactions occur, how-
ever, continue to change and evolve. The conflicts that give rise to
humanitarian emergencies are often fought in, amongst and sometimes
through civilian populations. Civilian humanitarians today are likely to
be at the centre rather than on the periphery of such emergencies and
thus in regular contact with military forces. At the same time, the
mandate of the military has evolved way beyond the conventional
battlefield. Since the 1990s, military forces have become increasingly
involved in peacekeeping, peacebuilding, and post-conflict reconstruct-
ion efforts. Militaries have also been called upon to provide important
assistance, domestically and increasingly internationally, in the case of
natural disasters. This is not simply a temporary phenomenon. The
frequency of natural disasters linked to global climate change is one
important issue that underscores the prominent role that militaries are
likely to play in emergency relief over the long term.

Over the past decade, efforts to enhance coherence between humani-
tarian, military and political responses to complex emergencies have
gathered momentum, especially under the auspices of the United Nations
Office for the Coordination of Humanitarian Affairs. However, developing
a *modus vivendi* that satisfies all parties in all circumstances remains a
challenging if not impossible task. Whilst important guidelines have
been developed to assist in the promotion of civil–military cooperation,
otherwise known as the CIMIC doctrine, these may not always be easy
to interpret and apply on a day-to-day basis. The nature of civil–military
encounters vary across different contexts, and circumstances may
change from moment to moment.

In debating the role of the military in providing humanitarian assist-
ance, the inevitable question that arises is: can the military occupy a
legitimate place in humanitarian space? Are there circumstances in
which the military should be seen as a humanitarian actor? Is it legit-
imate for the military to provide humanitarian goods in addition to
facilitating their delivery via establishing a secure environment? And to
what extent does providing a secure environment entail becoming
involved in assisting with social and economic stabilisation? Undoubted-
ly, context matters here. For instance, under conditions of intense conflict
the military may be the only agency that is well placed to provide speedy
and effective emergency supplies or healthcare. An oft-stated concern is
that such kind of intervention runs the risk of blurring the important
distinction between humanitarians, whose mandate is the delivery of
assistance on a neutral and impartial basis, and the military who may be
viewed as partisan and who may have a distinct political or military
mandate. The concern of civilian agents is twofold: (1) that the dist-
ribution of assistance may be premised on political consideration rather
than on the basis of need; and (2) that military involvement undermines
local perceptions of humanitarian NGOs as neutral agents that, in turn,

affects access to those in need as well as the effectiveness of protection measures. Concerns on the military side tend to focus on the potential risk of diverting resources away from their 'core business' of fighting wars and the problem of how to work effectively with local communities.

THE QUESTION OF LEGITIMACY: CONSTITUTING HUMANITARIAN MANDATES

What then governs the role and mandates of diverse agencies involved in humanitarian operations? And who sets the agenda and defines the priority of actions that should be pursued? For Chisholm, the core principles of humanitarianism remain central to the mandate of civilian humanitarian actors, and fundamentally shape their actions. However whilst these principles of humanity, impartiality, neutrality and independence provide an excellent template upon which to premise action in theory, they may be harder to pursue in practice in complex environments. At what point, for instance, is it legitimate and even desirable for civilian actors to cooperate with military actors in the pursuit of shared humanitarian goals? What are the implications of the development of closer ties between civilian and military actors in the context of more integrated operations? The role of the foundational principles of humanitarianism has been much debated in recent years, particularly the ethical premises of the principle of neutrality. Cooperation between civilian and military actors also challenges the efficacy of the principles of independence and even impartiality.

In their contribution, Law and Whalen argue that such cooperation should only occur under conditions in which the humanitarian principles that govern civilian actors are respected. For Law and Whalen, the human security agenda provides a framework for dialogue and cooperation. The possibility of maintaining distinctive roles in the pursuit of common goals should not be ruled out. But it is also important to be cognizant of the fact that the 'war on terror' has heightened concern amongst some in the civilian sector that in actuality what is occurring is the progressive securitisation of humanitarianism rather than the humanisation of security. Seen from this vantage point the provision of humanitarian assistance is merely a component of a broader political and strategic agenda rather than an end in itself. Put more bluntly, humanitarianism is in danger of becoming an instrument of the 'war on terror'.

WHOSE AGENDA?

Some scholars have argued that humanitarianism is shifting from a palliative to a transformative agenda.[3] It is shifting from simply seeking

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[3] See, for instance, Michael Barnett, 'Humanitarianism transformed', *Perspectives on Politics,* 3(4) 2005, pp. 723–40.

to relieve suffering to addressing the root causes of suffering. One aspect of this shift is the growing overlap between the delivery of humanitarian assistance and human rights advocacy. As discussion in the workshop revealed, this development may appear both feasible and desirable in theory; operationally, however, the pursuit of a dual agenda often generates significant tensions in practice. Advocates of a human rights-based approach argue that this is a vital means of alleviating suffering in the longer term. But critics are concerned that such an approach represents a fundamental shift in the principles that underpin humanitarianism by tipping the balance in favour of consequentialism and conditionality rather than providing assistance simply and unconditionally on the basis of need.

A second important shift towards a more transformative and arguably political agenda relates to the incorporation of protection under the humanitarian mandate. Whilst it could be argued that both assistance and protection are integral components of humanitarianism, the emphasis on one with respect to the other has varied across time and context. For Apthorpe, the emphasis in the language of contemporary humanitarianism has shifted from assistance to protection, as exemplified in the doctrine of the 'Responsibility to Protect'. For Law and Whalen, this doctrine provides a useful framework under the human security rubric for invoking international responsibility to act, and to act proactively where necessary, to prevent and alleviate unnecessary suffering. The question of whether the use of force can ever be justified in the pursuit of humanitarian goals, and if so when, is a vexed one. Arguably, this dilemma lies at the root of the tensions that have pervaded civil–military relations for decades. These tensions have been exacerbated by the 'war on terror' and the efforts of the United States, the United Kingdom and Australia to link the interventions in Iraq and Afghanistan with humanitarian goals. Whilst both conflicts have generated significant humanitarian crises, it is difficult to accept either as primarily humanitarian interventions.

When humanitarian and political and strategic goals are fused together, the contradictions inherent in civil–military cooperation become more explicit. In Iraq and Afghanistan, the ambiguous nature of the intervention created a multitude of operational and ethical dilemmas for humanitarian NGOs. It remains to be seen whether these cases will prove the exceptions rather than the rule that guides future interventions. What is clear from the essays that follow is that the question of who sets the agenda that governs humanitarian operations is likely to shape the development of civil–military relations for many years to come. This is not to suggest that the pursuit of more effective cooperation is not a worthy endeavour; it is simply to caution against strengthening ties in the absence of a legitimate humanitarian mandate.

When was this age of terror?

MICHAEL BARNETT

The workshop held in March 2008 carried the provocative title of 'Humanitarianism in the Age of Terror', and as a title it adeptly provokes, in part because it contains so many different meanings. It calls our attention to the possibility that we have entered a new chapter in world politics. Having spent a decade after the Cold War with the awkward placeholder—'post-Cold War'—we now have a name with substance. We should congratulate ourselves for having an age to call our very own. It also calls our attention to how the emergence of terrorist networks and non-conventional threats now represent the primary source of international and national insecurities. Lastly, the workshop title suggests how humanitarianism could very well become one of the primary casualties of the global war on terror. For the humanitarian sector, the 'age of terror' refers less to Osama Bin Laden and more to the possibility that Western powers might now see humanitarianism, in the words of former US Secretary of State Colin Powell, as a 'force multiplier' and as one more instrument in their toolkit. This poses a problem for the deliverers and beneficiaries of humanitarian action. Now that humanitarianism has lost its sanctuary, its humanitarian space, aid workers confront more difficulties delivering relief and are treated, at times, as enemy combatants. Such developments have led humanitarian workers to share with governments a nostalgia for the good, old, uncomplicated days of the Cold War, when boundaries were set and everyone understood their roles. In any event, humanitarianism has entered a new and more perilous chapter—and the consequence is that humanitarianism might become transformed beyond all recognition.

But have we moved into a different chapter in world affairs, at least as far as humanitarianism is concerned? I am not so sure. What exists today has been in the making over the last decade—indeed, it was always part of the humanitarianism. Humanitarian organisations are nostalgic for a time that never existed, manufacturing their own version of Eric Hobsbawm's aphorism of nationalism—getting its history wrong.[1] The more I study the history of humanitarianism the less convinced I am that there is much new, and if it is new it is because the aid sector has a mild form of Alzheimer's Disease, failing to recognise

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[1] Eric Hobsbawm, *Nations and nationalism since 1780: Programme, myth, reality* (Cambridge: Cambridge University Press, 1992).

familiar faces and constantly believing that the conversations and concerns that they have today are appearing for the very first time. We should be thinking less in terms of shifts and more in terms of trends.

Who or what is driving these trends? Humanitarian organisations like to portray themselves as at the mercy of forces and actors bigger than themselves, suggesting that they are as weak and vulnerable as the people they want to help. Yet to what extent can humanitarian actors blame others for this repeated cycle? Or do they only have themselves to blame for an environment that now appears to be such a threat? While I do not want to 'blame the victim', it is important to entertain the possibility that humanitarian organisations have made choices that have contributed to their current straits. Considering this possibility is important not only to set the record straight but also to recognise that, however limited, the humanitarian sector does have some control over its future.

AGE OF TERROR AS TREND, NOT RUPTURE

The claim that humanitarianism currently exists in an age unlike any before is frequently supported with references to two developments— the politicisation of humanitarianism and the securitisation of humanitarianism. The story of the politicisation of humanitarianism has a 'once upon a time' quality that pivots around what humanitarianism once was and what it now is. The narrator of the story is the International Committee of the Red Cross (ICRC). It opens with a 'pure' humanitarianism, defined by the impartial, independent and neutral provision of relief to those in immediate danger from either man-made or natural disasters. This humanitarianism lived in a land of virtue and ethics, with a wall that kept it apart from the polluted territory of politics. It practiced a form of ethics that kept it distinctive from politics; its only ambition was to provide relief to those in need, an ambition that was an expression of humanity and a recognition that all those at risk, regardless of their identity, deserve assistance. In order to achieve these modest ambitions, it practiced the principles of impartiality (it did not discriminate among peoples); neutrality (it avoided action that would favour one side or another); and independence (it would avoid working with or alongside those who have a vested interest in the outcome, which largely implied those who governed other lands). These principles insulated humanitarian action from politics and generated a 'humanitarian space'. For decades, humanitarianism lived a precarious life, but always managed to stay on the side of virtue and separate from the vice of politics.

