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MDS RESEARCH PAPER

SOLDIERS AND SAVIOURS: NGO/MILITARY RELATIONSHIPS IN THE HUMANITARIAN MARKET PLACE

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Abstract

Humanitarian emergencies and peace operations are inherently complex. The diversity of organizations engaged in these types of scenarios makes coordination and cooperation between the numerous actors involved difficult. To highlight the difficulties, this paper examines how the humanitarian non-governmental organizations' (NGO) guiding principles of impartiality, neutrality and independence affect NGO/military relationships. It then questions the continuing relevance of these guiding principles in contemporary humanitarian and peace operations. In addition, individual and institutional barriers to coordination and cooperation witnessed in these types of operations are explored to determine how they may be overcome or mitigated. This paper demonstrates that, under these circumstances, only a limited level of coordination and cooperation can be achieved. Finally this paper supports the view that a rigid command and control method of coordination is unworkable; instead, it proposes that an informal approach to coordination is the most effective method of providing aid in today's humanitarian emergencies and peace operations.

Chapter 1 – Introduction

The two decades following the petering out of the cold war have seen a large number of humanitarian crises, the appropriate international responses to which have been the subject of intense debate and study. As the tense but essentially stable bi-polar security system between the West and the Soviet Bloc relaxed, many potential conflicts that had been contained by the influence of one side or another erupted into violence.

This trend has continued into the early 21st century. The causes of, and responses to, these crises have been studied extensively. Certain conflicts and humanitarian emergencies during this timeframe, such as those in Iraq, Somalia, Rwanda, the former Republic of Yugoslavia (FRY), East Timor and Sierra Leone have been considered in detail. Much criticism has been leveled at the inability of the actors in these conflicts to coordinate their efforts to improve the level and quality of security and aid.

This paper shows that the diversity of organizations engaged in humanitarian operations combined with the chaotic nature endemic to these emergencies complicate efforts at coordination among the wide array of actors involved. In order to highlight the difficulties involved, the continuing relevance of humanitarian NGO guiding principles of impartiality, neutrality and independence and their impact on NGO/military relations are examined. In addition, individual and institutional barriers to cooperation are explored in order determine methods by which they may be overcome or mitigated. An examination of the humanitarian NGO/military relationship in the context of complex humanitarian

¹See: Daniel L. Byman, "Uncertain Partners: NGOs and the Military," *Survival*, vol.43, no.2 (Summer 2001): 97-114; Kevin M. Kennedy, "The Relationship between the Military and Humanitarian Organizations in Operation *Restore Hope* in Somalia," *International Peacekeeping*, vol.3, no.1: 92-112; Chris Seiple, *The US Military/NGO Relationship in Humanitarian Operations* (Carlisle Barracks (PA): Center for Strategic Leadership, US Army War College, 1996); Thomas G Weiss, "Learning from Military-Civilian Interactions in Peace Operations," *International Peacekeeping*, vol.6, no.2 (Summer 1999): 112-128

and peace operations demonstrates that cooperation and collaboration to the level and extent desired by each organization is the best that may be expected in this new security paradigm. Finally this paper supports the view that the most effective means of providing humanitarian aid in a complex humanitarian emergency is an informal, consensual approach, rather than a command-based control system.

Much of the work in this field has surrounded the increasing involvement of militaries, particularly Western militaries, in humanitarian operations conducted in an ambiguous security environment, often where the line between the protagonists is constantly shifting. Often these interventions have been set against the backdrop of a civil war or ethnically-based conflict where it is impossible to differentiate clearly between combatants and non-combatants (for example Rwanda, Somalia or in states of the Former Republic of Yugoslavia). In many cases, the belligerents are part-time, irregular combatants, and the conflict area often ill-defined and changeable. This makes the application of protections afforded to combatants and civilians under the third and fourth Geneva Conventions problematic. Add to the mix child soldiers and lack of uniforms, insignia or disciplinary codes, and the complexity of the problem is exacerbated. A review of United States' Marine Corps Captain Chris Seiple's seminal book *The U.S. Military/NGO Relationship in Humanitarian Operations* gives a useful historical perspective to diverse natures of military interventions in peace/humanitarian

²In this paper, the term 'Western militaries' includes, but is not limited to, the Armed Forces of the US, UK, Canada, Australia and the Nordic countries of Denmark, Norway and Sweden.

³For a useful introduction to humanitarian law from the perspective of a humanitarian NGO (MSF), see Francoise Bouchet-Saulnier, *The Practical Guide to Humanitarian Law*, ed. and trans. by Laura Brav, (Lanham, MA: Rowman and Littlefield, 2002).

operations. ⁴ Seiple's book covers case studies of the US military/NGO relationship in four major operations and offers recommendations for improvements. ⁵ He acknowledges the complex and diverse nature of the actors involved and identifies many of their attendant challenges. He recognizes that aid-giving can have enormous impacts on donor governments (for example as seen in Somalia) and suggests that "careful understanding of and thinking about the strategic effects of relief operations can prevent inadvertent harm to the operation and nation's credibility." Nevertheless, he believes that the provision of aid should be apolitical, and that the politicization of NGOs and militaries involved in peace operations should be avoided. He makes a strong case that successful relationships can be developed and maintained provided that the diverse groups involved maintain the provision of humanitarian aid as their main consideration.

The interaction between militaries, UN agencies and NGOs has been much criticized.⁷ A good deal of the criticism surrounds a persistent failure of the various organizations' inability to work together towards developing an "overarching, shared vision" of the situation and the achievement of a common aim. These failings manifest themselves mainly in terms of issues of impartiality, neutrality and independence, cultural/institutional differences and prejudices, and difficulties in coordination and

⁴Seiple, The US Military/NGO Relationship..., 8.

⁵Operations *Provide Comfort* (Aid to Kurdish refugees in N Iraq), *Sea Angel* (relief to Bangladesh after a tropical cyclone), *Restore Hope* (providing relief in war-torn Somalia) and *Support Hope* (US involvement in Rwanda).

⁶Seiple, The US Military/NGO Relationship..., vi.

⁷See: Francis Kofi Abiew, "NGO-Military Relations in Peace Operations," in *Mitigating Conflict:The role of NGOs*, ed. Henry F. Carey, Oliver P. Richmond, (London and Portland, OR: Frank Cass: 2003), 24-39; Byman, "Uncertain Partners...,; Kennedy, "The Relationship between the Military and Humanitarian Organizations...,; Seiple, *The US Military/NGO Relationship...*,"; Thomas G Weiss, "Learning from Military-Civilian Interactions...".

⁸Seiple, The US Military/NGO Relationship..., 8.

cooperation. Many commentators suggest that these failings may be overcome by education, understanding, greater consolidation of groups with similar skills and deeper interpersonal interaction. Few (Thomas G. Wiess 10 is an exception) acknowledge that in these complex situations the acceptance of a "creative chaos" rather than the imposition of "botched efforts at coherence" may be the most pragmatic approach. Perhaps complete, efficient coordination of the numerous, diverse organizations, with varying, and often competing, mandates is an unrealistic dream, and one that from some viewpoints may even be undesirable.

This essay will examine the military/NGO relationship through examples of successful and not so successful interactions. It will then offer thoughts and recommendations on how better to improve military/NGO interactions in future humanitarian and peace support operations.

In the first section, the concepts of impartiality, neutrality and independence in these complex environments will be examined in order to determine their continuing relevance, and impact on military/NGO relations, in contemporary peace operations. The second section will explore levels of coordination and cooperation between militaries and humanitarian NGOs. It will also discuss institutional and cultural differences between militaries and humanitarian NGOs. It will make recommendations about methods to

⁹See: Kennedy, "The Relationship between the Military and Humanitarian Organizations...,"; Friis Arne Petersen and Hans Binnendijk, "The Comprehensive Approach Initiatives: Future Options for NATO," *Defense Horizons* 58 (Sep 2007): 1-5; Max Stevenson Jr, "Making humanitarian relief networks more effective: operational coordination, trust and sense making," *Disasters*, vol.29, no.4 (2005): 337-350; George Weber, "Introduction: Standards for Survival," *World Disasters Report 1996* (Oxford: Oxford University Press: 1996).

¹⁰Thomas G Weiss, "Learning from Military-Civilian Interactions in Peace Operations," *International Peacekeeping*, vol.6, no.2 (Summer 1999): 112-128.

¹¹Ibid., 123.

encourage convergence and development of understanding between the two communities, largely through professional development initiatives. These may help to overcome stereotyping and prejudice and lead to an environment of mutual trust and a willingness to work together where possible. The final section will compare the humanitarian space to a market economy. It will demonstrate that allowing freedom and creativity in the market place is the most pragmatic way of achieving a sound division of labour and effective distribution of aid.

This paper will show that the enormous diversity of the organizations, their motivations and drivers, will continue to be an insurmountable barrier to seamless integration. Furthermore, it will conclude that, for various reasons, from issues of impartiality through funding and desires for autonomy amongst others, many organizations do not seek closer integration with other actors in the sector. Nor would they accept amalgamation into a humanitarian conglomerate, unified by a single goal, even if that were to improve the aggregate impact of aid provided.

The difficulty of imposing command relationships in an essentially chaotic environment will be highlighted and will demonstrate that an approach to coordination and cooperation based on consensus rather than command is all that may be achieved. This paper will support a laissez faire approach that permits a level of coordination and cooperation without the need for someone to "be in charge."

In concluding, this paper will demonstrate that it is critical to develop a greater awareness and acceptance of the diversity of the natures of Western militaries and humanitarian NGOs. This will lead to an understanding that, at best, cooperation and collaboration in some aspects, for some of the time might be achievable. Humanitarian

emergencies are defined by their complex nature; this cannot be changed simply by improving relationships between the actors involved. At worst, the organizations should try keep the aim of providing aid at the fore, avoiding duplication of effort and mitigate mutual interference. This paper will demonstrate clearly that the best that may be hoped for is closer collaboration in an environment of "creative chaos," avoiding mutual interference whilst maximizing mutual support to the level desired by respective groups at any given time.

