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Politics and Humanitarianism
Coherence in crisis?

February 2003
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Summary

By its very nature humanitarian work takes place in the most political and politicised of human situations. It is not possible to avoid the interaction of humanitarian work and politics. The question is: on what terms should the interaction take place, and what trade-offs among equally legitimate interests are necessary to ensure optimum solutions, both in providing assistance and protection and in ensuring the longer-term changes that will bring peace?

Over the last decade the United Nations has struggled with how best to bring together its various parts to achieve the most effective results overall. The three case studies carried out by the Centre for Humanitarian Dialogue during 2002 in Afghanistan, Sierra Leone and the Democratic Republic of Congo suggest that this search for coherence needs to be re-examined. A coherence that delivers effective, principled, just and durable results will be achieved only if the UN recognises that it has to place the quest for pragmatic political solutions in the context of the UN Charter and the UN's moral guardianship of International Law. Leadership at all levels of the UN must be accountable to and for all sectors of the UN's work.

1 | The genesis of the coherence debate

As the Cold War drew to a close, optimism soared about the renewed prospects for fulfilling the aspirations of the United Nations (UN) to forge a world 'free from the scourge of war'. It was in this context that the then UN Secretary-General (UNSG), Boutros Boutros-Ghali, launched *An Agenda for Peace*, bringing the distinct but contiguous concepts of preventive diplomacy, peacemaking, peacekeeping and peacebuilding formally into the UN's lexicon.[1] *An Agenda for Peace* introduced a vision in which these tools were combined in timely and effective fashion to secure lasting peace.

Even as this vision was unfolded by the Secretary-General, unprecedented challenges arose to confront the post-Cold-War UN with the rapid succession of crises in Somalia, Yugoslavia and Rwanda, each presenting new problems (imploding states, internal conflict and finally genocide) and each providing examples of the tensions needing management between humanitarian and political activity. The genocide in Rwanda touched a new chord in the international community and marked a turning point in approaches to complex political and humanitarian emergencies. This was encapsulated in the *Joint Evaluation of Emergency Assistance to Rwanda* in 1995, the central finding of which was a: 'lack of coherence in policy and strategy formulation, principally within the political, diplomatic and military domains'. This, the evaluation observed, caused a 'policy vacuum' that humanitarian agencies were required to fill, but could not in the absence of political will. Consequently, there was a failure to save thousands of people from preventable deaths. The *Joint Evaluation* concluded: 'humanitarian action cannot substitute for political action. This is perhaps the most important finding of this evaluation.'[2]

A core recommendation made in the *Joint Evaluation* to the UNSG and the Security Council (UNSC) was to set up a team of core advisers for each such crisis, whose task would be to formulate:

> 'The essential framework for an integrated UN line of command between headquarters and the field, and within the field, for political action, peace-keeping and humanitarian assistance to ensure that the system speaks with one voice and that there is mutual reinforcement among the three types of actions.'[3]

Between 1995 and 2000, the UN continued its search for more effective ways to respond to the political complexities and humanitarian consequences of such crises, to give reality to the findings and

1 Boutros Boutros-Ghali, *An Agenda for Peace* (New York: United Nations, 1992).

2 J Eriksson et al, *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience – Synthesis Report, Joint Evaluation of Emergency Assistance to Rwanda* (Copenhagen, Danida 1996), p. 46. Hereafter referred to as the *Joint Evaluation*.

3 *Joint Evaluation*, pp. 47–48.

recommendations of the *Joint Evaluation*. The concept of coherence took on central importance within the UN system and for key member states. Coherence came to mean: the effort, notably by the UN and some donors, to ensure that all international aid and interventions in a particular crisis are directed towards a common objective. Thus the political effort to bring peace, the human rights attempt to prevent impunity, and the humanitarian effort to save lives, should be managed in harmony.

In 1997 the Department of Humanitarian Affairs was given new responsibilities in its rebirth as the Office for the Coordination of Humanitarian Affairs (OCHA), an important part of its mandate being 'advocacy of humanitarian issues with political organs notably the Security Council', a rare tacit recognition that within a coherent UN approach there would be tensions that would need debate and resolution. In 1999, the UNSG began his important series of reports to the Security Council on the Protection of Civilians, which looked at the whole range of tools that the UN possessed to deal with this central issue. The 'Strategic Framework Initiative' (SFI) tried to translate the Rwanda recommendations into practice, and to ensure that political and humanitarian programmes were 'informed by and informed' each other. SFIs were applied in Afghanistan and Sierra Leone. They were abandoned, unfortunately, before they could be expanded, evaluated for impact or the reasons for their successes and failures properly understood. Nevertheless, it would be a valuable exercise even today to evaluate and extract some of the original objectives, approaches and lessons from the Strategic Framework Initiative.

The most influential recent attempt to seek effective solutions emerged from the report in 2000 of the high-level panel under Ambassador Brahimi which undertook 'a thorough review of the United Nations peace and security activities … to assist the United Nations in conducting such activities better in the future.'[4]

The report encompassed peace operations in all their forms from conflict prevention and peacemaking to peacekeeping and post-conflict peacebuilding. It gave particular attention to the peacekeeping and military dimensions of the spectrum. Nevertheless, the Brahimi Report echoed a central message of the *Joint Evaluation*. It observed: 'The key conditions for the success of future complex operations are political support, rapid deployment with a robust force posture and a sound peace-building strategy.'[5] The report also noted that 'force alone cannot create peace; it can only create a space in which peace can be built'.[6] It underlined, therefore, the importance of a coherent strategy in which all the links were joined, although saying little specifically on how this would apply to humanitarian action on the ground.

One element of the Brahimi Report which took on particular importance in the search for coherence was the recommendation on

4 United Nations, *Report of the Panel on United Nations Peace Operations*, A/55/305 S/2000/809 (UN: New York, 21 August 2000), covering letter. Hereafter referred to as the Brahimi Report.

5 Brahimi Report, p.1.
6 Brahimi Report, p. viii.

internal structures within the UN. The report proposed a range of detailed reforms regarding the management of peace operations, and coordination between the various strands identified above as necessary to deliver peace. This focus, it would appear, led to an assumption within the UN secretariat and its prominent member states that coherence of the sort called for by the *Joint Evaluation* could be achieved by structural integration of UN missions.

