



Mr Ken Hume

Head of Armed and Security Forces Unit
International Committee of the Red Cross

HUMANITARIAN ASSISTANCE AND DISASTER RELIEF (HADR)

A Humanitarian Perspective

This short paper does not represent an Institutional position, but rather provides a personal reflection through a “Red Pillar” humanitarian lens on military involvement in humanitarian assistance and disaster relief. The panel speaker has previously been Civil Military Relations Coordinator in Asia Pacific within the Red Cross and Red Crescent Movement, and now heads the Unit for Relations with Arms Carriers in the International Committee of the Red Cross.

Disaster Trends

The frequency and scale of natural disasters continues to leave a trail of human tragedy and infrastructure destruction across the globe. From 1980 to 2011 alone, the world witnessed 3455 floods, 2689 storms, 470 droughts and 395 extreme temperatures (UNISDR, 2012). Floods and storms in particular have occurred with a significantly rising frequency, and the magnitude of events such as the Indian Ocean Earthquake and Tsunami, Typhoon Haiyan, Tropical Cyclone Winston, the Nepal Earthquakes and – most recently - the Indonesia Tsunami are indelibly etched in our memories

In Asia Pacific, more than 2 million people - an average of 43,000 per year - have been killed by natural disasters since 1970 according to UN figures. Natural disasters displaced 60.4 million people globally between 2013 and 2015 and more than half were in Asia Pacific, including in the Philippines (15 million people), China (13.1 million) and India (9.2 million). The incidence of natural disasters reflects the highly active Pacific “Ring of Fire”, the belt of earthquake epicentres, volcanoes and tectonic plate boundaries around the Pacific basin which releases 75% of the world’s seismic energy. The human effects are exacerbated by high population growth and displacement into marginal lands and coastal areas.

Military in Disaster Response

Engagement of national and international militaries in disaster management and disaster response is not a new phenomenon. However, in Asia Pacific in particular we are witnessing an increasing frequency and progressive institutionalization of this role in some national militaries, who form an integral part of National Response Mechanisms and for whom HADR has become a core function. This is often part of a “whole of government” approach by national authorities, with tasks undertaken by militaries

ranging from infrastructure repair (eg port/airfield, routes), to logistic support (air, sea and road lift), up to and including direct assistance to the affected population (eg medical facilities, search & rescue). In Asia-Pacific, there are an increasing range of regional, sub-regional and national institutions to further facilitate and coordinate such support, including National Disaster Management Agencies, and organisations such as the ASEAN Coordinating Centre for Humanitarian Assistance (AHA Centre), and the Changi Regional HADR Coordination Centre (RHCC).

Effective Civil Military Relations (CMR) in disaster response is thus a key regional thematic and common interest for both military and humanitarian actors. However, in seeking to work with the military to respond effectively to the needs of the affected people, the humanitarian community must also ensure its “space” is preserved. Respect for humanitarian principles and access remain paramount, and must shape the nature of the civ-mil relationship. Some of the parameters, opportunities and challenges will be examined subsequently, but it is first necessary to understand the unique nature of the International Red Cross and Red Crescent Movement – the “Red Pillar” – to appreciate its humanitarian perspective.

The “Red Pillar”

The International Red Cross and Red Crescent Movement is the largest global humanitarian network with almost 100 million staff, volunteers and supporters. It is an independent international organisation, and is neither part of the UN family nor a non-governmental organisation (NGO). The Movement comprises three components, and the division of roles and responsibilities is set out in the Seville Agreement of 1997 and supplementary measures adopted by the Council of Delegation in 2005. In simplistic terms:

- The International Committee of the Red Cross (ICRC) is mandated under International Humanitarian Law, works in over 80 countries, and is the lead agency in conflict contexts.

- The International Federation of Red Cross and Red Crescent Societies (IFRC) supports capacity building of national societies and is the lead agency in disaster response in non-conflict context

- The National Red Cross or Red Crescent societies (NS) are established by domestic legal act are embedded in the national fabric, and have an auxiliary role to the authorities in their respective country. The NS (190 worldwide) are the primary partner of the lead agency and, if other Movement partners concur, can become the lead agency.

Given the nature of Movement components illustrated above, there are a range of different relationships with military actors in any given context. For disaster response in a non-conflict context, it is likely to be either IFRC or the NS as the lead agency, and this will require a dialogue with the military to ensure effective, principled response, whilst respecting the sovereignty of the national authorities.

The ICRC may also be involved in disaster response along with Movement and other humanitarian actors. However, this remains separate and distinct from the ICRC’s primary engagement with military and other armed actors on compliance with International Humanitarian Law (also known as the Law of Armed Conflict) in conflict context.