Although this paper is written from a military perspective, every effort will be made to include and acknowledge the views of humanitarian NGOs. In areas where there is a lack of a readily identifiable community view, such as in doctrine and the development of professional education for humanitarian NGO workers, a recommendation for further study will be made. Furthermore, due to the focus on the relationships between Western militaries and established NGOs, for example the ICRC, MSF, OXFAM and CARE, there is a "Northern" slant to this paper. However, it is acknowledged that relationships between other militaries and local, regional and national organizations from "Southern" nations are likely to become increasingly important to this field of study. ¹²

To begin with, it is necessary to define, or at least set limits for, what is meant by peace operations. This will be followed by a section reviewing the literature available in this area before setting out on the three main sections outlined above.

¹²The designation between Northern and Southern countries is based on United Nations Human Development Index criteria. It tends to refer to the difference between more industrialized and less industrialized nations. The terms are widely used in development management studies and attempt to remove the value judgment implied by previous distinctions such as developed versus less developed nations. "Western" nations belong to the Northern group of nations, even though some, like Australia, are in the Southern and Eastern hemispheres.

What is a Peace Operation?

The fluid nature of these conflicts makes categorization in terms of the UN Charter (Chapters VI, VI and a half or VII) problematic. They can, and do, transform themselves from one end of the peace operations spectrum, (from peacekeeping, through enforcement to peacemaking) in very short periods of time. Thus there is an emerging lexicon for peace operations, such as former US President Clinton's "complex contingency operations" and "complex political emergencies," or "complex humanitarian operations." Most of the new definitions or titles acknowledge an increase in complexity over "traditional peacekeeping." They recognize that these operations take place within an ambiguous political and security environment, and, from the perspective of the various actors, in a contested methodological and philosophical space.

In a review of humanitarian literature Ian Johnstone, Associate Professor of
International Law at the Fletcher School of Law and Diplomacy, Tufts University, found a
wide variety of peace operations' categories. He notes that:

Bellamy, Williams and Griffin (2004) list five types of peace operation: traditional, managing transition, wider peacekeeping, peace enforcement and peace support operations. Thakur and Schnabel (2001) identify six "cascading generations" of peace operations: traditional, non-UN, expanded, peace enforcement, peace restoration by partnership and multinational peace restoration/UN state-creation. Diehl (2001) tops them all, with twelve types of mission, ranging from traditional peacekeeping and observer missions to intervention in support of democracy and sanctions enforcement.¹⁵

¹³Presidential Decision Directive 54, in Daniel L. Byman, "Uncertain Partners: NGOs and the Military," *Survival*, vol.43, no.2 (Summer 2001): 99.

¹⁴Hugo Slim, "Military Humanitarianism and the New Peacekeeping: An Agenda for Peace," *IDS Bulletin*, vol.27, no.3 (1996): 89.

¹⁵Ian Johnstone, *Review of Peace Operations Literature 2005*. Available from http://www.peacekeepingbestpractices.unlb.org/pbps/library/Peace%20operations%20final%20literature%2 http://www.peacekeepingbestpractices.unlb.org/pbps/library/Peace%20operations%20final%20literature%2 http://www.peacekeepingbestpractices.unlb.org/pbps/library/Peace%20operations%20final%20literature%2 http://www.peacekeepingbestpractices.unlb.org/pbps/library/Peace%20operations%20final%20literature%2 <a href="http://www.peacekeepingbestpractices.unlb.org/pbps/library/Peacekeepingbestpractices.

Diehl's categorization of twelve categories of peace operations is too fine a distinction for practical purposes and probably unhelpful in this study. ¹⁶ Bellamy, Thakur and Schnabel's extension into the nation-building aspects is useful in shaping civil-military interaction when considering the whole of government or comprehensive approaches, including security sector reforms in post-conflict areas. Their recognition of non-UN, multinational categories of peace operation has implications for the perceived legitimacy of interventions by other International Organizations (IOs) (such as NATO) is also valuable as a comparative tool. But, for the purposes of this paper, Bellamy, Williams and Griffin's five categories are probably the most useful because they tend to reflect the spectrum of operations from UN Chapter VI through Chapter VII missions. Furthermore, their categories appear in many Western military doctrine publications.

There is no "one size fits all" approach to the classification of peace operations or humanitarian intervention. The spectrum of activity and diversity of stakeholders are simply too broad to permit generation of a clinical, definitive nomenclature or rigid hierarchical taxonomy. Thus, it is to be expected that the name or title given to an operation may vary depending upon the organizations concerned, the reasons for and extent of their involvement, and their perceptions of the desired outcome of their intervention.

For the purposes of this essay, the most common terms found in literature and military doctrine for these complex emergencies will be used dependent upon their nature.

http://www.peacekeepingbestpractices.unlb.org/pbps/library/Peace%20operations%20final%20literature%20review.pdf; Internet; accessed 31 January 2009, 7.

¹⁶Paul Diehl (2001), "Forks in the Road: Theoretical and Policy Concerns for 21st Century Peacekeeping" in P. Diehl ed. *The Politics of Global Governance: International Organizations in an Interdependent World* (Boulder, CO: Lynne Rienner 2001), cited in Ian Johnstone, *Review of Peace Operations Literature 2005*. Available from

These frequently seen terms, peace operations, peace support operations and humanitarian operations, will be employed to situate broad types of interventions in which there is military interaction with UN peacekeeping and support agencies and other humanitarian NGOs. Where necessary, further taxonomic categorization will be explained and used in order to more clearly place the operation in question along the peace operations' spectrum.¹⁷

The term non-governmental organization (NGO) is an umbrella term used for a wide variety of agencies and organizations, and they are not all humanitarian in nature. However, in this paper, the terms NGO, non-governmental humanitarian agency (NGHA) and humanitarian NGO will be used interchangeably to describe those organizations that exist to provide relief in complex humanitarian emergencies. The conscious use of the different terms is important as they reflect the various titles used by the agencies and organizations themselves and how they are described in the literature reviewed in this study.

Literature Section

Much of the body of literature on peace operations has concentrated on the relationship between the various militaries and national government or warring factions, international organizations (IOs), their agencies and the other, non-governmental organizations (NGOs) involved. The literature that examines the relationship between the militaries, IOs and NGOs has concentrated largely on the difficulties of communication and coordination, issues of neutrality, impartiality and independence, and institutional and organizational differences. A survey of peace operations literature in 1999 found that

¹⁷United Nations, *Peacekeeping Operations: Principles and Guidelines* (New York: DPKO, 2008), 17.

"about one quarter of the 2,200 entries [published between 1989 and 1996] are related to civilian-military interaction in complex emergencies of the post-Cold War period." A more recent review of peace operations literature shows that:

The literature on peace operations grew significantly at the end of the Cold War, tapered off in the late 1990s, and has picked up again in the last several years. The most recent wave is attributable to three factors: the surge of new operations since 1999, the release of the UN's Brahimi Report in the year 2000, and the events of September 11, 2001.¹⁹

Johnstone explains that studies of peace operations are difficult to categorise, but he nonetheless manages to identify five broad areas: peace operations in international relations theory; case studies, including empirical studies on the effectiveness of peacekeeping; peacekeeping and peace-building functions; national and regional perspectives; peace operations capacity, doctrine and reform.²⁰ He also concedes that the lines between the categories are "blurred" and that many works belong in more than one category.

Of the categories of most interest to this study (case studies and peace operations capacity, doctrine and reform), much of the effort has focused on civil-military (CIMIC) interaction, both governmental and non-governmental. This would support the view that this area remains a relevant contemporary field of study.

Many of the case studies of civil-military interaction in humanitarian relief and peace operations tend to assume that militaries inhabit one side of the peace operations' paradigm and IOs and NGOs the other. In the chaotic environments that often

¹⁸Weiss, "Learning from Military-Civilian Interactions...", 112.

¹⁹Johnstone, Review of Peace Operations Literature 2005..., 7.

²⁰Ibid.

characterize the establishment and delivery of humanitarian aid in complex emergencies, this is a natural distinction to make; militaries tend to be uniformed, armed and ready to use force, whereas the civilian actors have no appetite for becoming involved in the application of violence. Although the varying capabilities, disciplined nature and cultures of militaries are mentioned in some papers, militaries are generally treated as if they all share common characteristics. ²¹

The tendency to generalize about militaries can be misleading and can hinder an analysis of their relationships with civilian bodies (which also are enormously diverse organizations). However, as Max Weber explained with his "ideal types," broad categorizations based on shared characteristics can also be useful. This paper will make similar claims but will restrict the scope of generalizations by limiting discussions to those militaries from Western, liberal democratic countries that do tend towards similar organization and culture.

Military involvement in peace operations where their interaction with IO/NGOs was likely has undergone a metamorphosis in scope and scale. Initially, during the early 1990s, the interventions attempted to follow the cold war template of UN observer-type missions, similar to those seen in Israel (UNEF II 1973-79), Golan Heights (UNDOF 1974-present) and Cyprus (UNFICYP 1964-present). However, the conflict in Somalia, in particular, alerted authorities, both international and domestic, to a new type of operation, one in which the lines of conflict were less clear and took place between

²¹For a good description of the diversity of militaries and NGOs see Oliver P. Richmond's "Introduction: NGOs, Peace and Human Security," *International Peacekeeping*, vol. 10, no. 1 (2003): 26.

indistinct protagonists. These were articulated within the framework of UN Charter as Chapter VI through to Chapter VII missions or tasks.