Yet, the story continues, eventually vice encroached on virtue. Humanitarianism, its very principles and purpose, have been redefined in recent years, and this redefinition has created greater interdependence, indeed, a near integration, between the lands of humanitarianism and politics. Whereas humanitarianism used to be limited to relief and the symptoms of suffering, it now tries to eliminate the root causes of suffering.

Whereas once its principles prohibited it from taking sides or working with states, it now did so. To capture this major change in the character of humanitarianism, commentators speak of a new humanitarianism and a political humanitarianism. For those who narrate humanitarianism from the church of the ICRC, this is less a conversion and more a desecration.

Although various factors drove this storyline of the politicisation of humanitarianism, three were most important. First, the end of the Cold War created a greater demand for humanitarian action. States became more open to pursuing human rights, a driving force behind the willingness to consider the legitimacy of humanitarian intervention. There was a widening of the definition of international peace and security to include humanitarian emergencies. Whereas once the definition was limited to disputes between states that might or had become militarised, now it was applied to domestic conflicts, collapsed states, humanitarian nightmares, refugee flights, and so on.

States also discovered that humanitarian action was functional for avoiding more costly interventions; it became, in the words of former UN High Commissioner for Refugees, Sadako Ogata, a humanitarian fig leaf. For instance, states called on the UNHCR to deliver humanitarian relief in Bosnia in part because they wanted to relieve the growing pressure for a military intervention.

Second, there was also the development of complex humanitarian emergencies. A complex humanitarian emergency is a 'conflict-related humanitarian disaster involving a high degree of breakdown and social dislocation and, reflecting this condition, requiring a system-wide aid response from the international community.'[2] These emergencies are characterised by a combustible mixture of state failure, refugee flight, militias, warrior refugees, and populations at risk from violence, disease and hunger, and they seem to be proliferating across the world. These emergencies had several effects. They created a demand for new sorts of interventions and conflict management tools. Relief agencies were required to distribute food, water and medicine in war zones, and were frequently forced to bargain with militias, warlords and hoodlums for access to populations in need. In situations of extreme violence and lawlessness, they frequently lobbied foreign governments and the United Nations to consider authorising a protection force that could

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[2]   Mark Duffield, *Global governance and the new wars: The merging of development and security* (New York: Zed Press, 2001), p. 12. See also Jennifer Hyndman, *Managing displacement: Refugees and the politics of humanitarianism* (Minneapolis: University of Minnesota Press, 2000); Thomas G. Weiss, 'Principles, politics, and humanitarian action', *Ethics and International Affairs*, 13(1) 1999, pp. 1–22, at p. 20; Philip White, 'Complex political emergencies: Grasping contexts, seizing opportunities', *Disasters*, 24(4) 2000, pp. 288–90. This section draws on Michael Barnett, 'Humanitarianism transformed', *Perspectives on Politics*, 3(4) 2005, pp. 723–37.

double as bodyguard and relief distributor. These emergencies also attracted a range of non-governmental organisations (NGOs) to become more involved in the same space.[3] Relief agencies that were delivering emergency assistance, human rights organisations aspiring to protect human rights and create a rule of law, and development organisations keen to sponsor sustainable growth began to interact and to take responsibility for the same populations. The growing interaction between different fields, in turn encouraged them to articulate a relief–rights–development linkage within a humanitarian discourse that became tied to the construction of modern, legitimate, democratic states.[4] As various international actors began to think about the causes of and solutions to these humanitarian emergencies, they situated their arguments under a humanitarian rubric that became tied to a wider range of practices and goals.

Third, changes in the normative and legal environment created new opportunities for humanitarian action. Whereas once state sovereignty was sacrosanct, now it is conditional on states fulfilling certain functions and honouring the 'responsibility to protect' their societies. The emphasis on human security and the discourse of the 'responsibility to protect' encouraged a growing number of actors to expand their assistance activities to include a wider variety of goals and to become more deeply involved in transforming domestic space in ways that are intended to remove the root causes of conflict. Those in the humanitarian sector can now dream of grander goals, such as rights, development, democracy, and even, as noted by the late Sergio de Mello, Special Representative of the UN Secretary-General to Iraq, building 'responsible' states.

These global changes provided new opportunities for humanitarian organisations to expand their activities to help those in need and created new partners to enable their activities. It was not simply a matter of humanitarianism being coerced into politics. Nor was it simply an irrational seduction. Instead, aid agencies made choices, sometimes under duress and sometimes with considerable trepidation, but frequently calculating that more lives would be saved than lost if they adopted new principles that were more in keeping with the times. None of this would have been possible had powerful, largely Western, states not agreed with these new terms of engagement, but it is important to recognise the extent to which aid agencies themselves actively encouraged states to believe that it was possible to be virtuous.

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[3]   Charles Kelly, 'On the relief-to-development continuum', *Disasters*, 22(2) 1998, pp. 174–5.

[4]   Duffield, *Global governance*.

Then the events of 11 September 2001 hit, and there was even greater interest in failed states, in part because of the hypothesised link between failed states and terrorism and insecurity. The US government has made a series of statements that suggest that failed states are a danger to themselves and others. The White House's national security statement of 2002 introduced the link, directly and clearly. Former US Agency for International Development (USAID) administrator Andrew Natsios observed that the United States is threatened more by '"failed, failing and recovering states"' than by '"conquering states"'.[5] The United States is not a chorus of one; across the West and various parts of the global South there are sustained statements that argue that human welfare and security must be part of the international security agenda. The humanitarian and the political agendas are now synchronised—and aid agencies helped to produce this outcome.

The transformation of humanitarianism is also evident in the securitisation of humanitarianism. Beginning with Operation Provide Comfort in 1991, there has been an ongoing debate regarding the relationship between the military and humanitarian affairs, and what might be the proper role for the military in the delivery of assistance and protection of relief. Various aid agencies have called for greater presence of military in Somalia and in Rwanda (doctors cannot stop a genocide). Kosovo revealed another dimension, when aid becomes too important to be left to aid workers. This trend has continued with Afghanistan and Iraq. In 2001, then US Secretary of State Colin Powell told a gathering of NGOs that 'just as surely as our diplomats and military, American NGOs are out there [in Afghanistan] serving and sacrificing on the front lines of freedom. … NGOs … are such a force multiplier for us, such an important part of our combat team.'[6] Beginning in Afghanistan and then becoming part of the Iraqi invasion, Provincial Reconstruction Teams, those hybrid civil affairs, military animals, have blurred the distinction between military and humanitarian affairs.

This militarisation of humanitarianism is continuing to move from relief to root causes in important ways. According to American policymakers, the Pentagon's New Africa Command (AFRICOM) will have the mandate to develop a stable environment on the continent to promote civil society and improved quality of life for the people of Africa. In February 2007, at the announcement of AFRICOM's new mission, Ryan Henry, Principal Undersecretary of Defense for Policy, stressed that 'this command will focus on some efforts to reduce con-

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[5] United States Embassy Stockholm, 'US threatened by "failed states", USAID's Natsios says', 17 February 2005, <www.au.af.mil/au/awc/awcgate/usaid/natsios021705.htm>.

[6] Colin Powell, Remarks to the National Foreign Policy Conference for Leaders of Nongovernmental Organizations, Washington, DC, 26 October 2001.

flict, to improve the security environment, to defeat or preclude the development of terrorists or terrorist networks, and support in crisis response.'[7] Many of the missions AFRICOM will perform will be non-kinetic, such as humanitarian assistance and disaster relief. The military has become increasingly involved in all facets of aid—in part because of the securitisation of foreign policy in the United States, and in part because the military does not believe that other agencies are up to the task.

This nightmare version of humanitarianism is premised on a fairy tale belief that humanitarianism was ever pure and outside of politics. When exactly was this moment? Was it during Operation Lifeline Sudan in the late 1980s? Probably not. Perhaps, then, it was during the Ethiopian famine of 1985. It is difficult, though, to keep humanitarianism pure when it becomes part of a media spectacle and the vehicle for rock stars to 'give back'. Cambodia? This was the moment when Oxfam cut a deal with the Vietnamese-backed government in which it agreed not to deliver aid to the refugees on the Thai-Cambodian border. Biafra? Aid agencies responded to a famine but played right into the hands of the Biafran rebels who were using the deaths to generate sympathy and support for their military campaign. What about prior to the Second World War? Don't look too carefully at the world's or the ICRC's response to the Italian actions in Ethiopia.

My point is not to indict humanitarianism but rather to challenge this notion that we are living through an age unlike any other. There might, indeed, be ways in which the tensions between politics and humanitarianism have been sharpened over the last several years, but we need to be very careful regarding how and exactly which aspects. The politicisation and securitisation of humanitarianism did not suddenly appear amongst the plumes of smoke from the collapsed World Trade Center in New York. And while those in the humanitarian sector like to speak as if the pre-Cold War years were pristine and principled (at least as defined by the holy trinity of impartiality, neutrality and independence), any open-eyed walk down memory lane will reveal a landscape that differs substantially from what they like to pretend existed.

My other point is to call attention to the choices that humanitarian agencies have made, choices that are often the 'least bad' of the alternatives and that are often made under duress, but not always. Moreover, humanitarian organisations have constantly attempted to harness politics. The ICRC has spent decades trying to humanise war, that is, attempted to work with states to change how they conduct themselves during military operations. Médecins Sans Frontières wants to bear witness

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[7] Sara Wood, 'Africa command geared toward stability', 7 February 2007, <www.defenselink. mil/News/NewsArticle.aspx?id=2965>.

not only so the dying have company but also to galvanise international action. The ability of aid agencies to accomplish their goals has hardly been dependent on keeping politics and humanitarianism apart, rather, it has always been premised on trying to instrumentalise and domesticate politics. Whilst this has always been a dangerous game, it is a game that humanitarian actors have played over the decades.

CONCLUSION

I want to conclude on a somewhat unusual note for a discussion on humanitarianism: the glass is half-full and not half-empty. Being pessimistic appears to be an occupational hazard for those in the aid industry. It is always doom and gloom, probably not undeserved given that aid workers migrate from one tragedy to another without much respite. Yet there is evidence that the times are not nearly as dispiriting as is frequently portrayed. Peter Walker, the Director of the Feinstein Center for Famine Studies at Tufts University, recently asked colleagues to reflect on whether and how there is any good news.[8] It turns out that, at least when pressed, it is possible to find a silver lining. There has been a dramatic improvement in the delivery of relief and basic human services. There has been an impressive professionalisation, standardisation and rationalisation of the sector, evident in the development of the Code of Conduct and Sphere guidelines, evaluation research and evidence-based programming, and accountability. There has been a dramatic internationalisation of aid workers; so much so that the standard charges that humanitarianism is little more than rich, white people who try and tell others how to live their lives is less true than ever before. There have been some important political, normative and legal developments. We now have a category of internally-displaced peoples. There is now a near right to relief, certainly more evident in practice, than a right to intervene. There is now a growing recognition that 'root causes' are not local but rather have a global dimension.