And as the UN explored what coherence meant for its operations, so in a different way did the development and humanitarian agencies, both UN and NGO, with growing claims that humanitarian action was itself a key building block in conflict-prevention and peacebuilding. While such claims proved popular with some donors, there was little evidence to support the claims.

2 | Coherence and humanitarian action

The Brahimi Report was not detailed in its treatment of humanitarian questions. Nevertheless, it supported strengthened structural linkages between humanitarian and peace operations, both at headquarters and through the appointment of the resident/humanitarian coordinator as a Deputy to the Special Representative of the Secretary General (DSRSG).[7] This practice came to be seen as a desirable measure for the objective of coherence, and is now relatively standard in UN peace missions.

The Brahimi Report did not discuss how priorities between political and humanitarian actions would be decided in practice, nor how they would be coordinated and managed. Observers of humanitarian action speculated on whether coherence meant that humanitarian and political actors would sit down together to agree a common plan that maintained their distinctive responsibilities and management structures but highlighted complementary roles, as the Strategic Framework Initiative had attempted to achieve, or whether, instead, coherence in practice meant that humanitarian action would be subordinated within a political framework for conflict reduction or peacebuilding. In the latter case, would humanitarian or foreign policy actors decide on the form of this unified approach?[8]

By 2002, there were conflicting views on how successful these different measures had been in improving either peace operations or the delivery of humanitarian assistance and protection. At least two dominant and opposed views emerged. Firstly, some individuals and actors, mainly within the UN secretariat but also among prominent donor nations, felt that greater command and control was required and desirable. They felt

7 Brahimi Report, p.17.

8 Joanna Macrae and Nick Leader, 'Shifting Sands: the Search for 'Coherence' between Political and Humanitarian Responses to Complex Emergencies', Humanitarian Policy Group Report 8 (London: Overseas Development Institute (ODI), August 2000).

satisfied with the progress towards greater integration of the various components of peace operations and felt that this delivered their objective more effectively in political and financial terms. This integrated approach was not felt to be detrimental to any parts of the whole response, humanitarian action included.

Secondly, other actors, particularly but not only within humanitarian agencies, began to express a range of concerns about the possible effects of this path to coherence on peacebuilding generally, and on humanitarian assistance in particular. On the former, sceptics worried that, as the UN's political imperative of building peace required the cooperation of all political actors, a form of coherence that depended on integration rather than complementarity could effectively lead to a sidelining of accountability for violations of international humanitarian and human rights law. This could, in turn, embolden impunity and undermine peace in the long run. On humanitarian assistance, they were anxious about the seeming inability of humanitarian actors to withstand the pressure to concede to political exigencies, and their loss of independence. They expressed concerns about a loss of humanitarian space and the erosion of humanitarian principles of impartiality and neutrality in the face of the political imperative of UN missions to build peace by supporting transitional or vulnerable governments, which for example might require marginalising rebels and thus denying humanitarian assistance to rebel-controlled areas. They worried whether coherence may lead to reduced delivery of humanitarian assistance to those in need, and weaken the humanitarian imperative to save lives that emanates from international humanitarian law.

3 | The Centre for Humanitarian Dialogue and the coherence debate

The Centre for Humanitarian Dialogue became aware of this polarised debate in its capacity as a convenor of dialogue between humanitarian actors and other stakeholders in the international community. The Centre noticed that, even as views on both sides were becoming stronger, there was only limited concrete evidence, whether qualitative or quantitative, to prove or disprove either side of the argument, possibly because the concept of coherence and its application through integrated missions was still too recent for in-depth research to have been conducted into its real impact, particularly on humanitarian action on the ground.

As a humanitarian organisation, the Centre was concerned mainly with the argument of a potential negative impact on humanitarian action of

coherence or mission integration in peace operations. It was within this context that the Centre started a project on politics and humanitarianism, and undertook a research study involving case studies in three different countries.

The research study sought to answer a number of related questions.

1. Is there agreement within the UN or outside as to what is meant by coherence?
2. Has the coherence in policy and strategy, called for so urgently since the end of the Cold War and particularly since the Rwandan tragedy, been achieved?
3. Has such coherence led to more effective building of peace on the one hand and more effective humanitarian protection and assistance on the other?
4. Has structural integration of missions contributed to delivering this coherence in whole or part?

The Centre is grateful for the interest expressed and support offered by the concerned UN departments and agencies both at headquarters and in the field in both the conception and conduct of the research. Direct assistance and facilitation by the United Nations field missions to the researchers in the three case-study countries was invaluable in conducting this research.

4 | The methodology: three case studies

The research undertaken by the Centre in 2002 examined the various facets of humanitarian and political interaction. It acknowledged that there are several other dimensions and concerns other than the humanitarian in peace operations, but deliberately focused on this particular relationship, due to the humanitarian mandate of the Centre. To a lesser degree, however, the study also raised issues of interactions with the military, economic and human-rights spheres, which are reported briefly.

Three case studies were undertaken, with a choice of countries highlighting distinctly different crises, challenges and international responses, and contrasting regional contexts and conflict dynamics. Each case yielded different outcomes in terms of both political and humanitarian objectives and in their interaction with each other.

1. **Sierra Leone:** an intense, brutal conflict which has seen the vagaries of both humanitarian assistance and political action in the course of the period studied, 1996 to 2002, with different periods of structural integration and strategic coherence. This case is also notable for the predominant role played by one UN member state, the UK.

2. **The Democratic Republic of Congo (DRC)**, representing the greatest humanitarian emergency in the world in terms of the sheer number of war-related casualties, but with minimal international attention and investment.
3. **Afghanistan:** a long-standing complex conflict with a cycle of related humanitarian crises, and long-term involvement of the UN. The period studied in 2002 coincided with immense international attention and formally, at least, the most structurally integrated UN peace mission yet seen, under the leadership of Ambassador Brahimi himself.

In all three cases, regional actors and influences were extremely important in several ways. They were or are in all cases decisive in the dynamics and prolongation of the conflict itself, including: fuelling the war and profiting from war economies; for the success of the peacemaking and peacebuilding processes; and in some cases for the peacekeeping operation and the humanitarian action as well.