Peace support operations may be viewed in terms of a spectrum including "coercion and enforcement" as described by Michael Pugh. ²² This spectrum has at one end Chapter VI missions (relatively benign peace-keeping operations) and continues through to Chapter VII (peace enforcement missions). Chapter VII missions are those in which the UN Security Council authorized the use of force in support of the mission rather than purely for self-defence. A further category has been identified, that of Chapter VI and a half missions, which fall between Chapter VI and Chapter VII. ²³ Also, the potential exists for the nature of missions to change from one end of the peace operations spectrum to the other, often with little or no warning. The unstable nature of the international situation, and the need for military intervention was also recognized by IOs other than the UN, such as the EU. The EU articulated the tasks that emerged from this new unstable situation under Article 17 of the Treaty Of European Union (otherwise known as the Lisbon Treaty) as the "Petersberg Tasks." ²⁴

The taxonomy of peace operations started to evolve and two works in particular (Bellamy, Williams and Griffin²⁵ and Diehl, Druckman and Wall²⁶) have generated a

²²Michael Pugh, "Military Intervention and Humanitarian Action: Trends and Issues," *Disasters*, vol. 22, issue 4 (2002): 339-351.

²³Dag Hammarskjöld, the second UN Secretary-General, referred to "Chapter Six and a Half" of the Charter, as being between traditional methods of resolving disputes peacefully, such as negotiation and mediation under Chapter VI, and more forceful action as authorized under Chapter VII. Available from http://www.un.org/Depts/dpko/dpko/; Internet; accessed 25 February 2009.

²⁴The Petersberg Tasks. Available from http://europa.eu/scadplus/glossary/petersberg_tasks_en.htm; Internet; accessed 30 January 2009.

²⁵Alex Bellamy, Paul Williams and Stuart Griffin, *Understanding Peacekeeping* (Cambridge: Polity, 2004).

variety in the number of peace operations categories. The lines between each type are diffuse, leading to ever increasing expansion of the number of categories. This increasing number has not helped to define them more clearly and especially in Diehl, Druckman and Wall's case, may add to the confusion by introducing greater social and political drivers into categorization. AB Fetherston, of the University of Bradford's Centre for Conflict Resolution, agrees:

The real difficulty in providing a comprehensive functional definition of peacekeeping is that as peacekeeping takes on more and more functions the definitions get longer, more general and less useful.²⁷

British Army doctrine addresses the post-cold war arena of peace operations from a perspective of "wider peacekeeping," accepting that the operations are fluid and likely to change in type and intensity as the situation develops.²⁸ In this case, British Army doctrine makes no taxonomic distinction, but offers advice over the complete spectrum of expected involvement in peace operations. This new doctrine includes the "softer" side of peace operations, which was until then typically ignored in favour of the traditional military interventions using force as the main effort. Many other western militaries have also developed doctrine in this area, with the Canadian, US and Australian being fairly similar to the British model, whilst the Nordic countries have developed doctrine that

²⁶Paul F. Diehl, Daniel Druckman and James Wall, "International Peacekeeping and Conflict Resolution: A Taxonomic Analysis with Implications," *Journal of Conflict Resolution*, vol.42, no.1 (Feb. 1998): 33-55.

²⁷A.B. Fetherston, *Towards a Theory of United Nations Peacekeeping* (London: Macmillan Press Ltd, 1994), 128.

²⁸For a treatment of the British Army's doctrine of "wider peacekeeping", see Thomas Woodhouse, "The Gentle Hand of Peace? British Peacekeeping and Conflict Resolution in Complex Political Emergencies," *International Peacekeeping* vol.6, no. 2 (Summer 1999): 24-37.

leans heavily towards the "soft power" side and emphasizes human security over traditional military operational concerns. 29

The NATO CIMIC (Civil-Military Co-operation) doctrine publication (AJP-9) concentrates on organizational matters and offers little advice to practitioners in the field. In Western military doctrine writ large, the advice covers what to do, not how to do it and is not helpful in addressing the problems seen in the literature reviewed. However, doctrine should not be ignored, as some of the solutions proposed to the problems seen are authorized in doctrine by the "what to do"; thus doctrine may be a useful enabler in marshalling resources in support of these solutions in the future.

An important body of literature that has emerged since the early 1990s covers the debate on Codes of Conduct, accountability and standards (in particular the Sphere project on minimum standards) in the provision of humanitarian assistance. This is an important area of study that has the potential to inform relationships between humanitarian NGOs and military forces, particularly when considering technical cooperation. However, the ideas are contentious because they tend towards encouraging consolidation in the field of aid provision, something that seems to be welcomed in theory, but resisted in practice. Universal application of codes of conduct and minimum standards has the potential to impact the fundamental guiding principles of impartiality,

²⁹See Peter Viggo Jakobsen, The Danish Approach to UN Peace Operations after the Cold War: A New Model in the Making?" *International Peacekeeping*, vol.5, no.3 (Autumn 1998): 106-23.

³⁰NATO (AJP-9) Civil-Military Cooperation (Brussels: NATO).

³¹See: Dorothy Hilhorst "Being Good at Doing Good? Quality and Accountability of Humanitarian NGOs," *Disasters*, vol.26, no.3: 193-212; Hugo Slim "Claiming a Humanitarian Imperative: NGOs and the Cultivation of Humanitarian Duty," *Refugee Survey Quarterly*, vol 21, no.3 (2002): 113-125; Jacqui Tong "Questionable Accountability: MSF and Sphere in 2003," *Disasters*, vol.28, no 2 (June 2004); 176-89; Peter Walker "Cracking the Code: the genesis, use and future of the Code of Conduct," *Disasters*, vol.29, no.4 (2005): 323-336.

neutrality and independence that almost all humanitarian NGOs espouse. Furthermore, the concepts tend to favour the larger, well-funded and long-established NGOs, and open the smaller organizations open to criticism if they are unable to meet procedures called for in a code of conduct or the minimum technical standards laid down in Sphere. Failure to meet these conditions can have a negative impact on funding, or a willingness of a government agency to use the non-compliant agencies as contractors in the emergency. Furthermore, and important for military/humanitarian NGO relationships, initiatives such as the ICRC Code of Conduct, Sphere and the Humanitarian Accountability Project (HAP) have been criticized because they did not consider completely the implications of aid provision in conflict situations. The code of conduct and accountability debate will be addressed in the section concerning consolidation later in the paper.

The impact of information technology in peace operations is not well covered in the literature reviewed. Some studies mention interoperability issues of radios, computers and other communications aids.³² However few offer solutions and none talk about the utility of multi-agency theatre/crisis-wide web pages using web 2.0 user generated content processes as a method of broadcast media to aid a common understanding of the situation. Modern technology could improve the ability to communicate with ease with one another and appreciate a common picture via radios and IT systems. Application of these technological tools could have a positive impact on the ability of militaries and humanitarian organizations to talk and collaborate in the field. This is an area in the study of peace operations that deserves greater attention.

³²Paul F. Diehl, "The Political Implications of Using New Technologies in Peace Operations," *International Peacekeeping*, vol.9, no.3 (Autumn 2002): 1-24; Nick Spence, "Civil-Military Cooperation in Complex Emergencies: More than a Field Application," *International Peacekeeping*, vol.9, no.1 (Spring 2002): 165-171.

A growing area of study covers feminist perspectives on peace operations. This area of study offers great insight into certain areas, in particular protection of women, children and other vulnerable, uninvolved persons, micro-financing and relationship-building. However, it has yet to filter through to a position where the ideas can be operationalised in terms of its impact on military/civil interaction. So whilst it is an important area of study, and one that shows great promise, it will not be fully fused into the discussion in this paper. However, it is recognized that allegations of sexual abuse at the hands of peacekeepers, prostitution to peacekeeping troops and cultural insensitivity may have a profound impact on military/civil interaction. It is likely that feminist perspectives will become increasingly valuable as a resource as this area of study matures.³³

Private (commercial) sector involvement in peace operations is a growing field of study. Christopher Spearin raises some interesting ideas on the utility of replacing military personnel with private security operatives in humanitarian interventions.³⁴ They have not been incorporated in this paper as replacing military with private security organizations (PSO) will not alleviate the issues the military has with NGOs, and may well instead exacerbate them. However, lessons learned in the field of PSO-NGO relationships in the future may complement lessons already identified in military/humanitarian NGO interactions, particularly if these NGOs contract-out security tasks on a regular or wide-spread basis.

³³For examples see Louise Olsson and T. L. Tryggestad, *Women and International Peacekeeping* (London: Routledge, 2001), and Sandra Whitworth, *Men, Militarism, and UN Peacekeeping: A Gendered Analysis* (Boulder, CO: Lynne Reiner, 2004).

³⁴Christopher Spearin, "Between Public Peacekeepers and Private Forces: Can There be a Third Way?" *International Peacekeeping*, vol.12 no.2 (2005): 240-252.

Chapter 2 – Guiding Principles

Impartiality and Neutrality

In order to carry out their mandates, abide by their charters and satisfy the desires of their supporters, humanitarian NGOs need to uphold their principles of neutrality, impartiality and independence. Historically, culturally and institutionally, these principles have been critical to the identities of humanitarian NGOs and are articulated in their charters, constitutions and codes of conduct. The UN has a similar trinity of peacekeeping principles that are equally integral to its history: consent of the parties, impartiality and non-use of force except in self-defence or defence of the mandate. However, the nature of peacekeeping since the end of the Cold War has put the guiding principles of humanitarian NGOs, and indeed those of the UN, including its peacekeeping troops, into doubt. In conflicts witnessed since the end of the Cold War, the principles have been challenged by increasing attacks on relief workers, the lack of respect for international law shown by belligerents, employment of child soldiers and the interception of aid provisions which are then used to sustain the conflict or war economy. The desired states are supported by the desires and satisfy the desires and satisfy

This section examines how valid the notions of neutrality, impartiality and independence remain in peace operations in the post-Cold War world. It shows that the complex nature of these operations makes impartiality and neutrality difficult, contested concepts particularly given the humanitarian NGOs' enduring need for autonomy and freedom of action. For example, situations where NGOs require military protection, or

³⁵United Nations. Department of Peacekeeping Operations, *Peacekeeping Operations: Principles and Guidelines* (New York: DPKO, 2008), 31.