Many of these developments could not have taken place without the help of states, but it is also likely that states would never have moved in this direction had it not been for the relentless lobbying of aid agencies and transnational activists. Some of these developments, however, depended less on what states would or would not do and more on the willingness of aid agencies to look inside themselves and make changes that were fully within their power. While the world can make life difficult for humanitarian agencies, these agencies have demonstrated time and again that they can make life-changing choices.

Are we in the age of terror or the golden age?

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[8] 'Getting humanitarian aid right', <http://blogs.uit.tufts.edu/gettinghumanitarianaidright/2008/03/humanitarian_su.html>.

Building human security: The importance of civil–military relations

ARCHIE LAW AND JACQUI WHELAN

INTRODUCTION

Civil–military relations are a crucial element in building human security for people who are vulnerable and face an array of threats. Human security addresses issues facing the world's poor that cannot be sufficiently dealt with using a state-centric security paradigm. By utilising a human security paradigm, governments can more effectively assist those in dire need and assist people to claim their human rights. To facilitate the achievement of broader human security, governments will need to actively intervene in situations where human security is threatened, and in doing so fulfil their obligations under the Responsibility to Protect (R2P) concept. Increasing cooperation between humanitarian actors and the military will therefore be required and securing 'humanitarian space' is essential for building and achieving human security. The military, whilst starting to recognise the importance of engaging with humanitarian actors, needs to do more. In doing so, there will be a greater chance of achieving human security. In failing to do so, as has been the case in Afghanistan, for example, the military will miss an opportunity to build human security during and after complex emergencies.

WHY IS HUMAN SECURITY IMPORTANT?

Human security is a concept based on human rights, empowerment and protection that recognises the need to establish a minimum quality of life that is free from fear, free from want and enables people to take action on their own behalf.[1] There are varying definitions of human security. The Commission on Human Security argues that its function is to:

> protect the vital core of all human lives in ways that enhance human freedoms and human fulfilment. Human security means protecting fundamental freedoms—freedoms that are the essence of life. It means protecting people from critical (severe) and pervasive (widespread) threats and situations. It means using processes that build on people's strengths and aspirations. It means creating political, social, environ-

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[1] Commission on Human Security, *Human security now* (New York: Commission on Human Security, 2003), p. 10.

mental, economic, military and cultural systems that together give people the building blocks of survival, livelihood and dignity.[2]

While the broad applications of the concept have been problematic for some scholars,[3] the value of human security lies in its ability to encompass the array of threats that the world's most vulnerable people face, for which state-centric security alone is not a sufficient paradigm.

State-centric security focuses on threats to the nation-state and aims to preserve the state's capacity for independent decision-making, thereby ensuring that it can pursue national objectives. However, in the modern context this alone is not enough. According to the Commission on Human Security:

> The international community urgently needs a new paradigm of security. Why? Because the security debate has changed dramatically since the inception of state security advocated in the 17th century. According to that traditional idea, the state would monopolize the rights and means to protect its citizens. State power and state security would be established and expanded to sustain order and peace. But in the 21st century, both the challenges to security and its protectors have become more complex. The state remains the fundamental purveyor of security. Yet it often fails to fulfil its security obligations—and at times has even become a source of threat to its own people. That is why attention must now shift from the security of the state to the security of the people—to human security.[4]

Human security focuses on people, and aims to put people at the centre of security. However, the two concepts are not mutually exclusive, as the fulfillment of human security often relies on a secure and stable state, and a secure and stable state often relies on the human security of its citizens. As Pauline Kerr has noted, 'the role of properly functioning states will continue to be central to improving human security'.[5]

THE NGO–MILITARY INTERFACE

The achievement of human security will require increasing humanitarian intervention in situations where human security is at risk. The concept of R2P, which was agreed to by the world's governments in 2005 at the World Leaders' Summit, enshrines the duty of states to intervene to prevent and/or end acts of violence (genocide, crimes against humanity and human rights violations). Furthermore, the

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[2] *Ibid.*, p. 4.

[3] See Barry Buzan, 'A reductionist, idealistic notion that adds little analytical value', *Security Dialogue*, 35(3) 2004, pp. 369–70; Roland Paris, 'Still an inscrutable concept', *Security Dialogue*, 35(3) 2004, pp. 370–1.

[4] Commission on Human Security, *Human security now*, p. 2.

[5] Pauline Kerr, 'Human security', in Alan Collins (ed.), *Contemporary Security Studies* (Oxford: Oxford University Press, 2007), pp. 91–108, at p. 106.

changing nature of complex emergencies[6] will necessitate greater cooperation between military and non-military forces, and the securing of humanitarian 'space'. This means ensuring that the **principles** of humanitarianism are not jeopardised, that there is a safe **geographic** area in which humanitarians can operate, and that human rights **policies** are assured and implemented. Effective civil–military relations will therefore be crucial to building human security in the context of complex emergencies and post-conflict recovery.

This non-governmental organisation (NGO)–military interface works best when:

- security exists and humanitarian agencies have freedom of movement to undertake their work;

- the military undertakes humanitarian action as a last resort or in a short-term supporting role;

- civil authority predominates, that is the military is subordinate and accountable to civilian leadership;

- international legitimacy is apparent and unambiguous;

- the military does not include NGOs as part of its 'hearts and minds' campaign; and,

- the majority of the host population is supportive.

However, these optimal conditions are rare in international crises. Additionally, the most appropriate areas for NGO–military relations to develop are security, logistics, communications, transportation, infrastructure (limited), and information (not intelligence gathering). These interactions should be based on the principle of 'do no harm' with the goal of maximising the benefits for local communities.

Currently, there is a greater awareness in the military of the need to work with NGOs. However, there is often a misunderstanding of the role to be played by NGOs in complex emergencies. Colin Powell, then US Secretary of State, illustrated the potential misinterpretation of the role of NGOs in working with the US military in a speech he gave to NGO leaders in 2001:

I am serious about making sure we have the best relationship with the NGOs who are such a force multiplier for us, such an important part of

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6   The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) defines a complex emergency as: 'a humanitarian crisis in a country, region or society where there is a total or considerable breakdown of authority resulting from internal or external conflict and which requires an … international response that goes beyond the mandate or capacity of any single agency and/or the ongoing UN country programme'. OCHA, 'Glossary of humanitarian terms in relation to the protection of civilians in armed conflict' (New York: United Nations, 2003), p. 9.

our combat team … it's a partnership … for those of us … all committed to the same, singular purpose to help … every man and woman … in need, who is hungry, who is without hope, to help every one of them fill a belly, get a roof over their heads, educate their children, have hope.[7]

This quote underwrites the grave concerns of NGOs who do not want to be seen either as 'force multipliers' or part of any 'combat team'. In response to these concerns, more recent US military policy guidelines reveal greater awareness of the difficulties involved:

Gaining the support of and coordinating operations with these NGOs can be difficult. Establishing basic awareness of these groups and their activities may be the most commanders can achieve … Many NGOs arrive before military forces and remain afterwards. They can support lasting stability. To the greatest extent possible, commanders try to complement and not override their capabilities. Building a complementary, trust based relationship is vital.[8]

This better reflects the optimal interaction between NGOs and the military, whereby the military recognises the 'humanitarian space' of the NGOs and does not try to encroach on this space.

THE POWER OF HUMAN SECURITY

Utilising a human security paradigm in civil–military relations presents an opportunity to build a lasting peace following complex emergencies. Justice, democracy and peace are particularly fragile if the key components of development, security and governance, as well as the support of human rights policies and financial resources, are missing or incomplete.

Human security provides a useful paradigm for enhancing human development, community security and community level governance in complex emergencies. It represents the potential power to change and strengthen civil society, policies and practices, conditions, and consciousness and capacity. By using this paradigm in civil–military relations, the competing interests in complex emergencies (foreign governments, foreign military, donors, United Nations agencies, NGOs, international organisations, business, religious groups, the media, the host government and most importantly the people affected by the crisis themselves) can work together for the benefit of the local population so that there is cooperation rather than chaos.

[7] Colin Powell, Remarks to the National Foreign Policy Conference for Leaders of Nongovernmental Organizations, Washington, DC, 26 October 2001, <www.state.gov/secretary/former/powell/remarks/2001/5762.htm>.

[8] US Department of Defense, *US Army Counterinsurgency Handbook* (New York: Skyhorse Publishing, 2007), p. 2-7.

Provincial Reconstruction Teams (PRTs) provide an illustration of how failure to implement robust policies that build a sustainable peace can undermine early recovery efforts. William Maley concludes from his analysis of PRTs in Afghanistan, that 'even if well-run, a PRT will have done little to foster continuous reconstruction if it does not lay the foundation for stable local development.'[9] Similarly, Barbara Stapleton, in her study of PRTs in Afghanistan, argues that, in failing to encompass the needs of the local population, both cultural and physical, the PRTs missed an opportunity to build a stable peace. Stapleton states that:

> the 'paradox of development, that actual outcomes and existing behaviour continually contradict the expected scheme of things', very much applied to Afghanistan, where knowledge based on first hand experience of its localised and complex socio-political landscape was in very short supply. This situation was compounded by a failure both by the Afghan Interim and Transitional Authorities, supported by the international community, to set a clear moral tone by delivering on leading Afghan concerns, which included the absence of the rule of law and the re-establishment of impunity, increasing corruption and deteriorating levels of human security.[10]

The lessons of Afghanistan have shown that civil–military interaction clearly works best when there is freedom of movement for humanitarian actors, humanitarian space is respected, and the military does not deny the provision of assistance to people in need.

ENHANCING PROTECTION

Protection is vital to human security. The agreed definition of humanitarian protection by the UN Inter-Agency Standing Committee and the International Committee of the Red Cross, states that: 'The concept of protection encompasses all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law (i.e. human rights law, humanitarian law and refugee law).'[11] Humanitarian protection is therefore all about securing the human rights of people who are facing threats to their security and dignity, primarily as a result of conflict. Protection activities should empower people to reduce individual and community vulnerability, and should increase the capacity of people and enable them to claim their rights.

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[9] William Maley, 'Provincial Reconstruction Teams in Afghanistan: How they arrived and where they are going', *NATO Review*, 3(Autumn) 2007.