UN missions varied considerably between the three case studies and therefore offer a range of rather different peace operations for observation and analysis. UNAMSIL in Sierra Leone and MONUC in DRC are classic, though contrasting, peacekeeping missions under the Department of Peacekeeping (DPKO). UNAMA in Afghanistan on the other hand is a peace-assistance (or what used to be called peacebuilding) mission. Initially under the Department of Political Affairs, responsibility was transferred to DPKO only at the end of 2002. It does not have its own peacekeeping force. ISAF, the International Security Assistance Force in Afghanistan, is a multinational force mandated by a UN Security Council resolution operating under the command and control of a member state (the UK from January to June 2002, and Turkey thereafter).

The research methods also varied between countries. In Afghanistan, a consultant was placed for five months in the second pillar of UNAMA to study how the political and humanitarian pillars worked together in practice on a daily basis and how trade-offs were made when there was a clash of humanitarian and political priorities. In Sierra Leone and the DRC, each consultant carried out a historical analysis based on secondary and primary research into a critical period when political and humanitarian action converged – or clashed – and examined how similar issues were resolved in each case. This consisted of extensive interviews in country as well as in UN offices in New York and Geneva, supplemented by exhaustive documentary research, conducted between spring and winter 2002. In Sierra Leone the period studied was from the elections in 1996 to 2002. In DRC the period was from the Lusaka Agreement in 1999 to 2002.

5 | The methodology: three case studies

This section provides only a brief overview of the highlights of the detailed findings of the three case studies, focusing on the nature of the mission in terms of coherence and integration in the period observed, and its impacts on key factors. Interested readers are referred to the full findings of the case studies, which are to be published later in 2003.

5.1 SIERRA LEONE

The six-year period covered by the study in Sierra Leone is a period of humanitarian action closely tied to the political process. Ultimately, the political support to the peace process, in particular a revitalised and currently effective peacekeeping force (UNAMSIL) deployed in the country, came to create conditions extremely beneficial for humanitarian assistance, most notably secure access to all of the country, and increased funding for relief and reconstruction activities. However, a satisfactory outcome in Sierra Leone cannot disguise a turbulent and unhappy relationship, and the inescapable conclusion is that humanitarian considerations consistently came second to political imperatives.

During the period under study, the UN operation in Sierra Leone underwent several quite radical changes, as did the consequent relationships between various actors and stakeholders. Six distinct periods of UN operations are identifiable between 1995 and 2002.

1. **1995 to May 1997:** Strong UN political support to the Government of Sierra Leone, in the midst of a civil conflict. The traditional Resident Coordinator/Humanitarian Coordinator Model (RC/HC) was unsuccessful, due to the exceptionally close relationship between the RC/HC and the government.
2. **May 1997 to March 1998:** After the military junta took power in Freetown, the Government of Sierra Leone went into exile in Conakry, Guinea, accompanied by UN leadership. The latter was accused of blocking humanitarian assistance from reaching Sierra Leone, along with donors such as the UK.
3. **March 1998 to October 1999:** a small UN Observer Mission (UNOMSIL), with military observers, was set up in July 1998, accompanying the regional force, ECOMOG. The relationship between the humanitarian community and the UN political leadership worsened further.
4. **October 1999 to May 2000:** The creation and deployment of a UN peacekeeping force, UNAMSIL, culminated in the crisis involving the capture of UNAMSIL troops and observers in May 2000. UN system leadership was provided by an SRSG, but there

were great concerns about his relationship with the UN Country Team and, through them, the wider humanitarian community. The near collapse of UNAMSIL threatened the entire aid programme.

5. **May 2000 to March 2001:** A reformed and strengthened UNAMSIL with greater coherence, and significant commitment of the UK in the peace operation. A Strategic Framework for Sierra Leone was adopted and then abandoned. Continuing concern about the relationship between UN political and humanitarian entities led to the appointment of a new DSRSG/RR/RC/HC, the model recommended in the Brahimi Report.

6. **March 2001 to October 2002:** Peace, reintegration, DDR (disarmament, demobilisation and reintegration), and the significance of a single donor, the UK, in peacebuilding. The relationship between the UN political and humanitarian community improved, due to the success of the DSRSG and growing compatibility between political and humanitarian/development objectives.

The experience in Sierra Leone reveals the tensions inherent in the expectation that the United Nations will provide leadership in the political efforts to end a conflict, and will simultaneously lead or coordinate humanitarian activities. This tension was particularly acute in Sierra Leone, as the political strategy was based around strong support to the Government of Sierra Leone. The issue was not whether or not this political strategy was correct, but that it appears to have repeatedly compromised the ability of the United Nations to negotiate access for aid agencies to Revolutionary United Front (RUF)–held areas.

Policy coherence between UN actors in terms of a unified or common political purpose or goal well before the time of formal mission integration led to the politicisation of assistance, and deep distrust of humanitarian actors, who were perceived to be siding with the rebels. The UN system was observed to be deeply partisan in offering its unconditional support to the government, whether in exile or in power, with the clear strategy of reinforcing the government's power.

A related finding is that when political and humanitarian objectives appeared to clash, humanitarian concerns unquestionably came second to political ones. The clearest example was when a junta took power in Sierra Leone in 1997, and the withholding of humanitarian assistance to the country was used as a tool to try and effect the political objective of regime change.

A distressing feature of this 'Conakry period' is that the withholding of humanitarian assistance was strongly supported by the UN political leadership, the UK Government (including DfID) and the Humanitarian Coordinator. The policy of preventing humanitarian assistance from reaching Sierra Leone was implemented through a combination of cutting off funding and blocking aid supplies at the border with Guinea. This policy was 'coherent' with the political strategy of isolating the Armed Forces Revolutionary Council (AFRC). However, the political

> " **However, the political objective of regime change was not ultimately achieved by depriving civilian populations of food and medicines, but by the military intervention of ECOMOG, a regional force.**

objective of regime change was not ultimately achieved by depriving civilian populations of food and medicines, but by the military intervention of ECOMOG, a regional force.