Normative Frameworks

For the purposes of this paper, Civil-Military Relations (CMR) should be understood as a Movement term referring to the interaction between its components and the militaries of countries involved in supporting humanitarian assistance in disaster relief. It is not to be confused with the more general field of study focused on the relationship between the military and the civilian authorities and population of a state.

The Movement has clear internal policy on relations between its components and the military, much of which is set out in Resolution 7 of the 2005 Council of Delegates in Seoul. This

internal normative framework is also consistent with two key Guidelines developed by OCHA in consultation with UN member states and international organisations:

- The Oslo Guidelines on “The Use of Foreign Military and Civil Defense Assets in Disaster Relief”, designed for use in context where there is no armed conflict or other situation of violence
- The Guidelines on the “Use of Military and Civil Defense Assets to Support United Nations Humanitarian Activities in Complex Emergencies (MCDA)”, used by many humanitarian actors as a reference point for emergency response in a conflict context.

Common to all of these normative frameworks is reaffirmation of core humanitarian principles of Humanity (prevention and alleviation of human suffering), Neutrality (not taking sides in hostilities or engaging in any controversies), Impartiality (needs based, with no discrimination as to nationality, race, religious beliefs, class or political opinions) and Independence (autonomy) in humanitarian action. The normative framework also underlines the distinction between humanitarian and military, highlights the use of (foreign) military assets only as a last resort, and emphasizes the civilian nature of humanitarian response.

Principled Humanitarian Response

The Fundamental Principles and an approach based on Neutral, Impartial, Independent Humanitarian Action (NIIHA) underpins the work of the Movement and other humanitarian actors, shaping the nature of the civil-military relationship. In disaster response, the short-term tactical objectives of humanitarian and military actors may coincide, and military assets bring significant value-added where no civilian equivalent is available. However, whilst the military may support humanitarian assistance in disaster response, it is not itself a humanitarian actor but rather an instrument of state power. Continuous care must therefore be taken by Movement and other humanitarian actors to ensure NIIHA is

preserved within the civil military relationship, and humanitarian assistance is provided solely on the basis of humanitarian need. Whilst fully respecting state sovereignty, this assistance must not be instrumentalised or politicized, nor should the autonomy of humanitarian decision-making be compromised.

Application of the Fundamental Principles in disaster response must also be seen within a broader perspective, both in terms of time and geography. Undermining these principles during disaster response may affect longer term humanitarian activity, access and security within a country, which ultimately depends on acceptance by all stakeholders. Moreover, for a global humanitarian organization such as the Movement, our actions in one context are scrutinized and may affect relations in a neighbouring context, or even more widely. Perception is often as important as reality, and thus social media pictures implying that Movement staff are working closely alongside or even integrated with military actors – however well intentioned – can compromise our neutrality with detrimental consequences.

Linked to a NIIHA approach, from a Movement perspective the nature of CMR in a particular context is likely to be on a spectrum from cooperation to co-existence. More permissive non- conflict environments will allow for greater engagement with the military at the cooperation end of the scale. The level of the engagement will decline in less stable and less permissive environment, including situations of armed conflict. In this case coexistence would be more appropriate, as it would involve a shared geographic space where there should be an awareness and de-confliction of humanitarian activity and movements. However, throughout the spectrum, whether cooperating or co-existing, the need for dialogue remains paramount.

Last Resort versus First Response

The Oslo Guidelines state that, whereas the involvement of domestic military forces is often a first resort due to lack of civilian capacity – particularly evident in Asia Pacific – the use of

foreign military assets must be a last resort. The guidelines also affirm the primary responsibility of the affected state for providing humanitarian assistance on its territory, and state that foreign military assets must complement (rather than replace) existing relief mechanisms. Final authority over the use of foreign military assets lies with the affected state

The use of military assets in disaster response by a component of the Movement – in particular in countries affected by armed conflict or other situations of violence – remains a last resort solution. Based on the NIIHA approach, it can only be justified by serious and urgent humanitarian needs, as well as by the lack of alternative means, and be time-bound in nature.

Blurring the Lines?

At the operational level, military land, sea and air assets mobilized for HADR can undoubtedly bring critical capabilities within the principles set out above, particularly in the early part of the emergency response phase when equivalent civilian capability may not be rapidly available or already overwhelmed. These capabilities include critical infrastructure repair, logistic lift, communications, planning support and specialist search and rescue teams.

From a Movement perspective, within the parameters of last resort, military capabilities are best directed at infrastructure or indirect support. Whilst use of last resort military capabilities for direct support “hands on with beneficiaries” (eg distribution of relief) might be considered in extremis, it risks blurring the lines, losing the distinction between humanitarian and military actors and activity., particularly in less permissive environments. If the Movement is perceived as aligned with one or another actor, we are likely to lose the acceptance from other actors – this may result in longer term denial of humanitarian access and potentially a security issue for staff. More broadly, a similar risk of blurring the lines applies when militaries conduct Civ-Mil Cooperation (CIMIC) type activity, such as quick impact projects, designed to win over the support of local populations in less permissive environments.