[10] Barbara Stapleton, 'A means to what end? Why PRTs are peripheral to the bigger political challenges in Afghanistan', *Journal of Military and Strategic Studies,* 10(1) Fall 2007, pp. 1–49, at p. 3.

[11] Sylvie G. Caverzasio (ed.), *Strengthening protection in war: A search for professional standards: Summary of discussions among human rights and humanitarian organizations* (Geneva: International Committee of the Red Cross, 2001), p. 38.

A number of different stakeholders have complementary roles to play in a protection framework; whilst governments are responsible for providing security, NGOs are best placed working with people on community-based protection initiatives; the UN and its agencies provide international protection for people displaced by conflict, and governments are responsible for providing protection for people living within its jurisdiction. It is essential that appropriate resources are provided for protection by the affected state itself and states in a position to do so, to ensure that people receive the protection to which they are entitled.

R2P is an important element of humanitarian protection. It is important for all stakeholders to actively lobby the UN and governments to operationalise their commitment to R2P, and to coordinate an holistic approach to protection interventions.

FUTURE INITIATIVES FOR BUILDING HUMAN SECURITY

To create a sustainable and positive peace, there needs to be greater commitment to human security based on a willingness to listen harder and learn from the vulnerable. By utilising a human security paradigm and incorporating the following recommendations in its strategic guidance, the Australian government will be better prepared to engage in complex emergencies and humanitarian disasters:

- adopt and implement human security as government of Australia guidance for all concerned departments;

- adopt a holistic 'whole-of-nation' approach to building human security;

- better coordinate humanitarian operations through increased support for the empowerment of the United Nations and the UN OCHA;

- mainstream peace operations through peacekeeping doctrines, force structures and training;

- support the UN and strengthen its effectiveness; and

- operationalise R2P.

Civil–military cooperation in Timor-Leste 2006: A military perspective

BRIAN COX

> The outcome of future conflict will not be decided on the battlefield alone; rather it will be won in the minds of populations using ideas as weapons.[1]

Within the contemporary context of humanitarian operations, civil–military cooperation presents multiple challenges. Not all of these challenges, however, are new. In the past, coordination deficits have been addressed through the establishment of structures to facilitate cooperation between military and civil actors. For example, the Australian Army utilised civil military or civil affairs capabilities with the British Commonwealth Occupation Forces in Japan after the Second World War; in the 1950s, a civil affairs unit was set up in Borneo; and similar organisations were also used in Malaya to support counter insurgency operations. Indeed, Australia played a significant role in advancing civil military operations from 1945 to the 1960s. This effort waned during the 1970s to 1990s when the focus shifted back to conventional warfare with minimal regard for interactions with civil organisations or agencies. With the growth of the world's population in urban areas, the ability to wield large armies across open plains unencumbered by civilian occupation is becoming far less likely. So we are re-learning the lessons of our past and trying to adapt to the increasingly complex contemporary conflict environment. Civil Military Cooperation (CIMIC)[2] is currently being used in a range of Australian Defence Force (ADF) operations to achieve the essential link between the military commander and either civil agencies or the civil population.

The focus of this essay is on how CIMIC can be used effectively to support contemporary military operations. Timor-Leste in 2006 will be used as an example to demonstrate how CIMIC can provide the essential link within a multi-agency environment to achieve and support both military and civil outcomes.

'The ADF defines CIMIC as the coordination and cooperation, in *support of the mission*, between the *commander and civil actors*, including the national population and local authorities, as well as

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[1] Australian Army, 'Adaptive campaigning', November 2006, pp. 2–3.

[2] CIMIC refers to the military organisation working directly to a military commander.

international, national and non-government organisations and agencies'.[3] The CIMIC focus is on linking and coordinating with other agencies to support security, as well as other reconstruction outcomes. In terms of reconstruction, this does not mean just building facilities or construction projects, but a comprehensive approach involving a review of social constructs, political processes, the environment and the economy. It is important to note that *all* these aspects must be linked in terms of support to the commander and the military mission. The key is to synchronise activities in which there are agreed common goals. Finding that common ground between the military and civil organisations is crucial, but can also be a significant challenge.

The crisis that unfolded in Timor-Leste in 2006 has been chosen as the example to use because it illustrates the challenges faced in coordinating a range of civil and military agencies in a complex social and political context. It is also useful because it shows how CIMIC can contribute to resolving problems that can arise. There has been a history of social and political tensions within Timor-Leste resulting from 450 years of Portuguese rule and 25 years of Indonesian governance. Although Timor-Leste is now an independent state, continuing legacies relating to land ownership and compensation claims from the years of Portuguese and Indonesian rule, contributed to the social unrest. In March 2006, 595 soldiers from the Timorese Army deserted their barracks complaining about discrimination in promotions. Then Prime Minister Mari Alkatiri's government response was to sack them, which sparked the unrest that led to violence in May 2006. In April 2006, a rally that supported the sacked soldiers turned into a riot leaving five dead and many injured. The decreasing control of law and order was further exacerbated by significant tensions between key departments of the Timorese government, in particular the Army and Police. The fractures in Timorese society extended to local communities—East versus West[4] communities fighting against each other resulting in neighbours fighting against neighbours. On 23 May, clashes between rebel soldiers and Army troops resulted in two killed and five wounded, igniting looting and arson activities within Dili. On 24 May, Australian assistance was requested by the government of Timor-Leste. The Australian force was sent to Timor-Leste to assist in restoring stability and law and order, while hundreds of non-governmental organisations (NGOs) also responded by providing humanitarian aid and services.

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[3] Australian Defence Doctrine Publications, *Civil–military cooperation*, Operations Series ADDP 3.11 (Canberra: Defence Publishing Service, 24 August 2004), p. 1–1.

[4] In East Timor, there were community tensions based on a belief that Easterners (those that lived in the East) and Westerners (those that lived in the West) had either gained benefit from the period of Indonesian rule, or not contributed enough towards gaining independence. It remains a complex social issue today.

Large numbers of people displaced by the crisis presented a major challenge for the military and other agencies, including the United Nations (UN) and NGOs. Significant numbers of the community fled to 'safe' areas, creating ad hoc Internally Displaced Peoples (IDP) camps. People ran to public places, churches, ports and other institutions, fleeing the violence to reach areas where they felt safe and secure. As large groups of people congregated, they were provided aid by the international community leading to the creation of a range of camps all over Dili. While these camps were originally established as a means for providing assistance and security to the Timorese population, the management of them provided a significant challenge to civil–military coordination, with a wide range of groups having a different understanding of their roles and objectives. In addition, it became evident that the camps themselves were beginning to undermine the social, political and economic cohesion of these fragile communities. Identifying and resolving this dilemma demonstrates one of the ways in which CIMIC can make a contribution in humanitarian crises.

**THE CHALLENGE OF UNDERSTANDING THE PEOPLE AND THE LOCAL CONTEXT**

Organisations operating in Timor-Leste often added complexity with their own layers of bureaucracy, institutional paradigms and structures. Military and humanitarian organisations can often overly complicate how they interact with the local population simply by the way they view and operate within the local environment. To illustrate this point, I will highlight how the local population, military, and UN can view the same environment from differing perspectives.
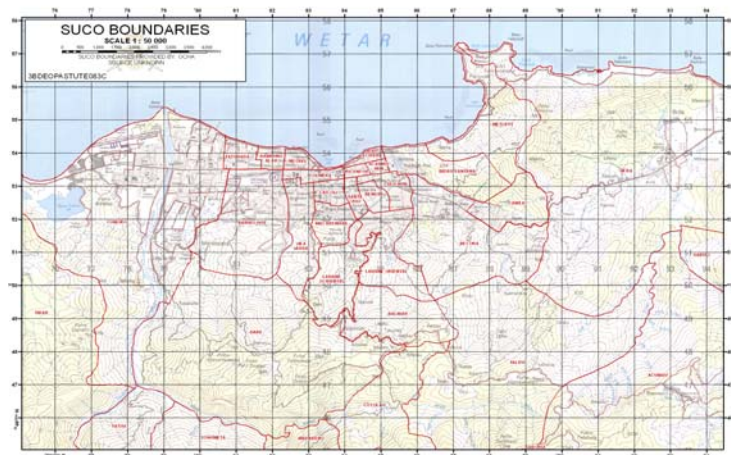
Map 1: Suco boundaries in Dili, Timor-Leste
Map drawn by Joint Task 633, boundary information supplied by UN OCHA

From the local perspective, the traditional social structure in Dili itself is quite complex. Map 1 highlights the Chefe de Suco, or local chiefs' boundaries. This could be further broken down to the sub-village Chiefs, or Aldeias. A map on this scale, however, would be unreadable. It is a complex social structure, which provides the basis for law and order, social harmony, economic sustainability and political stability. It is important to take into account such structures in order to be able to coordinate with the locals so as to affect military, as well as social or political outcomes. All too often expectations relating to our specific role or task hinder us from doing so.
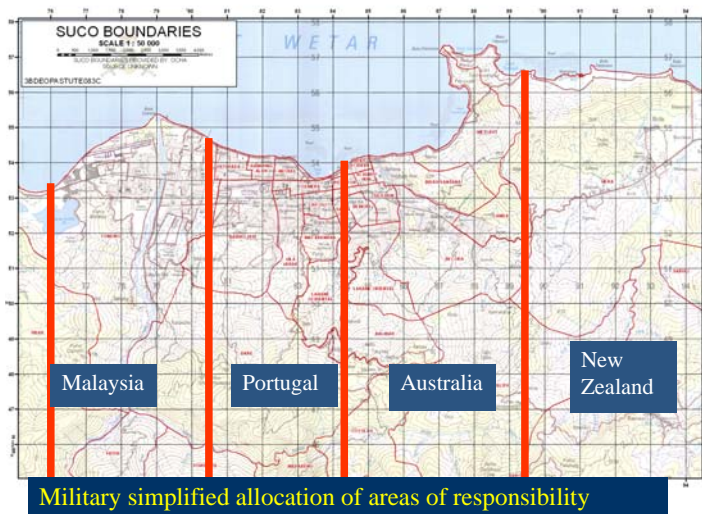
Map 2: Suco boundaries as perceived by the military
Map drawn by Joint Task 633, boundary information supplied by UN OCHA

In the military, we like to simplify such complex environments (see Map 2). The traditional military consideration of boundaries is normally based on natural features, as we like to make coordination between other forces as simple as possible. This is often done without consideration of the consequences for the local population. CIMIC identified the need to operate beyond normal military boundaries in order to ensure a consistent approach in dealing with the wide range of government and civil agencies as well as military and civil police forces. Permission was granted for CIMIC to operate across the control lines[5] shown on Map 2, enabling military and police forces to achieve a

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5 Control lines refer to coordination lines established by military forces to delineate specific areas of operation allocated to military forces. In this case, the control lines shown symbolise

common CIMIC effect across the entire Dili area. This was a critical step in developing a central or common mechanism for civil–military coordination within the country.