Based on the reasonable assumption that civilian lives that may otherwise have been saved were lost unnecessarily, this period stands as one of the most shameful episodes regarding international humanitarian action in modern times. Those encouraging the policy may well have been in breach of the Geneva Conventions through attempts to block humanitarian assistance from reaching civilian population. It appears to be a classic case of interpreting coherence as political hegemony rather than the management of different demands which are possibly conflicting but equally valid.

The failure of the first UNAMSIL mission is a textbook case of mission failure as described in the Brahimi Report, destined to fail before it had even been deployed by the lack of political will and internal cohesion with which it had been set up. The revamping of UNAMSIL following the 2000 hostage-taking crisis was partly driven by the need to save the UN's mired reputation in peacekeeping.

The re-emergence of peacekeeping in Sierra Leone from total failure in 2000 to considerable success thereafter demonstrates the extent to which good peacekeeping is dependent on political will in the UNSC. Particularly, it demonstrates the beneficial impact of the particular investment of at least one UNSC member – the UK – in the peace operation and subsequent peacebuilding process.

A unique lesson from Sierra Leone is the importance of donors adopting new approaches, and levels of commitment, for aiding countries to emerge from conflict. Since 2000, the role of the UK in Sierra Leone represents an unprecedented attempt at a coherent response to peacebuilding, involving military, political and aid interventions working to a common plan. During that time, the UK Department for International Development (DfID) has stretched conventional aid to its limits. It is a matter of regret that other donors have not shared the financial and political burden to the degree that DfID had hoped, as this places question marks over whether such support would be repeated in other countries.

It was observed that UNOMSIL and later UNAMSIL withheld vital security information and even, on occasions, allegedly provided knowingly false information to humanitarian actors, which could have placed their lives in peril. ECOMOG on occasion also directly accused humanitarian actors of what it saw as collaboration with rebels, due to the misperception created by NGOs' continued assistance to needy populations in RUF-held areas during the junta period based on the humanitarian principles of impartiality and neutrality.

A security-first approach was adopted and finally successful in forwarding peace. Although the military–humanitarian relationship record is mixed, at all times a peacekeeping presence led to increased humanitarian access, but

> **"ECOMOG on occasion also directly accused humanitarian actors of what it saw as collaboration with rebels.**

never more than with the revitalised and reinforced UNAMSIL with a boosted mandate and troops, which led to unprecedented humanitarian access.

The humanitarian community displayed an inconsistent attitude towards the use of UNAMSIL assets in support of its programmes. After two years of insisting on maintaining clear distance from UNAMSIL, most NGOs began to use UNAMSIL assets without hesitation by late 2001. Should this be interpreted as a sensible, pragmatic attitude to humanitarian principles, in the context of a peace process taking hold, or an example of the humanitarian community once again failing to agree common principles?

> **Humanitarian actors used their scarce funding to pursue projects that were developmental rather than life-saving, due to a desire to conform to the peacebuilding agenda preferred by donors and the UN system.**

The best relations between humanitarian, political and other actors came after the introduction of an integrated mission structure and the appointment of a DSRSG, despite strong initial reservations of humanitarian agencies concerning these structural changes. This improvement is undoubtedly attributable to the fact that the DSRSG's arrival coincided with real advances in the peace process. However, it was also largely attributable to the character, skills and humanitarian background of the individual DSRSG, who recognised the legitimate autonomy of different actors and sought to achieve only that level of coherence which was needed to reach effective solutions and which was feasible given the varied mandates.

The revised UNAMSIL had an unprecedented mandate of civilian protection, which merits attention and replication. During the peace negotiations, issues of human rights and justice were placed behind political considerations and the pressure to achieve a settlement. In contrast, human rights were integrated into the revamped UNAMSIL peace operation. This led to increased funding from the peacekeeping budget for the normally under-funded component of human rights, and improved information-sharing between human rights and political peacekeeping. However, there is no tangible evidence that the integration of human rights into the UNAMSIL mission resulted in greater human rights protection for civilians.

A Strategic Framework was introduced for Sierra Leone, and appeared promising but was abandoned shortly after its introduction with the revamping of the UNAMSIL mission and structure. It would be useful to conduct an enquiry into why the Strategic Framework was abandoned and what its successes or failures were or could have been. Such an enquiry could be carried out by either the UN or by independent researchers.

5.2 THE DEMOCRATIC REPUBLIC OF CONGO (DRC)

The study in DRC covered the period from the Lusaka Agreement of 1999 to September 2002. Most striking in this case study is the enormous gulf between the scale of the tragedy and the response on every front from the international community. With 350,000 people having met

9 *DRCongo Mortality Study*, (New York: International Rescue Committee , 2001)

10 MB Anderson, *Do No Harm – How Aid can Support Peace – or War* (Colorado: Lynne Reiner Publishers, 1999). Despite various contrary statements by the author, the phrase 'Do no harm' is frequently quoted by agencies to legitimise a minimalist or even a null humanitarian response where alleged risks of incorporation of humanitarian supplies into belligerents' conflict strategies can be identified. Despite the rarity of such circumstances, it appears the fear of being caught 'doing harm' through the unintended impact of diverted aid is now a major disincentive to provide basic humanitarian aid in conflict zones. The HDC consultant encountered a number of cases of field staff claiming that they were pursuing a 'do no harm' humanitarian policy. On examination, such interventions involved humanitarian expenditure being concentrated on building the capacity of 'good' local institutions that are expected to contribute to the eventual emergence of peace. Proximate human misery and suffering remain untreated as conventional humanitarian responses are considered to be dependency-creating and subject to political manipulation.

violent deaths, and, according to the IRC study of 2001[9], 2.1 million having died from war-provoked malnutrition and disease, this is by far the world's worst humanitarian disaster of the last decade. The response, whether political, military or humanitarian, has been minimal.

Throughout the period studied, DRC had a loose non-integrated mission structure. The UN peace operation, MONUC operated largely in isolation from the rest of the UN agencies on the ground. Initially, the SRSG had a plan for a complete integrated structure, but this never materialised. In practice, the SRSG had formal responsibility for all UN operations in the country, but this did not translate into formal control of, or attempts to coordinate, all activities by UN and other agencies on the ground.