³⁶Weiss, "Learning from Military-Civilian Interactions...", 113.

have unforeseen second or third order impacts on the operation, may unintentionally compromise claims of impartiality or neutrality.

To begin though, it is important to determine what is meant by the terms neutrality, impartiality and independence. They are viewed as closely inter-connected concepts within the humanitarian aid community, and their meanings are often conflated or misused. In particular, neutrality and impartiality are poorly understood and often used interchangeably despite being distinct concepts.

Broadly speaking, neutrality means a refusal to take sides in a conflict, whereas impartiality means that action is taken without regard for the beliefs, gender, creed, ethnicity or any other discriminator. It also means the recipient of any action benefits from it without "favour or prejudice to any party." But it is widely accepted that the term "neutrality" is not universally understood in the same way by all organizations:

Even though most humanitarian actors consider themselves neutral, not all of them understand the concept of neutrality in the same way. This may be so because there is no general principle of neutrality and impartiality in general custom and because its various elements (constitutional element, code of conduct, substantive principles, etc.) may vary greatly.³⁸

So neutrality does not mean indifference, nor does it infer an inability to act. It means that the neutral organization separates itself from the conflicting parties physically, politically and philosophically. Thus there must be a clear differentiation between those claiming to be neutral and those involved with the actual conflict. This makes interaction with the military difficult in conflicts where the military sector is involved in combat or kinetic operations (in particular with regard to UN chapter VI 1/2 and chapter VII

³⁷United Nations. *Peacekeeping Operations...*, 33.

³⁸Charlotte Ku and Joacquin Caceres Brun, "Neutrality and the ICRC contribution to Contemporary Humanitarian Operations," *International Peacekeeping*, vol.10, no.1 (2003): 59.

missions). Interaction of any kind with a non-neutral party (in this case the military) may be seen to taint the neutrality of the other organization, even if the interaction has little or nothing to do with the conflict *per se*. Impartiality on the other hand is an active concept, one that ensures any humanitarian action taken is even-handed and based on need rather than any other consideration. Pierre Kraehenbueh of the International Committee for the Red Cross (ICRC), a well-respected, influential and fiercely autonomous humanitarian NGO, neatly explains their meanings:

Taking a neutral position is often mistaken for indifference to the situation at hand. But not taking sides in a conflict does not mean being indifferent. The ICRC is not neutral in the face of violations of international humaniarian law. It takes a conflict as a given fact. It strives to ensure that all those taking part in the hostilities respect humanitarian law. Neutrality is therefore means to an end, not an end in itself Impartiality means that humanitarian action should benefit people without discrimination.³⁹

Independence is the ability of an organization to work towards the completion of its goals without undue interference or control, and to be able to operate within its own mandate without compromising efficiency to accommodate others' needs. Independence may also be seen from the perspective of remaining clearly disassociated from another organization's agenda, political or otherwise. Consider military medical services: as members of the military they answer to the state and are inextricably linked to the political aims of that state. However, as health-care professionals they dispense medical care on an entirely impartial basis. Their application of resources is driven by the needs of the patient, irrespective of nationality, allegiance or even conduct prior to treatment. They are

³⁹Pierre Kraehenbueh, "The ICRC's approach to contemporary security challenges: A future for independent and neutral humanitarian action," Available from http://www.cicr.org/Web/eng/siteeng0.nsf/htmlall/66CM82/\$File/irrc_855_Krahenbuhl.pdf; Internet; accessed 14 February 2009.

an integral part of the service they exist to support, but they remain independent in the way they provide that support. Like NGOs, they too have charters, professional constitutions, and codes of conduct and ethics that are pivotal to their identity and very existence. So independence may be understood as an ability to fulfill one's own tasks and mandates whilst remaining clear of external operational or political influence.

Efforts to adhere to the guiding principles in the complex humanitarian emergencies in which militaries and humanitarian workers are in ever-closer contact create difficulties in their relationships in the field. Militaries often feel the need to protect relief workers, whether that protection is asked for or not, and this can raise doubts about an organization's neutrality. NGOs that share information with the military and accept a military's interpretation of a situation can expect questions about their impartiality to be raised. The imposition of military definitions of security can lead to organizations being asked to restrict their freedom of movement, and requesting cooperation or support from the military can compromise their independence. Whether these impacts are real or perceived is largely immaterial, as perception is critical to the way a humanitarian NGO presents itself in theatre both to other NGOS and agencies in the sector, and to the local populace. Case studies, particularly those examining civil wars and conflicts characterized by ethnic violence, for example Somalia, Rwanda and the FRY suggest that humanitarian NGOs have struggled to remain faithful to those principles when working with, or close to, the military. So it is worth examining how relevant these guiding principles remain in peace operations today.

The diversity of aims, cultures, size and capabilities of NGOs in an everexpanding field means that any attempt to explain the sector's attitudes to these issues will involve a high level of generalization. Thus this examination will restrict itself to the large, more doctrinally mature, capable and internationally respected NGOs which can be shown to have a relatively similar view on these issues, for example, Medicins Sans Frontiers (MSF), OXFAM and the ICRC.

In this section, because of the tendency to use the terms interchangeably, the issues surrounding neutrality and impartiality will be discussed first. Perceptions of independence will be discussed later, largely as a separate and distinct concept.

Part of the difficulty that humanitarian NGOs face in maintaining these important characteristics is found in the changing nature of UN involvement in peace operations. Over the past sixty years, the UN and humanitarian NGOs have developed close relationships. This is partly because the UN's principles and missions closely mirrored those of the humanitarian NGOs and also because the competencies developed by these NGOs, and their experience and understanding of the humanitarian sector, have become important resources to the UN. So sometimes it is difficult to see where a UN agency's responsibility differs from that of a humanitarian NGO. Often, particularly "service" type NGOs, ones that provide food, water, sanitation and other essentials, are used as contractors to complete UN missions and tasks. ⁴⁰ This makes the links between the UN and NGOs extremely important to both. During past operations where the UN military functions were largely passive, acting mainly as observers, the NGO-military relationship had few ideological difficulties.

⁴⁰Kerstin Martens, *NGOs and the United Nations: Institutionalization, Professionalization and Adaptation* (Basingstoke: Palgrave Macmillan, 2005), 34.

In more recent times, especially after the publication of the Brahimi report, there seems to be a growing awareness that the UN will need to take sides when conducting operations which tend towards peace enforcement rather than peacekeeping. ⁴¹ The Brahimi report recognized the changing nature of peace operations and need for a more robust military force equipped with more permissive rules of engagement (ROE) to support the new types of operations. Importantly, the Brahimi report recognized, for the first time, the "implied authority [of UN peacekeeping forces] to halt violence against civilians." ⁴² If the UN is forced to take sides, UN neutrality, and that of its military forces, once a central tenant of UN intervention and a constant in peace operations, then becomes a contested concept.

There is some evidence that the UN is being forced to accept the compromises to its claim to neutrality. Dominick Donald, Chief Analyst at Aegis Defense Ltd, has explained that in cases like Srebrenica, the maintenance of UN neutrality in the face of significant human rights abuses jeopardized a force's physical and political survival. In another article, he noted:

An impartial entity is active, its actions independent of the parties to a conflict, based on a judgment of the situation; it is fair and just in its treatment of the parties while not taking sides. A neutral is much more passive; its limited actions are within restrictions imposed by the

⁴¹The recognition of the requirement of robust ROE is central to the recommendations of the report, but the implementation of those recommendations raises questions surrounding UN neutrality, in William Durch, *et al. The Brahimi Report and the Future of UN Peace Operations* (Washington D.C.: Henry L Stimson Center, 2003), 21.

⁴²William Durch, *et al. The Brahimi Report and the Future of UN Peace Operations* (Washington D.C.: Henry L Stimson Center, 2003), 23.

⁴³Dominick Donald, "The Doctrine Gap: The Enduring Problem of Contemporary Peace Support Operations Thinking," *Contemporary Security Policy*, vol.22, no.3 (Dec 2001): 106-115.

belligerents, while its abstention from the conflict is based on an 'absence of decided views.⁴⁴

Thus, to be effective, he implies that impartiality, rather than neutrality, is the essential characteristic required of actors in peace operations; intervention, if it is to be successful, must not have an 'absence of decided views' and cannot therefore be neutral:

Experience shows ... that in the context of intra-state/transnational conflicts, consent may be manipulated in many ways. Impartiality for United Nations operations must therefore mean adherence to the principles of the Charter: where one party to a peace agreement clearly and incontrovertibly is violating its terms, continued equal treatment of all parties by the United Nations can in the best case result in ineffectiveness and in the worst may amount to complicity with evil. 45

The UN therefore can still reasonably claim impartiality while patently not remaining neutral. This might at first seem impossible, but if one accepts that the UN will act on a situation dependent upon its merits, rather than the actors involved, then it is clearly possible to act impartially to respond to a crisis, whilst legitimately recognising the need to support the 'wronged' side. This is an important concept, because humanitarian NGOs who act for the UN under these circumstances may see their own neutrality compromised by association. Humanitarian NGOs often act as contractors and enablers for UN programmes - it is in this context that their claim to neutrality is threatened.

When the UN, and its troops, abandons its own principle of neutrality, this has a significant impact on some of those humanitarian NGOs upon which the UN relies to provide vital services. They either have to accept this compromise or choose to avoid working with or for the UN. There is little evidence that these NGOs have been able to

⁴⁴Dominick Donald, "Neutrality, Impartiality and UN Peacekeeping at the Beginning of the 21st Century," *International Peacekeeping*, vol.9, no.4 (Winter 2002): 22.