Even international organisations (IOs) like the UN and NGOs can view the same land space, from a humanitarian perspective, differently. In 2006, the UN focus was on assisting the population through the sustainment and support for IDP camps.

In August 2006, there were 56 IDP camps in Dili accommodating over 100,000 people that the UN Office of Coordination for Humanitarian Affairs (OCHA) estimated had been displaced by the crisis. The UN's initial response was to provide food, shelter, water, clothing and medical attention to the people within the camps; however, there were no plans to sustain the communities struggling outside of the camps. Nor were there plans to sustain the people struggling in the outer districts. More importantly, there were no plans to reintegrate the IDPs back home. The focus on providing support to the camps limited the UN's appreciation of the wider consequences of their action—a growing dependant society and the disintegration of traditional local authority as well as their economy.

THE SECURITY ISSUES

The Commander of the Joint Task Force (JTF) tasked CIMIC to help the government, IO and NGO community to resolve the issue of the IDP camps, as they were becoming a serious security issue. As each IDP camp was being constructed, static security[6] was being requested by the UN or NGO staff operating the camp. However, the military was concerned that the provision of static security would have tied down limited security forces and limited their capacity to conduct reactive response duties while providing the militia freedom of movement outside the camps. The JTF Commander needed to be proactive and have the ability to respond where and when a security issue arose. This was a difficult concept for the UN and NGOs to accept. So a public information campaign was needed to inform not only the UN and NGOs on security issues, but also to advertise JTF aims and objectives to the people of Timor-Leste. One key message was that the JTF role was to provide a security umbrella while UN, NGO and Timor government organisations and agencies tried to resolve key governance, social and economic issues. However, identification of the key issues and their associated short and long-term consequences was difficult, due to the fragmented nature of some of the key departments or working

the allocation of security responsibilities in Timor-Leste between the Australian, New Zealand, Malaysian and Portuguese forces. They are not to scale and are indicative only.

[6] Static security refers to stationary duties like guard posts, check points or road blocks; it is where troops are fixed at a specific point.

groups and the lack of central information sharing; reliable information was hard to come by.

THE NEED TO GAIN INFORMATION

To identify a way ahead, and assist the UN and NGOs to resolve the growth and control of IDP camps, the JTF needed to collect detailed information. The CIMIC team created a database of key contacts and organisations and constructed a timetable of events, meetings and key conferences that provided the information required. Within a few weeks, CIMIC had created a substantial database, and had engaged with a wide range of key government agencies, IOs and NGOs that had significant information on the IDP camps. A good rapport was established with key stakeholders, including local Timorese authorities and religious leaders of the communities (the Padres and the Madres) who were also running some of the camps. Basically, CIMIC linked into established working groups or created liaison architectures.

The liaison architecture started with the host nation government and included key IO, NGO and local Timorese personalities and groups. At the ministerial level, our point of contact for humanitarian activities was Minister of Labour Arsenio Bano. In terms of international staff, the key people that we dealt with included the UN Special Representative for the Secretary General (SRSG) and the United Nations Humanitarian Coordinator (UNHC). The local liaison included acceptance and participation in a range of existing meetings and fora from the UN lead cluster groups,[7] to community and church meetings with various groups and IDP camp site liaison services. In total, a wide range of international and domestic stakeholders were involved or had an interest in the IDP camps and all wanted to be consulted.

The information obtained by CIMIC from IO and NGO sources identified that the focus at that time was on building more camps, to de-clutter the camps that were already there. The plans included building new camps on key sporting and recreational areas like Democracy Field and the Dili Stadium; however, such places were significant social facilities that provided a release from social tension through playing sport and conducting other community activities. From a military perspective, more camps would increase security issues, and from a social perspective, local children would lose valuable sporting and recreational facilities. Although there were plans to build more camps, there were no plans to rebuild communities.

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[7]   Cluster groups were formed by the UN as working groups with specific roles and tasks, such as looking after food distribution, health, water and sanitation, shelter and so on.

BUILDING CAMPS VERSUS BUILDING COMMUNITIES

The IDP camps were now becoming entrenched within Dili and were becoming micro-communities of their own. This was having a significant impact on the normal East Timorese way of life. CIMIC identified some of the key issues through the established architecture. Not all issues were evident to the government, the UN or NGOs as a primary focus was fixated on IDP camp support or construction, with limited action being undertaken to correct long-term consequences.

The IDP camps were beginning to undermine traditional or existing social, political and economic structures. Politically, the Chefe de Sucos and Aldeias, the traditional leaders of their community, were functionally dislocated from their communities. The traditional leaders were either within camps themselves, or outside their community in the empty villages. The responsibility for discipline, law and order, even education had been transferred to UN camp site liaison services.

The UN and NGO support to the IDP camps was becoming a permanent affair, affecting the local communities not only socially but economically. Issuing of uncontrolled free food, water, shelter, utensils and medical support was drawing in communities from outside of Dili, exacerbating security issues and inflating IDP statistics. There was no registration system put in place by the UN to control the distribution of goods and services, so people were registering in four, five, or as many as seven camps. Not all were necessarily doing this to feed extended families; they were also supporting a booming black market economy. Criminal elements, in particular, were using the camps as a resource to create and sustain the growing black market trade. The local economy was suffering.

Finally, the impact of the IDP camps on the security situation was well known by the JTF staff. Men would leave the IDP camps at night to return to and protect their homes from being burnt and looted. The militia would take advantage of this and go into the camps to attack the women. The tensions within the camp between Easterners and Westerners started to rise. There was a shuffle for leadership and control within the camps which further complicated social control and law and order issues.

The ongoing existence of the camps was, therefore, having serious ramifications for the establishment of peace and stability. The CIMIC team decided to highlight this state of affairs in a coordinated fashion to both the Timorese and IO/NGO community.

HIGHLIGHTING THE PROBLEM

CIMIC's first course of action was to develop a simple diagram to highlight both the traditional lifestyle and how it controlled the criminal elements, and to compare this with a second diagram highlighting the

impact of IDP camps on the social, political and economic environment. CIMIC highlighted the importance of the government, the Sucos, the Church, and the international community, which provide the framework of governance for the villagers. The Sucos and the Aldeias were able to control the social and economic environment in which the criminal elements could be adequately constrained. CIMIC then attempted to highlight the impact of IDP camps on this traditional structure; in particular the freedom of movement provided to criminal elements outside of the camps. It also highlighted the fact that the traditional leaders could not effectively control their traditional communities from within these camps, or while a portion of their communities remained within the camps. The criminals were also keen to push people back into the camps, not only because of the freedom it provided them in the empty villages, but because the camps were a source of abundant supply for their black market activities. CIMIC used these diagrams to invigorate the government, military, IO/NGO and most importantly, local communities to look at community reconstruction programs. CIMIC basically established a common goal for both military and civil organisations and agencies: stop the singular focus on IDP camp construction and start re-building communities.

WORKING WITH OTHERS TO DEVELOP A PLAN

The CIMIC team, with endorsement from OCHA and a range of IOs/NGOs, developed a return home strategy in five phases. I will not detail the phases here, but in essence this meant that the JTF would provide the security umbrella while other key organisations were allocated various tasks to start a community reconstruction program. Minister Bano, supported by the new Prime Minster Dr Ramos Horta, supported the plan and had his Ministry renamed the Ministry of Labour and Community Reinsertion.

Developing the plan and having it endorsed by the government was a critical step. The next difficult task was then to implement the plan with the support of NGOs. The UN Humanitarian Coordinator assisted in implementing the plan through his cluster groups and working groups, which were each briefed in turn by CIMIC. Camp demographics were identified, highlighting suitable selections for a 'pilot' project. However, policy paradigms within various organisations had to be first overcome, as the primary focus of many UN units and NGOs was on supporting IDP camps, not Dili communities.

COMBATING BUREAUCRACY

Organisations, whether humanitarian or military, often rely on personalities to resolve institutional freeze due to inert bureaucratic process or narrowly focused policies. For example, the World Food Program priority was only to feed people within camps, but their

support was also essential to issue food to the local communities outside the camps. The UN High Commissioner for Refugees (UNHCR) shelter policy in Timor-Leste was developed for IDP camps, but the provision of shelters within communities where houses had been burnt down was also necessary. Neighbours needed to live next to neighbours to achieve both the desired security and social outcomes. Policy changes were achieved through a common sense approach, shared goals, and an understanding of personalities on the ground. Success in these areas encouraged support from other organisations and agencies. For example, the International Labour Organization (ILO) supported the CIMIC plan by offering to re-stimulate the community economy with a cash-for-work program in the pilot village. Such initiatives and support not only stimulated the economy but also greatly assisted in enabling the clean up of the destruction as well as painting over antagonistic messaging left on the buildings and homes in the area. The plan now encompassed social, environmental, security and economic perspectives in order to make the reintegration concept an attractive option for the IDPs.

WALK BEFORE YOU RUN: ESTABLISHING A PILOT PROGRAM
An important aspect of the CIMIC plan was the selection of a town/camp in which to run a pilot program to test the return home plan and thereby gain the confidence of the people as well as the supporting organisations. The town selected for the pilot program was Metiuat, which was located to the eastern side of Dili. The IDP camp was selected as the pilot project due to the majority of the camp inhabitants coming from the same demographic area (Metiuat) and the camp itself having limited established infrastructure. An official ceremony was organised in which Prime Minister Horta gave the main speech and then symbolically picked up rubbish with the villagers as part of the 'cash-for-work' program sponsored by the ILO. The people of Metiaut were given the opportunity to return to their normal way of business.

CONCLUSION
The military mission in Timor-Leste was supported by the CIMIC contribution, which also enabled the achievement of humanitarian outcomes at the local level. The examination of political, social and economic issues, rather than just focusing on security issues, enabled CIMIC to identify underlying causes of the social tensions. Establishing a sound liaison architecture enabled CIMIC to gain key information from social, security, economic and humanitarian perspectives. This information was then used to identify key issues and factors that had an impact on the commander's security environment; subsequently options were developed to mitigate those issues/factors. In the example given, CIMIC developed and gained support for an IDP reintegration plan that was eventually implemented as a pilot project. The implementation of

the reintegration pilot program not only facilitated the return of the villagers of Metiaut, but placed a hold on construction of new IDP camps, and gave hope and incentive for other minor camps to return home. Overall, the CIMIC contribution enabled alignment of military and civilian objectives, so as to support positive outcomes for the military commander and the people of Dili.