MONUC remained throughout this period a non-enforcement mission primarily with a Chapter 6 mandate, and almost non-existent civilian protection powers. The very low troop numbers made it an almost impotent force given the size of the country. MONUC's weak presence did not significantly further the implementation of the Lusaka peace agreement and particularly its critical element of facilitating the disarmament, demobilisation, and reintegration (DDR) of armed forces. Nor did MONUC's presence substantially improve humanitarian access in a disastrous situation of great need and very limited access.

The consequence of a weak MONUC and non-integrated mission structure was that there was neither a negative nor positive effect on humanitarian space of association with MONUC. Nevertheless, a negative public impression was created of a bloated and expensive but ineffective MONUC with a budget of US$250 million in 2000, compared to a minuscule humanitarian budget of US$37 million in the UN Consolidated Appeal to meet the overwhelming needs of affected populations.

The low funding of humanitarian assistance due to low political and strategic interest in DRC, compounded by an excessive fear caused by agencies' interpretation of the 'do no harm' doctrine[10] led to what could be described as 'premature developmentalism' and 'humanitarianism as peacebuilding'. That is, humanitarian actors used their scarce funding to pursue projects that were developmental (or described as developmental) rather than life-saving, due to a desire to conform to the peacebuilding agenda preferred by donors and the UN system. This is manifested in the heavy emphasis on peacebuilding and developmental activities in the Consolidated Appeals Process (CAP) for humanitarian funding for the DRC in the period studied.

ECHO and OFDA were the rare donors who insisted throughout on funding life-saving humanitarian assistance, and in their joint donor evaluation mission in mid-2002, they were severely critical of this deviation of humanitarian aid for non-life saving purposes. Given the massive and urgent humanitarian situation in DRC – where some 2.5

million lives were lost from war-related causes – this deviation of humanitarian assistance may have failed to prevent significant loss of life. Security was the main factor hindering humanitarian access to insecure areas where need was great. Nevertheless, the Centre for Humanitarian Dialogue study revealed that UNICEF's polio eradication campaign conducted in this period was successful in negotiating temporary ceasefires and getting access across the country. Thus, while recognising the greater difficulty of getting access over time for humanitarian work, there remains a question of why humanitarian actors were not able to negotiate and achieve similar access to needy populations throughout the conflict, given ample evidence of dire humanitarian need.

The paucity of sound assessments and detailed information regarding actual humanitarian vulnerabilities and needs was a significant reason for the weakness of the humanitarian response, as there was insufficient and incomplete information for donors and humanitarian actors either to plan policy or to effect strategies commensurate with need.

Human rights were better integrated than humanitarian action within the SRSG's office and the MONUC structure. This had the beneficial effect of greater funding for human rights from MONUC's budget, and increased mainstreaming. However, given the continued flagrant abuses of human rights throughout the period studied, it cannot be said that this integration led to improved human rights protection in the country. There is some evidence that human rights work and investigation of economic exploitation may have adversely affected humanitarian access.

Contrasting DRC and Sierra Leone

The two African missions studied here offer some points of comparison and contrast, particularly in terms of the impact of the Brahimi Report. Following the hostage crisis in 2000 and the release of the Brahimi Report, Sierra Leone received substantially greater political attention particularly from one UNSC member and major power, the UK. Sierra Leone then inherited a UNAMSIL with a strengthened mandate and a more integrated mission structure, which in this case resulted in expanded humanitarian space and improved humanitarian–political relations.

In the DRC, both political will and humanitarian assistance remained low throughout the period of study. This is despite the substantially greater attention from the UN Security Council itself, following the assassination of Laurent Kabila and the handing over of the presidency to his son Joseph Kabila in early 2001. However, the greater UNSC attention did not translate into sustained and commensurate political interest and investment, as seen in the continuing weakness of the MONUC mandate and force size and the huge gap between need and humanitarian response.

The tiny country of Sierra Leone, with a population of 6 million and deemed to be of no political interest until the UK's involvement in 2000, finally received a peacekeeping force of over 14,000 soldiers (and a CAP

budget of US$64 million). The DRC, by contrast, with a population of 56 million, was barely able to muster 4000 troops, even after 2001 with renewed UNSC attention.

This disparity, still far less than that between for example Kossovo and any country in Africa, underscores the worries expressed in recent years by OCHA and other humanitarian agencies about the inequity in the global distribution of humanitarian assistance according to criteria other than need.

5.3 AFGHANISTAN

Afghanistan was the first test case for a Strategic Framework (SF), although the framework was originally conceived as a post-conflict tool, and Afghanistan at the time was still in conflict. The unique and interesting facet of the planning and attempts to implement the SF was the attention it paid to trying to understand how political, assistance and human rights components could and should best fit together. The guiding principles of the SF were an implicit recognition of the difficulties that can be encountered in ensuring that humanitarian and human rights principles and practices are not undermined by, and do not undermine, political imperatives, strategies and responses. However, the guiding principles proved difficult to put into operation and the principles were often used as another vehicle for promoting agency interests and mandates rather than for developing common programmes in support of peace. Despite this, most of those involved at the time regard the SF as the most successful attempt to date to plan and implement the different elements of a UN response that 'inform and are informed by' each other.

The September 2001 attacks in the USA and the subsequent Coalition offensive in Afghanistan elevated the importance of Afghanistan from relative neglect. From the UN perspective, the fall of the Taliban regime and the signing of the Bonn Agreement in December 2001 led to the establishment of a relatively well-resourced and integrated mission which became formally operational in April 2002. The UN Assistance Mission to Afghanistan (UNAMA) was the first integrated peace operation following the Brahimi Report, with one SRSG and two DSRSGs leading two respective pillars – political in Pillar One, and relief, reconstruction and recovery in Pillar Two.