⁴⁵Alex Bellamy, Paul Williams and Stuart Griffin, *Understanding Peacekeeping...*, 89.

reconcile this problem, and perceptions of neutrality continue to inform the relationship between humanitarian NGOs and the military, even in the context of a UN mandated peace enforcement mission. The humanitarian NGOs most affected by this issue tend to be the larger, more established, ideologically and doctrinally mature "service" organizations such as the ICRC, CAFOD, CARE and MSF.

So in the post-Westphalian, post-Brahimi report security environment, many humanitarian NGOs have found themselves in a difficult position with respect to their relationship with the previously steadfastly neutral UN. Their earlier relationship with the UN had few philosophical difficulties, but as the UN admitted circumstances for abandoning neutrality, but not its impartiality, ideological differences emerged. Add UN-mandated military forces to the mix, and that abandonment of neutrality becomes even more unpalatable for some organizations.

Humanitarian NGOs are not entirely free from compromises to their neutrality and impartiality. It may be that at the point of delivery of the aid or service that these principles may be claimed, but the impact of giving aid cannot be predicted with any certainty. Saving the life of a young male child may be perpetrating violence in a generation that will learn to hate and take up arms, whether voluntarily or under duress, as a child soldier in the future. There can be no suggestion that immediate life-saving aid should not be delivered, merely that a high-minded claim to neutrality and impartiality may not stand up to close inspection once those helped become involved with the conflict at a later stage. As history professor, Thomas Mockaitis points out, giving aid, even if

done so from a neutral and impartial position, offers a relative advantage or disadvantage to one side or the other. 46

In the post-Westphalian, complex security environment of the early 21st century, where intrastate, cross-border, inter-ethnic and civil wars are more common than 'traditional' inter-state conflicts, it is fair to ask whether neutrality is still appropriate as a guiding principle. The UN, as acknowledged in the Brahimi report, is realizing that the previous stance of neutrality above all is becoming out-moded. The difficulty with remaining neutral, be it from the perspective of a military, an IO like the UN, or a humanitarian NGO is that inaction in the face of humanitarian abuse or crises can perpetuate the situation. It leads to what Kofi Annan has called "neutrality in the face of evil."

It is easy to see why organizations wish to be perceived as neutral, and also easy to understand why those organizations would guard against losing their neutral status by too close an involvement with an organization that clearly is not neutral. It is important to understand neutrality as an absence of action, whereas impartiality involves action of some sort, but applied equally regardless of to whom it is applied. This complicated but vital distinction is often missed, even at the highest levels of organizational leadership or competence. Even Kofi Annan, the former Secretary General of the UN struggled to discriminate between the two concepts. In his report on the fall of Srebrenica he explained the inaction of the Dutch peacekeeping troops as reflecting an 'institutional

⁴⁶Thomas R. Mockaitis, *Peace Operations and Intrastate Conflict: the Sword or the Olive Branch?* (Westport, CT: Praeger, 1999), 5.

⁴⁷Kofi Annan "Secretary-General Reflects on Promise, Realities of his Role in World Affairs." address to the Council on Foreign Relations, 19 Jan 1999, UN Press Release, SG/SM/6865.

ideology of impartiality even when confronted with attempted genocide."⁴⁸ Annan was actually referring to the troops' insistence on neutrality, in accordance with their mandate, rather than their impartiality.

Military commanders do not necessarily understand the importance humanitarian NGOs place on upholding their principles. Yet senior commanders are as often single-minded in the pursuit of their mission as humanitarian NGOs are in the desire to fulfill their mandate. Also, military commanders assume a position of legitimate authority that might not be accepted by those workers that are not under their command. Romeo Dallaire, commander of UNAMIR, the UN mission in Rwanda in 1994, demonstrated a lack of sensitivity that betrayed a fundamental misunderstanding of humanitarian NGO motives:

H[ansen] left a team behind with orders to integrate with the Force HQ and promised to convey my plan and directives to the aid agencies, though he could not guarantee that they would all fall in line. I told him to pass on a simple message: if any one of them aided and abetted the belligerents by even inadvertently allowing aid resources to end up in the hands of troops, I would expel them from Rwanda and answer questions later.⁴⁹

Dallaire's comments illustrate his lack of awareness of the *realpolitik* of providing aid in civil strife. In order to achieve any success, one must accept that some aid may be misappropriated. For the military this may be seen as providing comfort to belligerents, but to humanitarian NGOs, it can be a necessary evil resulting from a poor security situation and a desire to bring as much aid as possible to the innocents. In Rwanda, Dallaire seemed to think this compromised neutrality, as aid was falling into the hands of

⁴⁸UN Document A/5/549, para 505. Cited in Dominic Donald "Neutrality, Impartiality and UN Peacekeeping...", 24.

⁴⁹Romeo Dallaire, *Shake Hands with the Devil: The Failure of Humanity in Rwanda* (Toronto: Random House Canada, 2004), 329.

the Interahamwe and Rwandan Government Forces (RGF). The humanitarian NGOs on the other hand saw their actions simply as pragmatic responses to a bad situation. ⁵⁰ It could be argued that the humanitarian NGOs in Rwanda were compromising neither principle of neutrality or impartiality by bringing aid that was then misappropriated. As has been shown, neutrality is a passive concept. The aid being diverted had nothing to do with the NGOs' intentions, nor were they being partial in its delivery. Furthermore, as Daniel Byman (Director of Georgetown University's Center for Peace and Security Studies) points out, even if the NGOs were willing to cooperate with the military to prevent aid being stolen, few would "want to shoot people for taking the food that they brought." The UNHCR also acknowledge the difficulty of keeping aid from belligerents:

Because of the need to negotiate with armed groups for access to displaced people and other conflict-affected populations, aid agencies often implicitly accept that a proportion of their relief will go to the very groups which are waging the war.⁵²

This does not mean they are taking sides, nor does it mean that they are being partial to one side or another – it is entirely likely that NGOs would negotiate with whichever side was necessary in order to get some relief through. If they were to follow military orders, it is unlikely that any aid would reach its target.

In many instances, military commanders do not realize that NGOs understand the terms neutral and impartial differently. To the military, remaining neutral and impartial

⁵⁰Interahamwe were the irregular militia that had committed many of the killings of Tutsi and Hutu moderates.

⁵¹Daniel L. Byman, "Uncertain Partners: NGOs and the Military," *Survival*, Vol.43, no.2 (Summer 2001): 99.

⁵²UNHCR, State of the World's Refugees (New York: Oxford University Press, 1997), 45.

may mean simply not engaging either side of a conflict. The military has a clear line of authority to which it must answer and remaining unengaged is an option. To humanitarian NGOs, things cannot be that clear cut, particularly in conflicts where the military is unwilling, or unable, to provide security for the delivery of aid. NGOs answer to their headquarters (HQs), their mandate, and the population in need, and ultimately are guided by their own consciences, rather than by a formal command and control structure. In order to improve the NGO/military interface in humanitarian emergencies, military officers must learn to appreciate the imperative to uphold the principles that guide the humanitarian NGO community.

Recent engagements by the UN, militaries and NGOs, (for example Somalia, Rwanda, FRY, Sierra Leone) seem to demonstrate a growing awareness that in intra-state complex emergencies, neutrality is a contested concept, one that is increasingly difficult to define and apply. The post-Brahimi report UN realizes that choices must be made, yet it must also be careful how it manages the concept of neutrality within the principles which have underpinned its deliberations since its formation. UN forces, and those acting on UN mandates are unlikely to stand idly by in the face of humanitarian atrocities and will therefore abandon to some degree their claims to neutrality. Put simply, "people seem to prefer impartiality [to neutrality] nowadays." Even some of the more established and staunchly philosophically neutral humanitarian NGOs recognize the difficulty of providing aid in the ambiguous security environment of complex emergencies:

 $^{^{53}\}mbox{Donald},$ "Neutrality, Impartiality and UN Peacekeeping...", 22.

According to the majority of humanitarian organizations, there can be no neutrality in cases of grave breaches of international humanitarian law. For example, Medecins Sans Frontieres (MSF) refuses to wait for the approval of all parties before acting. It insists on the right to speak out in the face of human rights violations. Putting populations in danger first, above political considerations, is engrained as core to our mission – and in this MSF has helped shape the humanitarian movement world-wide. ⁵⁴

This growing awareness is likely to lead to improving relationships between militaries and NGOs operating in the same space, because one of the main principles leading to the reluctance to be seen to be working together is under assault. The principle of neutrality may be a necessary casualty of the new security paradigm. Some NGOs, for example MSF, accept that neutrality is becoming more difficult to achieve: one of their experienced aid workers, Stephan Goetghebuer, said humanitarian workers were in danger of losing their neutral status:

I think it's more difficult for us to introduce ourselves as being completely neutral today. I think today we are confronted with Western interests that are present in those countries, or Western positions that are extremely tough... There is today a line that is far less clear between what is the interest, sometimes military objective, of Western countries and the way we are perceived amongst the population. We are an international organisation, but we are still perceived as being very Western.⁵⁵

Neutrality has been shown to be a contested concept in the humanitarian emergencies witnessed recently. Impartiality, however, remains a much less contested issue and should be upheld wherever possible. Upholding impartiality as a clear guiding principle will help militaries to establish and maintain relationships with humanitarian NGOS even where the principle of neutrality must be abandoned. It must be understood

⁵⁴MSF International Activity Report 2000. "The Year in Review" Available from http://web.archive.org/web/20010417174232/www.msf.org/publications/activ-rep/2000/2000review.htm; Internet; accessed 22 Feb 2009.