There will always be challenges between military and humanitarian organisations in complex and challenging environments such as Timor-Leste. The challenges not only arise from the complexities of the situations that civil and military agencies encounter, but also from the different perceptions and expectations of these agencies. In addition, there is the need for these agencies to be cognisant of the impact of their assistance on the local situation. All too often we focus on short-term goals and, therefore, fail to anticipate the long-term consequences of our well-intended actions. Through the effective use of CIMIC, a military force can establish the essential liaison architecture that can promote not only short-term security objectives, but influence and support host nations' longer term desired social, political and economic outcomes.

Civil–military relations in the age of terror: A humanitarian worker's perspective

Megan Chisholm

Aid workers responding to complex emergencies and natural disasters come face to face with a diverse range of military actors operating in the same environment on a daily basis. From Biafra to Baghdad, managing civil–military relations in a way which protects the principles and safety of humanitarian aid agencies and the communities they serve has been, and always will be, a very complex challenge for aid workers on the ground. Given this continuing trend, and within the current geopolitical context, how exactly has the so-called 'war on terror' made a difference to the practical realities of civil–military relations? What are the key challenges for aid workers on the ground? Can civil–military cooperation work?

CIVIL–MILITARY RELATIONS

Discussions about civil–military relations tend to centre on core principles, most critically the humanitarian imperative (the right of people affected by crisis to receive assistance), independence and impartiality. The humanitarian imperative underpins the mandates and core values of humanitarian agencies. Policy and operational decisions of these agencies must ultimately serve the humanitarian imperative, and it is widely agreed within the humanitarian community that independence and impartiality are necessary to be able to achieve this. These principles are constantly challenged, threatened and blurred by shifting political and operational realities. Nonetheless, they remain fairly constant and central principles to which non-governmental organisations (NGOs) commit and use to guide their interactions with military actors.

The importance of managing civil–military relations is, of course, not simply a matter of principle, but a very serious practical matter. How NGOs interact with military actors is a real issue of protection and security for both the NGO and the crisis-affected population that can directly affect (either positively or negatively) whether the NGO achieves its mission of responding to humanitarian needs. If an aid worker makes the wrong decision at the wrong time, things can potentially go very badly for the safety of the team and those they are trying to assist, thus undermining the ability to deliver humanitarian relief.

The commitment of NGOs to the core principles of independence and impartiality seeks to avoid such a scenario by providing a guide for aid workers and organisations in the field to navigate very complex

political and operational landscapes. While the core principles underpinning humanitarian mandates remain somewhat constant (albeit challenged), the practical reality of civil–military relations on the ground is, conversely, always different and always changing. The 'war on terror' aside, no situation is ever the same: the practical context in which humanitarian actors interact with military actors changes from emergency to emergency, from day to day, and from hour to hour. The situation will vary according to the nature of the emergency, the range of actors present, the operational requirements of the response, and the political backdrop to the crisis.

Discussions about civil–military relations in many Australian fora tend to focus on a narrow range of 'hot topics', such as how to relate to the US military in Iraq or Afghanistan, or how to strengthen the commendable efforts made by the Australian Defence Forces (ADF) to advance positive civil–military cooperation with Australian NGOs. It is also important to remember that in a day in the life of an international humanitarian NGO, civil–military relations means a far more diverse and varied range of interactions.

To illustrate my point, I present just a few of the different and real 'civil–military' scenarios I have encountered as an aid worker with an NGO during the last few years. My work in Iraq in 2003 involved a variety of interactions with coalition forces, ranging from simply moving through checkpoints to attending humanitarian relief coordination meetings run by US forces, negotiating clean-up of unexploded ordinances around our warehouse, having donors visit project sites accompanied by their military escorts, to witnessing armed Australian soldiers driving by in civilian sedans. There were also other types of armed groups within the environment such as Kurdish military groups, armed private security companies accompanying donors to humanitarian coordination meetings, and other unidentified armed actors.

In Indonesia, immediately after the tsunami in December 2004, coordination meetings were co-chaired by the United Nations (UN) and the Indonesian military, while logistics operations to move goods required negotiation with the Singapore Air Force and the ADF. In Lebanon in 2006, movement into the country occurred in coordination with the UN, who in turn were liaising with the Israeli Defence Forces. Movement in Beirut involved negotiating roadblocks and obtaining official permits from the Lebanese Army, while visits to the conflict-affected communities involved moving into Hezbollah-controlled areas where displaced families were Hezbollah supporters. Meanwhile, conducting joint assessments under the cluster system required NGOs to travel under UN regulations to the south of Lebanon accompanied by armed UN forces.

In Bolivia in 2007, NGOs were delivering relief to communities who were displaced by flooding. The official government role of relief coordination was designated to 'solidarity forces' in areas where recent anti-government protests and localised conflict was occurring. In Chad in 2004, my work in refugee camps required interaction with the Chadian military, who would enter with local officials for negotiations with refugee leaders. Military personnel would also often request lifts with NGO drivers, who needed to be trained and supported on how to respond and decline a lift to soldiers who, they felt, held more relative power. Working in Papua New Guinea (PNG) in 2004 and 2007 with communities displaced by an erupting volcano, that were receiving food distributions from the PNG Defence Force, and later after flooding, NGOs had to coordinate with the ADF who played a strong role in the delivery of relief.

All of these situations were in some way influenced by the broader political context, be it the war on terrorism in the case of Iraq or Lebanon, or the regional push for Latin American socialism intertwined with national and inter-communal conflict in Bolivia, sub-regional conflict in Darfur and Chad, or the ongoing definition of regional relationships between Australia and its neighbours in Indonesia and PNG .

KEY CHALLENGES

On a practical level, the key challenge for effective civil–military cooperation is not related to any one, particular, political trend, but rather the requirement to continuously analyse and adapt decision-making in very complex and changeable political contexts. Although there are core principles to help guide aid workers through these complex environments, there are no hard and fast rules about how to cooperate with military actors in practice. Every situation requires good judgement, and that ultimately comes down to how individual actors on the ground are able to analyse the political and operational realities of each situation thrown at them, make decisions on the run, and act in a manner that best maintains the core principles of independence and impartiality in order to best serve the humanitarian imperative.

This, of course, is never a simple thing to do. It is a process of hourly decision-making under tremendous pressure in order to direct the organisation along the right path. For example, in Lebanon, NGOs had to make programming decisions about whether to provide assistance to communities affected by crisis and in genuine humanitarian need when the majority of the community were Hezbollah supporters. The NGO worker on the ground needs to make an impartial assessment of humanitarian need cognisant of the risk that international anti-terror legislation could determine that the provision of assistance was supporting terrorism. In post-tsunami Indonesia, NGOs had to make the

best operational decisions possible about logistics systems and distribution plans in order to deliver food and non-food items urgently needed by disaster-affected communities. This took place in an operating context where key logistics channels (particularly air movement) were controlled by Singaporean and Australian military forces. No reliable information or assurances were available from those forces, leaving NGOs to make operational plans in an information vacuum about when, or even if, the goods would be moved.

These examples are neither earth shattering nor surprising; they are fairly standard dilemmas in the everyday life of humanitarian operations, that were also experienced by aid workers in earlier crises prior to the 'war on terror', and will likely continue to be experienced in a kaleidoscope of forms in the future. The key to managing the challenges of civil–military relations in any political context, then, is to ensure that aid workers on the ground have the ability, skills and institutional support to analyse and make the right decisions in each particular situation. Many humanitarian agencies use civil–military guidelines that are scenario-based in order to try and provide decision-making tools that can be adapted to different scenarios. The development of case-specific civil–military guidelines (such as those developed by the UN in Iraq) are also an indicator of the reality that every situation requires case-specific analysis and interpretation of how core principles apply.

Michael Barnett has written that humanitarian aid agencies have become increasingly institutionalised in recent years.[1] In the tricky context of civil–military relations, this is a good thing. As someone who has been a team leader on the ground, institutional support in the form of policies and guidelines, and an appropriately senior level of support, oversight, and high level decision-making from headquarters are welcome and necessary for negotiating the challenges faced in the middle of a crisis. For example, in the Lebanese scenario described above, the decision could not be left just to the team leader on the ground, but involved legal counsel, the security director and other senior managers in the organisation at headquarters level.

Practical guidance for aid workers on the ground must be complemented by a willingness at the broader institutional level to constantly update analysis and policies in response to issues that emerge with each new crisis. In large organisations, this can be one of the most challenging factors when dealing with complex issues such as the

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[1]   Michael Barnett, 'Humanitarianism transformed', *Perspectives on Politics*, 3(4) 2005, pp. 723–40.

relationship to core donors when they are involved in a conflict (as in Iraq), or the provision of assistance when, according to the governing legislation, providing that assistance to a large proportion of the population is illegal on account of their political affiliation (as in Lebanon). This leads to the question of what specific issues does the 'war on terror' raise for NGOs and civil–military cooperation?

SPECIFIC CHALLENGES POSED BY THE 'WAR ON TERROR'

The 'war on terror' has caused a range of complex issues to emerge that have motivated many NGOs to re-evaluate their positions and practices, and to undertake what I have heard one NGO worker on the ground refer to as some 'serious soul searching' about the concepts of humanitarian space, impartiality, independence and the future role of humanitarian NGOs. Four key issues have arisen in recent emergencies.

Funding sources

A widely debated issue is that of the relationship between NGOs and core donors when those donors are parties to the conflict as in the case of US, British and Australian funding in Iraq. NGOs have been forced to reconsider the meaning of impartiality and independence, and therefore what ultimately best serves the humanitarian imperative. More recently, new dilemmas have been created as donor governments try to channel funds directly though military units, such as the Provincial Reconstruction Teams in Afghanistan. From a humanitarian perspective, challenges are also posed in terms of the increased level of funding being channeled through new mechanisms within donor governments which promote integrated political, security/defence and assistance strategies. Within the institutions of the European Union (EU), for example, agencies have witnessed a static or stagnating humanitarian budget under the European Commission's Humanitarian Aid Office (ECHO), while increased resources are channelled through the EU Instrument for Stability.[2] In the US, the US Agency for International Development (USAID) is responsible for 'less than half of US foreign aid while the share administered by the Department of Defense (DOD) ha[s] grown from 3.5 percent in 1998 to 18 percent in 2006.'[3]

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[2] ECHO Senior Policy Advisor, in NGO VOICE, 'NGO seminar on civil–military relations, Brussels, 3–4 December 2007', Seminar Report (Brussels: Voluntary Organisations in Cooperation in Emergencies, 2008).