A notable novelty of the UNAMA mission is the formal responsibility assigned to the DSRSG for Pillar Two for all assistance-related activities of the UN system in Afghanistan, including those of the UN agencies. The UNAMA experiment is also notable for the attempt to create an Integrated Mission Task Force (IMTF) at headquarters, as called for in the Brahimi Report. However, the IMTF did not work as planned. While useful in bringing different perspectives from the humanitarian, human rights, political, developmental and peacekeeping components of the UN system to the table, it was more of a talking-shop than an operational support group, and was sidelined during the mission planning phase and

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> **Attempts to protect humanitarian principles and practices largely depend on individual initiative rather than being an integral part of mission thinking and strategy.**

subsequently abandoned before the mission became formally operational. The construction and maintenance of consensus at all levels of the mission was of greater significance in terms of eliciting coherence than those managerial functions and efforts to integrate structurally the UN system's presence in Afghanistan that accompanied mission integration there. This consensus was notable despite the two pillars of the core UNAMA mission operating largely on separate tracks during the period of study. More generally, relevant actors outside the UN system also tended to cohere around the shared objective and vision of promoting long-term peace and stability by supporting the Transitional Administration and ensuring Afghan ownership of the process, quite independent of formal coordination efforts. This 'strategic consensus' was significant even if the planning and implementation of response remained hampered by the myriad interests, mandates and goals of actors on the ground.

The study notes that there is little evidence to suggest that the mission integration model in itself necessarily places pressure on humanitarian space. However, unlike the SF model, there are no mechanisms in the Afghan context to ensure that humanitarian space is safeguarded in the planning and implementation of response. As a result, attempts to protect humanitarian principles and practices at a policy and planning level largely depend on individual initiative rather than being an integral part of mission thinking and strategy. The programming and coordination of assistance, including humanitarian relief, is largely subsumed to the goal of supporting Afghan capacity and ownership of the peace process. It is too early to tell what the effects of this might be in humanitarian, or peacebuilding, terms. Initial indications suggest the following:

1. **Programming:** As in the case of the Democratic Republic of Congo, despite urgent and widespread humanitarian need, humanitarian activities were beginning during the period of study to be couched in developmental and peacebuilding terms. Pressure to provide humanitarian assistance in a manner that went beyond providing life-saving assistance was especially evident at the rhetorical level. Evidence of the trend toward 'developmental humanitarianism' began to be apparent in NGO programmes by mid-2002. Most of these NGOs considered themselves to be humanitarian actors, and were largely responsible for the delivery of humanitarian services (though often funded by UN agencies). However, there is no evidence that humanitarian work did or did not contribute to peacebuilding per se.

2. **Coordination:** The coordination of assistance also placed a premium on supporting the capacity of Afghan authorities and local ownership. While desirable and necessary over the longer term, there is evidence that it was premature to try to hand over humanitarian coordination to local authorities at a time when the Transitional Administration still lacked sufficient capacity or control over sizeable territories, and where both insecurity and humanitarian needs remained intense.

The 'humanitarian voice' was notably silent in Afghanistan; that is, humanitarian actors did not defend robustly the protection and assistance of civilians, and the sanctity of humanitarian principles. This was despite acute and chronic threats to civilians, including the refusal of the Pakistani Government to open its borders to refugees amassed at the border in the province Spin Boldak despite UNHCR's entreaties and the difficulties in gaining support, and finding an appropriate location, for their temporary relocation.

Coordination fora tended to centre on operational and logistical challenges rather than threatened principles and lives. Gender considerations were absent from the major assistance-related discussions although they had been prominent during the Strategic Framework initiative, and despite the ongoing and significant difficulties faced by women throughout Afghanistan. This study attributed the humanitarian silence within UNAMA primarily to the failure to hire staff with explicitly protection-related duties in Kabul in a timely manner. However, the humanitarian silence within the mission was also suggestive of the overarching, though not unanimous, consensus within the mission not to 'rock the boat' on human rights and humanitarian issues. More generally, the prioritisation of peacebuilding and the lack of clarity among UN agencies and NGOs, at least at field level, as to what basic humanitarian principles they held, also contributed to the humanitarian silence.

The UNAMA mission is an experiment in a new, integrated approach to human rights, with the investigation and monitoring of human rights abuses in Pillar One and humanitarian protection responsibilities in Pillar Two and a Human Rights Adviser to the SRSG in his office. During the period of study, human rights issues and responses were, in practice, mainly within the purview of the political functions of the mission, and significant efforts were underway to respond to cases of human rights abuse by the Human Rights Unit in Pillar One in Kabul and, increasingly, by a combination of Pillar One and Pillar Two staff in the UNAMA Area Offices. Strategic imperatives related to peacebuilding, however, led to the tenuous consensus not to speak out on human rights issues if that was felt to cause problems for the political process, and led to the subordination of accountability for human rights abuses, the majority of which were caused, according to most human rights organisations, by the continuing struggle for power among Afghan leaders.

The failure of ISAF (the International Security Assistance Force) in Afghanistan to extend its mandate beyond Kabul to areas where need was greatest and security most problematic meant that it played only a marginal role in improving the operational environment for humanitarian work. In addition, to assist ISAF in maintaining security and to help with reconstruction, its civil-military cooperation (CIMIC) personnel became involved in a number of quick impact projects (QIPs).

Although benefiting from humanitarian sources of funding, the criteria for undertaking these QIPs was first and foremost the perceived added value in terms of force protection rather than the imperative to serve those in most need.

The engagement of the Coalition in military activity throughout the period of study brought both opportunities and challenges for humanitarian action. On the one hand, respondents suggested that access had improved dramatically since the demise of the Taliban regime. At the same time, there was evidence to suggest that the military activity of the Coalition also contributed to difficulties in humanitarian access and safety of humanitarian personnel in areas of continued fighting relating to the 'war on terrorism'. To the east of the capital in the provinces of Paktya, Paktika and Khost, the intersections between major Coalition operations and ongoing fighting among local factional leaders rendered access difficult despite the efforts by the Coalition to improve security there and encourage the return of NGO and UN agencies.

6 | Overall observations from the research

Political will and investment

The main findings of the Joint Evaluation on Rwanda are as valid today as when they were made. The investment of genuine political will and commitment, particularly by the major powers, is the most critical element both for obtaining peace and for saving lives. While commitment is not enough on its own to guarantee the success of a UN mission, its absence, as we have seen in all our studies, makes failure almost inevitable. And equally, no amount of coherence or integration will achieve anything if not accompanied by such commitment. The DRC has been a tragic example of such a lack.

The report on UN peace operations

Our research strongly confirms many of the recommendations of the Brahimi Report, some of which are yet to be implemented, for example on information management, or have been only partially implemented, for example Integrated Task Forces. A careful reading does not seem to confirm a common view of the report that it recommends UN missions integrated around a purely, political, peacebuilding objective. However, the very limited treatment of areas like human rights and humanitarian action may be a cause for misinterpretation.