Security versus Humanitarian Space

When sharing an austere and often non permissive environment, militaries frequently wish to provide (and sometimes insist) physical security for humanitarian operations. This represents a misunderstanding of the Movement’s acceptance based protection strategy and, if exercised through direct point protection and proximity, is more likely to compromise fundamental principles. Based on this logic, the Movement also does not accept armed military escorts, preferring acceptance based security to avoid undermining NIIHA, including from a perception perspective.

At the tactical level, whilst accepting the primacy of state sovereignty, dialogue is necessary with military actors to ensure there is physical separation at direct assistance points, often in favour of a more discrete presence in the area which is not directly related to Movement component operations. Additionally, medical facilities should remain a weapon-free zone, and this often requires a dialogue with the military to achieve a common understanding and agree mutually acceptable parameters.

Necessity of Coordination

Whether the permissiveness of the environment dictates cooperation or co-existence, the crowded operating space in disaster response requires a minimum of dialogue and coordination between humanitarian and military responders. The plethora of actors in a disaster response environment is a complex coordination challenge, occurring when National Authorities may not be well placed to take it on. Blocked aid flows through Port au Prince Airport following the 2010 Haiti Earthquake is an example of the serious consequences of coordination failure.

Disaster response agencies and actors have sought to learn these lessons in recent years and coordination is facilitated through a range of platforms under a national lead, seeking to ensure efficient use of space and resources. The coordination of large scale military support during Typhoon Haiyan (2013) and the Nepal Earthquakes

(2015) shows progress has been made, but it still remains a significant challenge. In line with its Fundamental Principles, the Movement will work through civil led coordination processes.

The Movement and CMR: Meeting the Challenge

Given disaster trends and system response capacities, particularly in Asia Pacific, there is clearly a legitimate – and sometimes critical – role for militaries in HADR within the normative framework described. It is not a question of whether humanitarian actors should engage with the military, but rather how and when, and how to address some of the issues set out above.

The Movement in Asia Pacific has recognised this reality over the last 5 years, and since 2017 has embarked on a deliberate agenda in response, known as “The Movement Asia Pacific Civ-Mil Relations Roadmap”. The desired end state is ensuring effective disaster preparedness and response, whilst preserving humanitarian space, access, and respecting Fundamental Principles. The Roadmap is based on three core lines of activity:

- **Internal Operational Guidelines:** Ensuring a common understanding between Movement components and staff on the operational application of the normative frameworks, including through a CMR Handbook, subsequently integrated into all relevant SOPs, documents and operational practice. The CMR Handbook has now been produced and is under field trial
- **Building a Network of Expertise.** Whilst the ICRC already has considerable experience dealing with militaries on the law of armed conflict through its network of armed forces delegates worldwide, the Movement has limited dedicated CMR expertise in respect of disaster response. This is being developed in Asia Pacific through a training programme and a peer network across all Movement components, and a pilot CMR course was conducted in Kuala Lumpur in early 2018

- **Out-reach and In-reach:** Recognising mutual understanding as a key element of CMR, the Movement in Asia Pacific has embarked on a structured out-reach programme centred on participation in key military HADR exercises and events, subject to resourcing constraints. There is also a consideration of in-reach initiatives, and which Movement events may be opened to a degree of external participation.

Beyond these developments in Asia Pacific, the Movement is now in the process of appointing a Global Level CMR Adviser to ensure the agenda develops coherently across Movement components and regions.

Moving Forward

Clearly the efforts already underway by the Movement in Asia Pacific only represent one part of the picture. Other key actors such as UN OCHA, Regional and Sub Regional Organisations, National Disaster Management Agencies, militaries and institutes such as the US Centre for Excellence in Disaster Management and the Australian Civ-Mil Centre are all investing in developing this agenda. Together this represents a wealth of experience and resources, and it is an important opportunity to achieve synergies of effort whilst respecting each other’s specific agenda, principles, parameters and constraints.

Key elements in developing this synergy and mutual understanding could usefully include:

- Continued investment in CMR by humanitarian organisations, developing sufficient capacity and expertise to undertake it in an effective, principled manner in a disaster response environment, including through an understanding of military operating styles and terminology.
- Support to development of military doctrine and practice in respect of HADR, ensuring its consistency with both the normative frameworks identified and the practical application thereof

- Maximise use and realism of high value HADR training opportunities, bringing in the limited participation resources of the humanitarian community to strategic effect
- Consideration of joint planning and preparedness events, building knowledge and mutual understanding prior to operating under the more arduous and austere conditions of disaster response.

As in any relationship in life, ultimately for it to be harmonious and effective, it must be based on mutual understanding, respect principles, define roles, address contentious issues and learn from experience.