[3] Oxfam America, 'US must modernize foreign aid to re-establish US global standing', 11 February 2008, <www.oxfamamerica.org/newsandpublications/press_releases/us-must-modernize-foreign-aid-to-re-establish-us-global-standing>.

Anti-terror legislation

A serious practical challenge for NGOs relates to the introduction of anti-terror legislation. From an operational perspective, the compliance requirements of anti-terror legislation adds a new layer of complexity, where staff, partners and vendors need to be cleared of any association with known terrorist organisations. In the middle of an emergency response, this process presents both a practical and a highly sensitive challenge that can affect the perception of independence and acceptance of NGOs amongst the beneficiary communities. It becomes even murkier when we start to consider beneficiaries, as mentioned earlier in Lebanon. Similar issues arose for NGOs working in the Occupied Palestinian Territories with the electoral victory of Hamas in the Palestinian Authority (PA). It is a requirement for humanitarian agencies in any country to coordinate with the elected officials, but what happens when the newly elected representatives of the local authority are listed as a terrorist organisation? In a situation highly dependent on external assistance, the freezing of programs has serious humanitarian implications. Under these circumstances, donors and NGOs have to negotiate new ways of working which will allow programs to continue to function. In the case of the Occupied Palestinian Territories, donors chose to channel more funds through NGOs rather than through the PA. While the humanitarian imperative demands that means be found to provide assistance (such as keeping the health care system functioning), it again raises a range of complex questions in relation to the role of NGOs *vis-à-vis* donors and the elected authority.

Claims on humanitarian space

When NGOs are involved in providing humanitarian assistance during a conflict, they would like to maintain their independence, avoid being co-opted into the conflict, and thus preserve the 'space' for humanitarian actors. However, that humanitarian 'space' is also being claimed by international militaries, political groups, listed terror organisations and private security actors who are increasingly seeking a role in aid implementation. Ultimately, military organisations pay little attention to the views of NGOs, so when we say get out of our space, it is hard to be heard, and if we are heard, it is not uncommon to get the response that in fact it is their space and NGOs should stop meddling. The result is that everywhere, from Lebanon and Afghanistan to Pakistan and PNG, military forces are delivering relief assistance. While they have the capacity to deliver relief quickly, the politicised and militarised nature of this assistance is problematic for humanitarian principles. At the time of crisis, the argument can be made that if the relief needs are being met, then it does not matter who provides that relief. However, recent experiences in Lebanon and Pakistan have shown that the politicisation of short-term aid exacerbates long-term

problems. In this context, aid agencies are increasingly defining humanitarian space less in terms of aid agency access, and more in terms of the rights of populations to humanitarian assistance and protection. Thus, NGOs are challenged to demonstrate their distinct comparative advantage in delivering assistance to crisis-affected populations, and the real and practical value of humanitarian principles in doing so, in order to protect the humanitarian space. International military forces may have a role in this context, but one which lies more in their own distinct comparative advantage—providing security and protecting civilians.

Security of NGO personnel
The 'war on terror' has brought a new range of threats to the safety and security of NGO personnel. This is well-illustrated in Iraq, where NGOs have largely been forced out of the country because of the lack of security and protection. In such cases where NGOs are unable to operate safely, it raises the question of who can provide assistance? Preferably the military would provide security to enable independent humanitarian actors to deliver assistance, but in Iraq this has not been possible.

CONCLUSION
There are many humanitarian operations occurring around the world where the 'war on terror' is a less important global backdrop compared to other complex, regional and national political issues. These issues present equally pressing operational challenges to NGOs and aid workers negotiating civil–military cooperation, and analytical skills are required for every occasion. Nonetheless, in particular hotspots, the war on terror has resulted in a range of very challenging trends for humanitarian agencies including the agencies' relationship with key donors and their role in particular conflicts, the extension of legislative controls in relation to terrorism which challenges the NGOs ability to impartially and independently assess humanitarian need, the encroachment on humanitarian space by military actors, and new threats to security.

Given these challenges, can civil–military cooperation work? In practical terms, this is a moot question. The operations of civilian humanitarian and military actors do intersect. NGOs will always face military actors of all shades and colours. In order to ensure that this interaction facilitates rather than hinders relief operations, and avoids risks to protection and security, NGOs must pay close and careful attention to civil–military relations, and the ever changing political contexts which influence such relations. This is not new. Whilst the context may change, forcing NGOs to keep on top of their analysis, the basic humanitarian principles remain the same.

My key recommendations are well summarised by the issues which emerged from a seminar in Brussels on the topic of civil–military relations.[4] The seminar made a set of recommendations for translating principles into practice which focused on three key points:

- The need to go 'back to basics' and reassess and reaffirm our respect for core principles in the Red Cross and NGO Code of Conduct as a platform for addressing specific issues arising in relation to civil–military relations;

- The importance of identifying practical ways to translate principles into practice by identifying 'field-friendly' means of promoting existing principles and guidelines in order to operationalise what are often abstract and international level principles; and

- Promoting greater clarity of positions and dialogue within NGOs, between NGOs, and with donors about complex emerging issues such as funding where donors have military links.[5]

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[4] NGO VOICE, 'NGO seminar on civil–military relations'.

[5] *Ibid.*, p. 29.

Humanitarian rescue and relief: Towards a different future

RAYMOND APTHORPE

At the workshop on which this *Keynote* reports, a fair amount of reflexive and critical information was shared, mainly with regard to humanitarian rescue and relief. Yet little emerged explicitly regarding a future for either humanitarianism at large, or particular humanitarian*isms*, that would be seriously different from the present and past. Towards such a re-rendering, the following proposals are highly speculative but worthy of consideration.[1]

CIMIC: BEDS OF ROSES AND BEDS OF NAILS

During the workshop on which this *Keynote* is based, we freely and unashamedly talked and exchanged points of view. If only what can sweetly happen in a seminar-type 'bed of roses' discussion (if with a thorn or two) would also come to pass beyond it! How very different was, for example, the 'bed of nails' that was encountered in Kosovo in 1999 when NATO and an array of international and civil bodies moved in. There, as in other real-life situations and agencies, the differences or, as some saw them, contradictions, between civil and military mandates and resources were treated mostly as twains that should never meet.

Nevertheless, even in that defining case of international conflict, reluctantly civil and international society *did* accept and tolerate some measure of cooperation. For example, if refugee camps had to be built quickly[2] then it was only the military that had the resources to deliver. If a Serb in Pristina needed urgent medical attention it was only a military doctor, with armed security, who could provide the necessary assistance. Despite the codes of conduct concerning impartiality they had long signed up to, for the most part, international non-governmental organisations (INGOs) and their Kosovar 'local staff' avoided as far as possible contact of any kind with the Serbs. In that situation, who exactly was un-humanitarian?

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[1] Over the past four years, these proposals have been worked through with my International Humanitarian Aid classes in the Graduate Studies in International Affairs program in the Department of International Relations, Research School of Pacific and Asian Studies, at the Australian National University.

[2] But not necessarily also efficiently. For example, Camp Hope built by American soldiers for refugees from Kosovo was soon known, because of its poor siting, as Camp Hope it Doesn't Rain. Alas it soon did!

It is worth noting here, too, that it was a military initiative to identify, and then acknowledge and initiate, what would be conducive to good civil–military relations. This involved the demarcation of clear lines between 'humanitarian security protection' and what should or should not be undertaken by way of emergency relief assistance. For example, when hundreds of teddy bears and other cuddly toys were delivered to Belgian NATO soldiers for distribution, they refused to comply on the basis that this was the responsibility of a civil organisation. The point here is that civil–military cooperation concerns particular actions as well as general organisations; ethical as well as cultural conduct; and priorities and a division of labour as well as the comparative advantage of institutions. What matters on the ground is that protection meets assistance and vice versa, not one denying or eschewing the other.

Telling in this regard are the words of the head of one INGO in Pristina who 'confessed' to me in an interview[3] that unfortunately it was simply unavoidable that 'I have to meet regularly with the military, as now I suppose you'll tell your students when you get back'—which as he made it plain he'd rather I did not. Nothing he felt should be allowed to dent the INGO's preferred public self-image of being self-standing, self-sufficient, self-governing—and purely civil. My own view is that, beyond a certain point, it is absurd and disingenuous that (some) self-labelled 'humanitarians' should do nothing but scorn 'the military' and 'the political' as if either or both were always inherently non, or anti, humanitarian. I cannot think of any 'international humanitarian space' being brought into existence without political registers and modes of advocacy and diplomacy playing their part along with other initiatives and forms of perhaps burden-sharing negotiation.

Since Kosovo, civil–military cooperation (CIMIC) developments— including in Australia—have moved forward notably. There are, however, key issues that still need to be addressed. For instance, CIMIC may not yet have sufficiently addressed the role of the police in peacekeeping and similar missions abroad. The police, whether in uniform or not, are neither military exactly, nor civil inexactly (or the other way round). The specificities of the police role and mission are different from those of all the other players on the humanitarian and security scenes. Civil, military *and police* cooperation at least deserves the CIM*P*IC[4] label, with the P standing for Police.

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[3] Carried out in 1999 when researching a Humanitarian Assistance Ombudsman idea with Barney Mayhew in Macedonia and Kosovo for a UK INGO consortium chaired by the British Red Cross.

[4] The acronym is Jacob Townsend's. See Raymond Apthorpe and Jacob Townsend, joint submission to the Senate Standing Committee on Foreign Affairs, Defence and Trade, 1 May 2007, <www.aph. gov.au/SENATE/COMMITTEE/FADT_CTTE/peacekeeping/submissions/sub32.pdf>, p. 5.

Another huge lacuna in our discussion of CIMIC, here and elsewhere, is the representation of host states and host peoples. Putting 'local population' as a 'main actor' at the very centre of diagrammatic presentations on 'humanitarian actors and their coordination' might be rhetorically correct; but being assigned a box or a tick in a diagram, however prominently and perceptively, is not quite the same thing as occupying a seat and having a voice at the table. *Yes*, such representation is practically very difficult to achieve in any effective way, but, *no*, that is not to say that that is a reason, once again, not even to try to take the philosophy behind 'local ownership' responsibly towards a substantive form of *co*-ownership.