⁵⁵Overcoming the threat to Aid Workers. BBC unattributed report. Available from http://news.bbc.co.uk/2/hi/in_depth/7681604.stm; Internet; accessed 3 Mar 2009.

that an inability to remain perceived as neutral, however valid the reason, may continue to be a roadblock to the military establishing close working relationships with some humanitarian NGOs. This is particularly pertinent when attempting to establish ties with NGOs that own Dunantist origins and philosophies.⁵⁶

Independence

In addition to guarding their neutrality and impartiality, NGOs are also fiercely protective of their independence. There are three main reasons for this. First, they believe that their independence (seen together with their demonstrated neutrality and impartiality) will help them secure access to populations in need, and generate security for them while they are carrying out their tasks.⁵⁷ While this has not been "foolproof armour for humanitarian agencies," until recently it has traditionally offered a reasonable level of protection in order to carry out their mandate. Second, they wish to remain apart from political bodies to avoid accusations of becoming a pawn for another government, military or IO. Third, to carry out their mandate, they need autonomy of action, free from restrictions imposed by another's (typically the military's) main plan or effort.

It is the first aspect of independence that has the greatest impact on their relationship with militaries in the field and will be examined next. In previous, inter-state

⁵⁶Abby Stoddard defined three broad historical roots for humanitarian NGOs: Religious, Wilsonian and Dunantist. Understanding the roots will assist in understanding how each might approach the situation on the ground, and compromises required to achieve an aim. Abby Stoddard, "Humanitarian NGOs: Challenges and Trends," *HPG report on Humanitarian Action and the Global War on Terror: A review of trends and issues.* (London: Overseas Development Institute, 2003), 28.

⁵⁷Christina M. Schweiss and James Rowe, "Irreconcilable differences? Emerging US Military Doctrine and Humanitarian Space," in *Helping Hands and Loaded Arms: Navigating the Military and Humanitarian Space*, ed. Sarah Jane Meharg, 191-208 (Clementsport, NS: The Canadian Peacekeeping Press, 2007), 193.

⁵⁸Mark Fried, "Humanitarians' Own Responsibility to Protect" in *Helping Hands and Loaded Arms: Navigating the Military and Humanitarian Space*, ed. Sarah Jane Meharg, 59-71 (Clementsport, NS: The Canadian Peacekeeping Press, 2007) 62.

conflicts, perceptions of independence certainly helped NGOs gain access to areas contested by both sides.⁵⁹ The ICRC in particular has been enormously successful in this aspect and remains fiercely protective of its neutral status.⁶⁰ However, much of this access has relied on the consent of the leadership of the belligerent parties. These parties, under control of a government or military command, were able to provide security, or at least restrain their forces from attacking aid personnel. In the security environment that has emerged since the end of the cold war, leadership in intra-state, ethnically-based, civil wars is less defined, less predictable, and the troops are less controllable.⁶¹ The second reason is trickier in today's security environment where the UN has accepted that a loss of neutrality may be necessary in order to avoid remaining passive in the face of evil. This is where independence co-exists conceptually with neutrality and impartiality and needs no further treatment here as the previous section has covered the main issues. The third reason will be covered in detail in a later section on coordination and cooperation as it affects directly the ability for military and NGOs to work together in the field.

It has been suggested by Petersen and Binnendijk that integrated approaches combining political, military, reconstruction and humanitarian elements, such as NATO's comprehensive approach (CA) or Canada's whole of government (WOG) approach will enhance cooperation during peace operations.⁶² However, these initiatives introduce a

⁵⁹Byman, "Uncertain partners...", 104.

⁶⁰Victoria Wheeler and Adele Harmer, "Resetting the rules of engagement: trends and issues in military-humanitarian relations," *HPG Report 21*, (London: Overseas Development Institute, 2003), 3.

⁶¹Dallaire's book *Shake Hands with the Devil...*, gives an excellent example of the uncontrollable nature of some militaries, militias and associated groups, such as the RPF, RGF and Interahamwe. Situations where the conflict is complicated by splinter military factions, war lords militias in addition to the "regular" military are not uncommon in complex emergencies.

⁶²Petersen and Binnendijk, "The Comprehensive Approach Initiative...",1.

conflict with the principle of independence as understood by the ICRC, MSF and other NGOs.⁶³ MSF Executive Director Joelle Tanguay explains:

I'm afraid that in the minds of the Americans and Europeans, the military and the relief organizations are working on one side of the war together ... We're all part of the same operation, but we can't be. Independence is our main asset – to be able to walk into a war zone and act as independent relief workers.⁶⁴

Many NGOs rely on their independence, particularly from the military, to guarantee their safety. Nonetheless, in recent conflicts aid workers have increasingly been threatened and killed. It would appear that in the current security environment in humanitarian emergencies and peace operations, the respect and protections once routinely afforded to aid workers are being eroded. In a recent report, released in 2008, 490 attacks on UN offices, convoys and premises were recorded between July 2007 and June 2008 and 26 UN workers were killed. During the same period, at least 63 workers with humanitarian non-governmental organizations were also murdered. Under such circumstances, militaries, quite understandably, feel duty bound to try and protect relief workers where they are able – even if the NGOs do not seek their help. This creates tension between the NGOs and the military that is trying to offer protection. The NGOs often wish to be seen to be entirely unconnected with the military, so that they are can be perceived as independent agents by the population they are there to help. The military's insistence on providing security on the military's terms further sours the relationship.

⁶³Kraehenbueh, "The ICRC's approach to contemporary security challenges...", 8.

⁶⁴Seiple, The US Military/NGO relationship..., 150.

⁶⁵Aid Workers Killed in Line of Duty (One World.net report 2008). http://us.oneworld.net/perspectives/peopleof2008/358739-aid-workers-killed-line-duty; Internet; accessed 25 February 2009.

Differing perceptions of the meaning of security also compound the issue. To the military, security might mean the effective countering or absence of threats to life. To the NGO, sufficient safety to get in to an area, conduct their work, and get out might be enough. NGOs may feel that the military's patronizing attitude to them concerning security further compromises their independence in the eyes of the populations they aim to help:

In Somalia, civil-military co-operation under UNITAF broke down when the military way of doing things - controlling movement and information - infuriated aid agencies that were used to acting independently of such restrictions.⁶⁶

Unfortunately, rather than making them safer, the perception of a connection with the military may place aid workers in even greater jeopardy than they might otherwise be. Too close a working relationship can expose relief workers to accusations of spying, or at the very least, passing information on to the military. However, Byman notes growing consternation about security within those NGOs that are willing to continue to operate in challenging security environments. This growing awareness is leading them to "shed some of their concerns about closer ties to the military." One way to reconcile the need for greater security and transparency in the military/NGO relationship may be for the military to gain the consent of belligerents prior to starting to offer protection, and for that protection to be low-key and non-intrusive. Liaison personnel from the belligerent parties could be involved in the security detail. The liaison officers would witness the working relationship between the military and humanitarian NGO and be able to validate these NGOs' level of independence for themselves. These NGOs would then be able to conduct

⁶⁶Theo Farrell, "Humanitarian Intervention and Peace Operations," in *Strategy in the Contemporary World* (2nd ed.), ed. John Baylis *et al.* 313-334 (Oxford University Press, Oxford: 2007), 327.

⁶⁷Byman, "Uncertain Partners...", 106.

their business with the military providing mutually agreed levels and types of background security within an inclusive, consensual framework. This would allow the military to provide greater security while retaining plausible levels of independence for the aid workers.

The final issue surrounding independence is the need for the humanitarian NGOs to distance themselves from the political motives of the nations which provide the military contingents. Militaries, as government agencies, are ultimately political bodies, however altruistic their government's political motives might be. Humanitarian NGOs fear that colluding with military peacekeepers compromises their transparency and accountability to their donors. Thus, any relationship between militaries and NGOs need to be transparent and open to scrutiny and audit. It is vital that a clear philosophical and political distance between the two camps be maintained. Pierre Kraehenbueh of the ICRC explains this clearly:

This is not because the ICRC shies away from the military: on the contrary, the ICRC wants, needs and mostly has an active dialogue with the military and other forms of armed groups. Nor does it claim that there are no circumstances - when other players are incapable of fulfilling their mission - in which a military unit might not be a last resort. Independence, as seen by the ICRC, implies that its humanitarian needs to be distinct - and perceived as such - from any political or military interests. ⁶⁹

Independence will continue to be an issue for the humanitarian NGO/military relationship. Militaries have to accept that these NGOs will want to operate with autonomy, and that a military definition of security may be too rigid for humanitarian NGOs to work within. Also, if humanitarian NGOs wish to continue working within the

⁶⁸Alex Bellamy, Paul Williams and Stuart Griffin, *Understanding Peacekeeping* (Cambridge, Polity Press: 2004), 19.

⁶⁹Kraehenbueh, "The ICRC's approach to contemporary security challenges...", 8.

UN framework, and continue to act as contractors, they may have to review their understanding of independence in political terms. The humanitarian space is becoming politicized due to the proliferation of non-state conflicts and the difficulty of remaining neutral in the face of clear and partisan humanitarian atrocities. Benefitting from security offered by militaries will likely increasingly contribute towards compromised perceptions of NGO independence. A refusal on the part of humanitarian NGOs to accept that compromises are inevitable may well have an impact on their ability to continue to act as trusted advisors to the UN. Reticence to accept compromise will also restrict their ability to shape the conflict, interact with the UN as valued partners and valid stakeholders, and ultimately reduce their overall influence in international relations.

MSF seems to understand the changing nature of these complex emergencies.