> **"The senior UN official, must be seen more as an impartial chief executive managing a number of equally important and legitimate interests, than as a representative of one particular interest, invariably the political and diplomatic.**

Principles and pragmatism

During 2002, representatives of the Centre for Humanitarian Dialogue have talked to very many people. Like the blind men describing the elephant, so have our interlocutors seen the UN. To one it is the member states, to another the Security Council, to another the Secretary-General, the Secretariat, the agencies, while to others it is the moral protector of international and, more specifically, humanitarian and human rights law. And all are, of course, right. The challenge for the UN is how to manage its diversity, maintaining both its integrity and increasing its effectiveness. What we have observed over the past year is that the UN is frequently seen as the body which must provide solutions, often inevitably pragmatic in nature, and that this pressure can lead to courses of action where the fundamental principles of the Charter, of international law and of international humanitarian law may be seen as partial casualties to the drive for solutions. In this sense, the UN as the provider and guardian of international norms is less visible than the UN as the forum for brokering and producing political solutions. This additional tension makes the debate about coherence and integration yet more pertinent and indeed topical.

Coherence and integration

The need for coherence of actions towards an overall objective was strongly advocated in the Rwanda evaluation and subsequent policy documents and declarations. So long as it delivers effective, principled, just and durable results, few would disagree with this objective, but some might dispute that current practice is best designed to achieve it. The tension, already noted, between UN principles and the pragmatism of finding real solutions has added to the complexity of identifying effective coherence of action. But it is not at the high strategic level, nor indeed at the basic functional level of coordination, that the search for coherence has foundered. Difficulties arise at the intermediate business level where there is a need for an operational strategy to reconcile different mandates, respecting universal principles but seeking achievable goals. It is at this level that problems have been observed.

In Afghanistan there were few, if any, who did not wholeheartedly support the overall vision of, as far as possible, giving all support to the new administration to rebuild the country. But there were those who were less happy where this appeared to reduce the space for impartial humanitarian and human rights work in a still deeply divided and unstable country. That there should be such tensions seems to us to be normal and healthy. This suggests that the way forward is not necessarily to give priority to one sector, but rather to accept the competing and legitimate demands and manage the inevitable tensions in an attempt to produce a common plan of action. Ideally, at this level, the representatives of different sectors (political, humanitarian, human rights, development, etc.) would agree, or at least accept on the basis of an open debate, the trade-offs necessary for a common plan, thus for coherence.

Effective mission leadership

The Brahimi Report has some very pertinent remarks on this subject. We would strongly endorse them. But it follows from our assessment that the role of the senior UN official, particularly when that person is a Special Representative of the Secretary-General, must be seen more as an impartial chief executive managing a number of equally important and legitimate interests, than as a representative of one particular interest, invariably the political and diplomatic.

It is striking that most if not all Special Representatives of the Secretary-General are selected for their political skills, and are held accountable principally for their performance in this regard. Their management line reflects this approach. There is no provision, for example, that Special Representatives, while reporting through DPA or DPKO to the Secretary-General, should also have lines of accountability to the leaders of other sectors, for example to the USG for Humanitarian Affairs, the High Commissioner for Human Rights, or the Administrator of UNDP. Such a shift, firstly, might assist in helping the Special Representative to be conscious of his or her multi-sectoral responsibilities, and secondly could help him or her to make the difficult decisions in trading off sectoral interests central to the chief executive function. The crucial and indeed central political and diplomatic responsibilities of the SRSG would then be placed in a broader context.

We believe that a combination of selecting SRSGs from a wider skills base, recognising their CEO function, and changing their line of management accountability would contribute to improving the chances of a coherent and agreed common plan of action being produced and implemented at what we have called the business level. It might also increase confidence among the wider population that the international community cares about people and lives and is not simply pursuing a political objective.

The humanitarian voice

For really effective humanitarian action there is a need, of course, for not only effective, impartial leadership from the UN but also an effective response from humanitarians themselves. Since the mid-1990s, perhaps under the weight of hostile criticism post-Rwanda, we have the impression that humanitarians have allowed the humanitarian imperative to be weakened, albeit unwittingly. While this is partly due to the exigencies of imposed policy coherence, security-related constraints in conflict areas, and limited donor funding, part of the responsibility lies with humanitarian actors themselves for failing to articulate and defend the humanitarian imperative clearly and consistently. Some donors like the Swiss, ECHO and OFDA are to be credited for maintaining the neutrality of humanitarian aid throughout. Other donors have allowed aid to be politicized and humanitarian actors have allowed this to happen with only occasional significant dissent.

> **"To what degree should UN forces be bound to provide relevant security information to humanitarian actors and help them logistically, and to what degree can the humanitarian actors accept such help without compromising their essential impartiality?**

Even in cases where human loss of life is immense, many humanitarian actors have pulled back from immediate life-saving assistance to less immediate developmental tasks partly in order to be seen to fulfil the political agenda of peacebuilding and partly to avoid any risk of being seen to do harm. The cost has been lost human lives. We believe that there is an urgent need, particularly in the present international climate, for agencies which are solely or partly humanitarian, UN or non-UN, to be clearer about what principles are basic to their work (presumably their bottom line is the principle of impartiality enshrined in the common Articles 3 and 9 of the Geneva Conventions), more vigilant in maintaining those principles in their operations and more willing to cooperate in communicating them to the rest of the world and defending them when they come under attack. OCHA has a key leadership role to play.

Military/humanitarian interaction

While we have looked primarily at the political/humanitarian interaction in major emergencies, our researchers also noted other linked areas, such as relations with the military. Here, much greater clarity is needed on two fronts, the first being the importance of information and sometimes other military assets to humanitarian action. To what degree should UN forces be bound to provide relevant security information to humanitarian actors and help them logistically, and to what degree can the humanitarian actors accept such help without compromising their essential impartiality? The other issue concerns the blurring of distinctions, risking the safety of humanitarian personnel and their ability to negotiate access when their only protection is popular perception of their impartiality and separateness from the military. The problems occur usually not in conflict zones themselves, where the military may be the best humanitarian support available, but in the aftermath of conflict where quick impact projects are designed not on a basis of need but to win hearts and minds or give a force something to do. DPKO and OCHA could usefully do more to bring the military and humanitarian agencies together to gain greater understanding of each group's position.