FROM MIGRATING FLOCKS TO CLUSTERS ON THE GROUND
A second significant challenge that civil–military cooperation faces on the ground is the proliferation of civil humanitarian agencies. This proliferation poses challenges of coordination, not just between the military and civil society, but within the community of civil actors themselves. These days more and more INGOs and NGOs flock to humanitarian emergencies; according to my own research, 'around 200' in the case of post-genocide 1994 Rwanda, growing to 'over 500' in 1999 Kosovo, and 'more than 1,000' in the tsunami-afflicted countries five years later. But how should such 'figures' be treated? They may in fact be more figures of speech than meaningful statistics. In Kosovo in 1999, I witnessed a clerk 'registering' would-be and self-described aiders. All that was being registered was name and contact phone number, not mandate, resources or track record. It was far from clear what additional competences such soaring numbers bring. Furthermore, registering to do something does not, of course, mean that it will be done.

There has also been a proliferation of multilateral players on the scene. These organisations do not always—if ever—have a strong reputation for coordination with each other, nor with the INGOs and NGOs they use for relief goods delivery and distribution. En route to a crisis zone, low-intensity coordination is evident inasmuch as the international and other actors—like a migrating, wheeling flock of birds—can get there, no matter how long the journey, without even bumping into one another. However, once they arrive things change.

Recently the United Nations Inter-Agency Standing Committee (IASC) of the UN Office for the Coordination of Humanitarian Affairs (OCHA) sought to improve coordination/cooperation by launching a sectoral 'cluster' approach. However, this approach has been subject to serious questions. The balance of the available evidence as I read it suggests that while the 'cluster' approach may improve UN Headquarters and Special Agency relations, its potential benefits are much less obvious for the INGOs and other civil parties involved. Nor

are they evident for any military and security partners in place who may form the majority of the parties on the scene; nor—as ever—*local* bodies.

This raises many important questions: are UN officers and their management consultants sufficiently able to recognise up front that what on the page may read just as inter-agency, functional/dysfunctional administrative relations are, in fact, also matters of organisational identity—and politics, economics and perhaps demographics—besides? However 'well implemented' formal administrative reform measures about management logistics may be, they are often simply not real-world enough 'to work'. Moreover, 'top down', blueprint, administrative approaches to coordination when put in place are prone to lack of adaptability, as well as being resistant to 'downwards' accountability and participation. They depend more on command and co-option. The lack of effectiveness is hardly surprising given the restriction of requirement only to voluntary participation in the fulfilment of coordination/cooperation on the ground.

THE MATERIAL OUTCOMES OF GOOD INTENTIONS

In his essay at the beginning of this *Keynote*, Michael Barnett remarked how he liked to bring as much as possible of the 'good news' about humanitarian action into his classes so that the indifferent and bad does not douse the flame for aspiration and optimism. My teaching practice is the same. Despite all the difficulties inherent in conflicts and emergences, such as the frequent diversions of relief goods, humanitarian assistance is often reported by even the most critical of evaluations as having 'saved thousands of lives'. Here, however, lies another reason and role for some re-rendering. Despite what may be written in an INGO Field Emergency Director's Handbook, even in an extreme emergency, neither societies, economies, nor polities, collapse completely. Myths that they do, serve their own ends, but are myths all the same—masking what international humanitarian field action could but does not do by way of supporting, and further developing, peoples' own emergency succour and sociability practice. For their corporate reasons, humanitarian aid agencies do not advertise the fact that by far the greater proportion of most 'lives saved' in disasters is owed to the affected people's own efforts, but experienced foreign humanitarian workers and observers are well aware of this.[5]

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[5]   Raymond Apthorpe, 'Humanitarian action and social learning: Notes and surmises on ten consultative tools', in Masako Ishii and Jacqueline A. Siapno (eds), *Between knowledge and commitment: Post-conflict peace-building and reconstruction in regional contexts* (Osaka: Japan Center for Area Studies, National Museum of Ethnology, 2004).

There are no international conventions about the efficacy of humanitarian action. 'Our' humanitarianism loftily treats such moral, ethical sensibilities as 'impartiality' and the like, for the most part completely separately from the material dimension of praxis. The eternal dilemmas of practical action are passed over, in 'best practice' writing as well as codes of conduct. Thus the point is missed that no matter how morally respectable, independent, proportionate, and so forth, humanitarian action may be, such purity alone cannot possibly deliver what surely ought to matter most about humanitarianism: rescue and relief successfully delivered to those most in need of it, as measured by, not agencies, but *the afflicted peoples*. This suggests that we need a re-rendering of how we evaluate outcomes on the ground. An obvious gap in this regard is the lack of attention given to *ex ante* evaluation. By this I mean the serious forecasting of the anticipated outcomes before humanitarian action is embarked upon. Such anticipatory evaluation is presently almost totally absent from the humanitarian scene. In the lead-up to the invasion of Iraq, Oxfam Community Aid Abroad United Kingdom and a number of other agencies were highly critical on the basis that the potential anti-humanitarian outcomes were highly likely to outweigh the humanitarian results. Absent in this case was any regularised concept of, and recommended method for, a detailed and comprehensive *ex ante* assessment of 'just outcomes' that could reasonably be expected.

The general point here is that most evaluations of humanitarian (and other) international aid evaluations are either 'real time' or *ex post*.[6] Current forward planning practice conducted by aid agencies is more geared towards using the mandatory and discretionary avenues available to them rather than on issues relating to just outcomes. They mostly seem to focus on deciding, for example, whether a portfolio is too heavy or light on emergency rather than developmental assistance, or on whether to venture into countries for emergency relief where they have not, as yet, had any presence in developmental work.

A NEW HAGUE (OR GENEVA) CONVENTION OR TWO
Discussion so far has canvassed issues concerning the potential barriers to cooperation in the provision of humanitarian assistance, and the challenges to how we measure the effectiveness of such assistance. Significant issues have been raised, but these are not necessarily new. A third key area that this *Keynote* has touched upon is the laws and principles that guide humanitarian action and coordination between

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[6] For accounts of how such evaluation was actually done in key cases, see Adrian J. Wood, Raymond Apthorpe and John Borton (eds), *Evaluating humanitarian aid: Reflections from practitioners* (London: Zed Press, 2001).

humanitarian agents. Central here is international humanitarian law (IHL). The continued efficacy of IHL is a topic that has been much debated in the context of the 'war on terror'. In the wake of a number of high profile IHL abrogations in recent conflicts, any proposal for a new international convention might be warmly welcomed by some. Others would argue that less should be expected of IHL today than before because it is in such a state of 'change and evolution' that it is no longer clear. Such concerns, however, need to take into account another social fact about international law: its everyday, and routine, if low-profile, widespread observance.[7] It is also important to consider the transcendence that an international convention can enjoy over the longer period, regardless of any particular breach of it at a particular time.

One new humanitarian convention for which a strong re-rendering case can be made on many grounds would oblige military authorities both to keep and make publicly available records of casualty and injury counts and the even greater quantities of maiming and other injuries they inflict on others, or sustain themselves. This could be argued for, if for no other reason, on grounds of transparency and accountability. In my book (unwritten as ever), often truth is the *second* casualty of war, not the first, which is the will to truth (the third is manipulation or suppression of what facts there are).

HUMANITARIAN ASSISTANCE AND HUMANITARIAN PROTECTION
Finally, the debate about civil–military relations in the contemporary context reflects a broader debate about the relationship between humanitarian assistance and humanitarian protection. Central to this debate is the doctrine of the 'Responsibility to Protect' (R2P), a doctrine that is increasingly being invoked in a range of crises. The principal philosophical buttress of this doctrine is just war theory. Both R2P and just war theory as developed thus far, however, are deeply flawed, not least regarding the balance each fails to achieve between, on the one hand, foreign emergency rescue and relief *assistance*, and, on the other, *protection* achieved through foreign armed intervention. In both the advocacy of 'just war' and R2P, whether disingenuously or not, much discursive attention is paid to protection, whilst assistance receives practically none at all.

The result is that the R2P doctrine, whatever else might be said about it, is myopic. It allows what it considers to be an obligation to *protect*, to cast a deep shadow over what ought to have been treated as a comparable obligation, to *assist*. It almost totally overlooks rationales for the latter based on arguments of justice, let alone examines the

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7   Philippe Sands, 'Reasons to comply', *London Review of Books*, 28(14) 20 July 2006.

practical dimensions of assistance in conflicts and natural disasters (the latter are hardly even mentioned in that document at all), pertaining to the balance of likely outcomes, and necessary accountabilities. It is silent also on the likely interplay of personnel and operational tensions where both protection and assistance meet on the operational agenda.

In other cases, assistance has in effect become an alibi for the neglect of protection—particularly evident, over the past 60 years, in the cases of Palestine, the Palestinians, and Palestinian refugees. A key question here is the extent to which assistance itself is thereby undermined in terms of what potentially it could and should have achieved by now for livelihoods as well as lives.

A humanitarian agenda in which *assistance* is placed in the shadow of *protection* would be one that is seriously different from the present and the past. The concern for scholars of humanitarianism is that the R2P doctrine can become a cloak for a war policy. Any intervention policy, be it shrouded in R2P or not, which is ambiguous about the strategic implications of its principal purpose, is flawed. Indeed, it is also potentially deathly dangerous.

CONCLUSION

Finally, in thinking about all the above concerns, it scarcely helps that there is little, sometimes nil, serious history of aid available. Aid workers sometimes themselves lament the 'lack of institutional memory'. That there should be so much *wrong* history written in both academia and 'aidemia' about 'new wars', as if they were 'new wars' only,[8] is another shortcoming. The historical facts about both paradigm-driven, and case-hardened, humanitarianisms in word and deed, are very far from being era-specific. Much occurs and reoccurs regardless of how 'eras' are defined and labelled. Co-existence of contrary features is a principal characteristic whatever the delineated period. Nevertheless, ironies abound. Paradigm-driven humanitarianism often turns after the event to claim historic precedents in an effort to justify what was justified earlier with perhaps no precedent at all. Recall, for example, how, when the US-led intervention in Iraq was seen to be failing, the success of America in Japan after the Second World War was used to garner support. The extent to which the 'lessons learned' in both theory and practice, from time to time, era to era, remain *to be* learned, is phenomenal.

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[8] Cf. for example, Edward Newman, 'The "new wars" debate: A historical perspective is needed', *Security Dialogue*, 35(2) 2004, pp. 173–89. See also Helen Dexter, 'New war, good war and the war on terror: Explaining, excusing and creating Western neo-interventionism', *Development and Change*, 38(6) 2007: 1055–71; and Christopher Cramer, *Civil war is not a stupid thing: Accounting for violence in developing countries* (London: Hurst and Co., 2006), at pp. 76–80.

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Keynotes