Although it is a Dunantist organization and proud of its tradition of "disobedient humanitarianism," it recognizes that the guiding principles need to be applied in context. Furthermore, it accepts that the guiding principles are not articles of faith, but tools to be applied as the situation dictates. As Jacqui Tong of MSF explains:

[MSF] holds at its core some key principles: Neutrality, impartiality and independence. These principles are not absolute and sacrosanct, but are critical guides. They are that which underpins an action as being humanitarian and are also a means to negotiate through the labyrinthine nature of the complex contexts where humanitarian assistance is needed.⁷¹

The nature of conflicts has changed and the actors involved must evolve to meet the challenges. Independence is one of the principles that must be institutionally

⁷⁰Jacqui Tong, "Questionable Accountability...", 180.

⁷¹ Ibid.

redefined to take into account the challenges of the new, more ambiguous security environment in which humanitarian operations are set.

Humanitarian NGOs need to understand that the security environment is becoming ever more complicated and that security cooperation may be achieved without fully compromising their need for independence. On the other hand, militaries must learn to accept that the definition of security is evolving and be prepared to learn how to provide it based on the needs of the humanitarian agencies. Furthermore, military officers must learn to recognize and respect how important the guiding principles are in the humanitarian context and manage their dealings with aid workers accordingly.

Neutrality, impartiality and independence have long been the guiding principles of humanitarian assistance. The security situation has changed, and the application of these principles must evolve if the humanitarian organizations are to remain relevant and effective.

In this age of complex conflicts exacerbated by terrorism, insurgencies, unilateral military interventions, and the unchecked growth of the reconstruction and stabilization industry, the age of a neutral, impartial and independent humanitarian space has come to pass.⁷²

Neutrality has become a much more contested concept, and may need to be sacrificed to a degree, but impartiality and independence remain valid. The challenge is for militaries and NGOs to learn to work together in this new, more complex and constantly evolving environment. Militaries need to understand that these principles are important integral parts of the philosophy of humanitarian NGOs and not designed to deliberately interfere with the military mission. However, whilst critical to the identity of

⁷²Meharg, *Helping Hands and Loaded Arms...*, 1.

humanitarian NGOs, guiding principles should not become philosophical millstones that serve as roadblocks to effective cooperation and collaboration in the field. Pragmatism in the response to the humanitarian imperative dictates a need to apply the principles flexibly, accepting at times that to deliver the aid required, compromises may be necessary.

The guiding principles will almost certainly remain important to humanitarian NGOs in future operations and their significance should not be underestimated by the military when constructing and conducting relationships between the two communities. Maintenance of neutrality can confer a certain privileged status, but "in general, impartiality and independence have the greater weight for the decisional calculus, should there be a clash or dilemma."

⁷³Tong, "Questionable Accountability:...", 180.

Chapter 3 – Barriers to Cooperation and Coordination. *Individual and Institutional*

Barriers to cooperation between military and aid personnel exist at individual and institutional levels. Similarities can be detected in the organizations and cultures of Western militaries, but it would be a mistake to think them all the same. The way the US military approaches a humanitarian emergency may well be very different from the approach taken by a much smaller military from, for example, a Nordic country. Similarly, the diversity across the ideologies, cultures and *modus operandi* of humanitarian NGOs is vast. As Jacqui Tong from the programmes unit of MSF (UK) has shown, homogeneity in the humanitarian NGO sector is a myth. 74 Also, military and aid personnel tend to have different backgrounds, lifestyles and philosophies. ⁷⁵ Even within each of the two groups there is diversity at the individual level. Nevertheless, despite the diversity evident across both communities, the two groups can be seen as distinct from one another and generalizations can be applied where appropriate, particularly in their dealings with each other. Thus to improve levels of cooperation between the two sets of organizations, one must begin by assessing them both at individual and institutional levels. From there, one can identify the barriers to cooperation and their causes, and then find ways to overcome them, or at least mitigate their negative impacts.

Working together assumes a desire to achieve a common aim. In humanitarian and peace operations, that aim is normally the alleviation of human suffering, which is sometimes called the "humanitarian imperative." This common humanitarian aim is

⁷⁴For a detailed explanation of the diversity of the humanitarian agencies, see Tong, "Questionable Accountability...", 177.

⁷⁵Byman, "Uncertain Partners...", 103.

overarching rather than narrow and operational, and many groups may have intermediate goals and methods that generate different approaches towards the alleviation of suffering. Also, due to the diversity of the organizations, their capabilites, motives and cultures, it is difficult to see how they could agree on a single, sustainable aim. However, it is still important to try and achieve some kind of common understanding of the nature of the problem to be solved on which to base cooperative effort.

This section will explore barriers to effective coordination between militaries and humanitarian NGOs in complex humanitarian and peace operations. It will show that cooperation leading to collaboration, even if only to achieve de-confliction of activities, may be the best that one might expect in complex humanitarian crises. In effect, it will support the view of political scientist, Thomas G. Weiss, that "creative chaos" in the humanitarian space is better than "botched efforts at coherence." Barriers to cooperation exist not only at the military/humanitarian NGO interface. Similar barriers exist between humanitarian NGOs and other humanitarian NGOs, and humanitarian NGOs and other IOs and their humanitarian agencies. This paper will concentrate on the impediments to effective cooperation between Western militaries and humanitarian NGOs.

This section explores barriers to cooperation at both the personal and institutional levels. It will show that barriers at the personal level, driven largely by prejudices and stereotypes, can be broken down by increasing contact in the field between military personnel and aid workers (something that is happening naturally as a consequence of the new security paradigm). It will also show that an increasing professionalization of the humanitarian sector may lead to greater opportunities for contact at the institutional level.

⁷⁶Weiss, "Learning from Military-Civilian Interactions...", 123.

Improved relations could be encouraged through increased professional development and education for aid workers, potentially alongside military colleagues, and a greater emphasis on development of understanding of humanitarian NGOs in military colleges.

Barriers to humanitarian NGO/military coordination and cooperation at the institutional level are complicated. Better cooperation relies upon reliable information sharing, common understanding of the security environment, and a sensible division of labour leading to greater unity of effort and avoidance of mutual interference. The complex and unpredictable nature of humanitarian emergencies, coupled with the diversity of the actors involved and an absence of a commonly recognized coordinating authority hampers successful cooperation. This paper will show that, under these circumstances, improved cooperation through consensual collaboration may be all that can be achieved.

Cooperation is defined in the Oxford English Dictionary as "work[ing] together towards the same end." Coordination brings "the different elements of (a complex activity or organization) into an efficient relationship and [implies] negotiat[ion] with others in order to work together effectively." To Both definitions are value-loaded and therefore less than entirely clear. Nonetheless, they are central to the UK military's doctrinal definition of Civil-Military Co-operation (CIMIC) in peace operations:

... measures include cooperation with non-governmental or international agencies, organizations and authorities.... CIMIC is concerned with the harmonization of civilian and military within an defined area of operations

⁷⁷C. Sloan (ed.), *The Pocket Oxford English Dictionary*, 9th ed. (Oxford: Oxford University Press, 2002), 192-193.

and co-ordinating and maximizing the use of resources to redress the deprivation and suffering of the populace...⁷⁸

The same publication notes the Director General of Save the Children's definition of co-ordination as: "Co-operation entered into voluntarily by concerned parties so as to improve the effectiveness of the actions in accordance with agreed overall objectives." Another definition of CIMIC is the NATO version found in MC411/1. The NATO definition is particularly useful because it is itself a product of cooperation at the doctrinal level between all member states:

The coordination and cooperation, in support of the mission, between the NATO Commander and civil actors, including national population and local authorities as well as international, national and non-governmental organizations and agencies.⁸⁰

Although these definitions of CIMIC are vague, they all infer a strong linkage between cooperation and coordination, alongside a consensual, rather than command philosophy. This is important because cooperation and coordination cannot be forced upon an organization; they must be entered into willingly. Also, it is difficult to talk about coordination in this sense without conceding a willingness to cooperate.

Conversely, it is hard to imagine effective cooperation unless efforts are coordinated.

Thus for the purposes of this paper, coordination and cooperation will be treated largely as if they are two separate but complementary concepts.

Since the end of the Cold War there has been much effort to improve the level of cooperation between military personnel and humanitarian workers in order to generate

⁷⁸Ministry of Defence, UK Chief of Joint Operations Doctrine Publication. Peace Support Operations (JWP 3-50), (Northwood, England: PJHQ): 7-5.

⁷⁹Ibid., 4-11.

⁸⁰NATO, MC411/1 (NATO Policy on Civil-Military Cooperation). Available from http://www.nato.int/ims/docu/mc411-1-e.htm; Internet; accessed 9 March 2009.

coordinated relief efforts. ⁸¹ As Thomas Mockaitis, professor of history at DePaul University and adjunct faculty member of the Center for Civil-Military Relations of the US Naval Postgraduate School explains: "Military establishments and humanitarian organizations remain resistant to developing a coherent, coordinated approach to [humanitarian] intervention." ⁸² The diversity of organizations along with their stereotypes, cultures, motives and capabilities inhibits successful coordination and cooperation. Improvement in these areas will depend upon efforts to improve interactions between militaries and NGOs by reducing the tendency to stereotype and encouraging the development of mutual understanding and trust through increased contact, education and openness.

This section will also show that the humanitarian arena, much like the market economy, is a complex system that cannot be entirely ordered. By virtue of its complex, messy nature, the humanitarian space is difficult to define, understand and manage. In such an environment it is not surprising that efforts to cooperate with one another and coordinate efforts in an entirely coherent manner are difficult. However, this section will show that the provision of aid within the humanitarian space may be compared to the market place in which an "invisible hand" rather than conscious control, allocates resources in an effective manner.

Stereotyping, prejudice and misperceptions of others comprise the first set of barriers to a close working relationship between the military and relief workers in the field

⁸¹As the literature section shows, many of the case studies concern themselves with the ability of the various actors in the humanitarian area to work together.