Human rights

The area of human rights is another in which a new look might pay dividends. The tendency to integrate human rights in the political mission has clearly been effective in ensuring better information flows and financing in a notoriously under-funded area. However, there is little evidence that such integration has in any way led to improved protection of human rights in any of the countries we looked at. As with humanitarian action, there seems to be no evidence that closer integration with the political necessarily takes forward peacebuilding but nor is there evidence that peace is prevented in the longer term by effective impartial humanitarian or human rights work. It may just be more difficult to manage in the short term.

Information and knowledge

Critical management information: All three case studies found a striking paucity of reliable and complete humanitarian data based on rigorous needs evaluation. Reliable planning data are needed to plan operational responses that are appropriate and commensurate to needs rather than according to other criteria. Such data are particularly important when judgements must be made about trade-offs between competing demands for scarce resources. For example, this information can be particularly critical in making decisions on when it is appropriate to invest in life-saving rather than longer-term developmental or capacity-building activities. Such data are also important to determine the impact and efficacy of certain policy instruments in particular environments.

Coherent and complementary policy analysis: While there is now a substantial body of policy studies, analysis and practical experience in the distinct fields of peacebuilding, humanitarian action, human rights promotion and post-conflict reconstruction, these studies tend to focus on a single sector or issue, rather than looking at the overall picture and the interactions between different policy instruments. Greater inter-disciplinary and multi-sector research and analysis would ensure that genuinely coherent policy could be formulated on the basis of evidence and knowledge rather than on less tangible bases such as agency mandates or logistical convenience.

7 | Conclusion: The United Nations and the protection of human life

11 This observation made by Rama Mani, 'The Obligation to Act', in Simon Chesterman, Michael Ignatieff and Ramesh Thakur (eds), *State Failure and the Crisis of Governance: Making States Work* (Tokyo: UN University Press, 2003 forthcoming). See also: Rama Mani, *Beyond Retribution: Seeking Justice in the Shadows of War* (Cambridge: Polity, 2002), Chapter 4.

It was the devastating legacy of the Second World War and Holocaust that crystallised the unprecedented collective determination of world leaders 'never again' to tolerate such inhumanity or impunity. This determination gave birth to an array of declarations and international legal instruments: the Universal Declaration of Human Rights and its two subsequent covenants, the Genocide Convention, and the Refugee Convention; and the Geneva Conventions (particularly Convention IV) extending humanitarian law to protect civilians during conflict. It was this same collective determination that created the United Nations to ensure that people would never again suffer from fear and want, in good part through the respect of the rights and the corresponding responsibilities encapsulated in these international instruments by all UN member states.[11] Protecting and assisting civilians affected by conflict is a

legal obligation borne both by belligerents or occupying powers and by the international community under its international legal obligations. The recent proliferation of UN peace operations ranging in mandate from conflict prevention and peacemaking to peacekeeping and peacebuilding was impelled largely by the intolerable civilian toll of contemporary conflicts caused by the widespread violations of human rights and humanitarian laws. In this context, the credibility of the United Nations in its peace operations rests on its willingness and ability to protect civilians in war, and to reduce the loss of life while it builds lasting peace.

The understandable pursuit of the political objective of sustainable peace has sometimes distracted the attention of political actors from the more immediate necessity of keeping people alive here and now when they face threats, in order for them to shape and partake in the eventual peace. Consequently, the humanitarian imperative of protecting and saving lives in conflict has taken a back seat in UN peace operations. It has sometimes even been seen by senior UN officials to interfere with the effective pursuit of international peace and security. Human rights protection too has suffered during peace operations, although to a slightly lesser extent.

It is imperative for the UN to assert and clarify the central importance it attributes to the protection of human life through the respect of humanitarian and human rights law. The UN must distance itself from any suggestion that it will tolerate any 'collateral damage' in terms of the preventable loss of human lives during its peace operations. The UN must dispel the notion that it sees the application of international humanitarian law in terms of the protection of civilians and provision of humanitarian assistance according to humanitarian principles as contrary to, or even getting in the way of, its central purposes.

In closing, we would urge the UN Security Council and Secretary General consistently and rigorously to defend humanitarian protection and assistance as much in their words as their actions as they pursue their mandate of preserving and maintaining international peace and security, and to recognise the complementary nature of these goals. This would serve both to ensure that human life is protected wherever the UN intervenes, and to communicate to the governments and public in all member states, to the media, and most importantly to the vulnerable populations of affected countries, the right message of the sanctity of human life.

Definitions

Peace operations as understood today within the UN system and as expressed in the Brahimi Report have a broad scope encompassing, 'three principal activities: conflict prevention and peacemaking; peacekeeping; and peace-building'.[12]

Coherence refers to the attempt to bring together, cohere or join up political action in peace operations with other actions including humanitarian and human rights. As pursued by the UN system and key donor governments, it is the attempt to bring together all elements of a multi-dimensional peace operation to serve the UN's central objective to make, maintain or build peace and security in that country. Coherence may refer to the vision or ideal uniting different actors, to the process whereby it is pursued, as well as to the outcome that is eventually sought as a result of this pursuit.

Integration refers to a structural arrangement for delivering the policy goal of coherence. An integrated mission is one where the management structure is such as to ensure that varied actions are coordinated through a clear chain of command to serve a single or coherent policy objective of peace and security.

Coordination in this study refers to cooperation between the various agencies and actors on the ground in a peace operation, primarily but not only UN, through command structures or coordination mechanisms. Strategic coordination refers to cooperation in pursuit of a common policy objective or strategy. Operational coordination refers to cooperation in terms of logistics, activities and programmes such as through regular sharing of mission-critical information.

Humanitarianism or **Humanitarian action** is used here to refer to the two specific civilian-related responsibilities emanating from international humanitarian law, that is to protect and to assist civilians through the provision of life-saving assistance, in strict observance of the humanitarian principle of impartiality, enshrined in the common Articles 3 and 9 of the Geneva Conventions.

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