⁸²Thomas R Mockaitis, "Bridging the Gap: Humanitarian Organizations and the Military in Peace Operations." Available from http://www.unserheer.at/pdf_pool/publikationen/03_jb00_11.pdf; Internet; accessed 4 April 2009, 1.

that will be addressed. The combination of differing backgrounds, philosophies and ways of approaching business make mutual stereotyping, prejudice and the development of misconceptions understandable. But actually, the motives of both communities are remarkably similar. Both are driven by a desire to serve a greater good and to sacrifice personal safety, gain and comfort to a cause they deem worthwhile. It is their methods that vary significantly. Militaries are prepared and trained to use force, if only as a last resort; to a relief worker, the use of force is an anathema. Furthermore, Francis Kofi Abiew, professor of political science at Kwantlen Polytechnic University, explains that while the military "find it easy and morally acceptable to be humanitarian occasionally, the reverse of [humanitarian NGOs] taking part in military operations is much less likely." The differences in approaches throw up a set of enduring stereotypes that are difficult to overcome during initial contact.

Stereotypes can generate reluctance to cooperate from the outset and must be overcome if a solid working relationship is to be created and maintained. These stereotypes include perceptions of military personnel as "gun-toting cowboys" or the fictional "Major Frank Burns" character as seen in the M.A.S.H television series. Military perceptions of aid workers tend towards the "peace corps types," "disaster junkies/groupies," or individuals who are "uncontrollable, hot-headed and undisciplined." Furthermore, if military personnel are patronizing towards their NGO colleagues they risk underestimating the relief workers' true capabilities. As Jonathon

⁸³Francis Kofi Abiew, "NGO-Military Relations in Peace Operations," in *Mitigating Conflict:The role of NGOs*, ed. Henry F. Carey, Oliver P. Richmond, 24-39 (London and Portland, OR: Frank Cass:2003), 30.

⁸⁴Seiple, The US Military/NGO Relationship..., 40.

⁸⁵ Dallaire, Shake Hands with the Devil..., 299.

Dworken, a defence analyst at the US Navy's Center for Naval Analyses notes: "[Military] Officers simply did not see women in their late-twenties with Birkenstock sandals and "Save the Whales" T-shirts as experts, worthy of consultation."

Stereotypes can be broken down, but this takes a good deal of patience, flexibility and willingness to see the other's point of view. In busy, dangerous and chaotic environments, this takes effort, at a time when more pressing issues of security and delivery of aid demand attention. In particular, the high tempo and large footprint of military operations, and the self-contained, confident, maybe even arrogant manner in which the military tends to deploy can cause resentment in workers who have already been in theatre for a while. Dworken notes that the dismissive attitude of soldiers towards humanitarian NGO members can also generate problems: "military disrespect for relief workers can easily destroy the already fragile level of cooperation and coordination existing on the ground."⁸⁷ During Operation Restore Hope in Somalia in 1993, the tendency for the military to "go it alone" in their planning served to reinforce negative stereotypes of them in the eyes of the relief workers. Seiple found that a lack of personal interaction between relief workers and military staff officers led to the emergence of negative stereotypes as "organizational behaviour permeated through to the operational [field] level."88

⁸⁶Jonathon Dworken cited in Byman, "Uncertain Partners...", 107.

⁸⁷Andre Beauregard, "Civil (NGO) – Military Cooperation: Lessons from Somalia, the former Yugoslavia , and Rwanda." Available from www.ploughshares.ca/libraries/monitor/mond98g.html; Internet: accessed 4 March 2009, 2.

⁸⁸Seiple, The US Military/NGO Relationship..., 118.

There is some evidence that the negative stereotyping, which unless consciously checked tends to become self-reinforcing, is diminishing. ⁸⁹ The new security environment has increased contact between the two groups, however unwelcome it may have been at first. Greater contact has led to a better awareness of each other's capabilities and generated a certain level of mutual respect. During Operation Provide Comfort in Northern Iraq (1991) Dague Clark of Save the Children found himself questioning his own stereotypes when he declared that the Special Forces' troops were "much less military than I thought." ⁹⁰ It seems that when each group gets to know one another, the respect for the other grows. As Daniel Byman reports:

[T]here is evidence of changing attitudes on both sides. Almost all NGO personnel and military officers interviewed ... noted their respect for each other and the need for consultation and cooperation. Most military officers who had worked with NGOs in crises noted their bravery and dedication and generally praised their professionalism. ⁹¹

From the military perspective, officers and troops have started to become aware of the unique skill sets of NGO workers. These include local knowledge, proficiency in local languages and dialects, greater cultural awareness and access to social networks by virtue of their prior presence and personal relationships with the local populace. Byman explains that members of the humanitarian NGO community often live amongst the population in need, and may have access to people who for "whatever reasons will not talk to the military or with whom the military does not wish [or may not be permitted] to associate." This trend towards mutual respect and understanding must be encouraged if

⁸⁹Byman, "Uncertain Partners...", 107.

⁹⁰Seiple, The US Military/NGO Relationship..., 40.

⁹¹Byman, "Uncertain Partners...", 107.

⁹²Byman, "Uncertain Partners...", 100.

the improvement noted in humanitarian NGO/military interpersonal relationships is to be continued. This increased contact in operations could be encouraged "back home" through professional training and education and will be discussed later in this section.

Organizational Structure - hierarchical versus horizontal.

Military and humanitarian NGO organizational structures tend to be quite different. The military operates within a hierarchical, formalized command structure where authority flows from top to bottom, and the latitude of action permissible at each level is generally well understood. This allows for relatively close control of the force's actions, and permits rapid feedback and reactive adjustment to keep the operation on track as desired by the Command/HQ. Military HQs are deeply interested in the outcome of tactical engagements and the impact they have on the overall operation. Operational military commanders facilitate the links between the strategic and tactical concerns of Western militaries. Humanitarian NGOs on the other hand, have a much flatter, and less defined command structure. The reach-back to their higher authority is less direct and oversight less obvious. An analysis of an OFDA conference, US doctrine development and a State Department peacekeeping conference concluded:

In every single HAO [humanitarian assistance operation] – from Restore Hope to Provide Comfort – after action reports have noted that operational-level co-ordination with relief organizations is a major problem and needs to be improved. ⁹³

As Byman *et al*, in their RAND project book *Strengthening the Partnership* note, humanitarian NGO HQ staff are more concerned with strategic issues such as avocation of

⁹³Jonathan Dworken, *Improving Marine coordination with Relief Organizations in Humanitarian Assistance Operations*, CRM 95-161.10/April 1996. (Alexandria, VA: Center for Naval Analyses, 1996), 27.

humanitarian action, fund-raising and adherence to standards than the day-to-day responsibilities of programmes at the field level. ⁹⁴ Byman, in particular, is deeply dismissive of humanitarian NGO lines of communication and authority:

The concerns of NGO field officers often differ considerably from those of their home agencies. Not surprisingly, field officers focus on day-to-day operations; at the national level however, NGOs are concerned with pleasing their donors and maintaining a positive image for the overall organization. ⁹⁵

The mismatch in structure and flow of authority makes reactive coordination of effort between militaries and humanitarian NGOs problematic at both the field and HQ levels. Andre Beauregard, writing as an intern at Project Ploughshares, ⁹⁶ explains that the "loose" structure of the NGO makes "establishing a compatible communications link with the appropriate contact or decision-maker" difficult. ⁹⁷ If appropriate links into each other's decision-making apparatus cannot be identified or exploited, then coordination of effort and the ability to cooperate are severely restricted. This can limit the benefits of interaction to the local level, and is largely personality dependent: "as one UNICEF official in Bosnia observed, cooperation proved most successful when an UNPROFOR contingent commander got on well with a NGO representative." Social networks built up by personal contact are important enablers to cooperation in the field but unless they are leveraged to coordinate efforts, they may have little overall benefit. Worse, unless the

⁹⁴Daniel L. Byman, et al, Strengthening the Partnership, (Santa Monica, CA and Arlington, VA: RAND, 2000), 89.

⁹⁵Byman, "Uncertain Partners...", 103.

⁹⁶Project Ploughshares is an ecumenical agency of the Canadian Council of Churches The mandate given to Project Ploughshares is to work with churches and related organizations, as well as governments and non-governmental organizations, in Canada and abroad, to identify, develop, and advance approaches that build peace and prevent war, and promote the peaceful resolution of political conflict. See http://www.ploughshares.ca/ for more detail. Accessed 23 March 2009.

⁹⁷Beauregard, "Civil(NGO) – Military Cooperation...", 3.

⁹⁸Mockaitis, "Bridging the Gap...", 8.

results of contacts are themselves coordinated, they may interfere with the efforts made via other similar contact between different personnel. This is true whether one is speaking about links between the military and the NGO, or inter-NGO.

Working with humanitarian NGOs who have greater freedom of action and operate within a loose framework of authority can be uncomfortable for military officers at first. A military officer is intimately familiar with the chain of command and with the need to prepare and execute the mission within the parameters of legitimate authority. Combined with the initiative developed over a career, this is a relatively effective, controlled way of approaching a situation that manages risk and reward in a realistic manner. Humanitarian workers, on the other hand, tend to approach the problem from the perspective of seeing what needs to be done, then figuring our how to do it. They tend to be comfortable with little guidance or oversight and operate largely to a plan of their own design, based on their knowledge and experience. This approach may appear *ad hoc* and inefficient to the military professional, and can lead to a reinforcement of the unprofessional, do-gooder stereotype.

On the other hand, to the NGO, the authoritative and rigid style of leadership employed by the military can be unpalatable to humanitarian workers. Particularly in the area of security, militaries tend to assume a leadership role that may be neither needed nor desired. Seiple notes that in Operation Provide Comfort: "S[pecial] F[orces] officers trying to administer [the US effort] would inform NGOs that they were in their 'sector'. The NGO response would be 'What Sector? Who are you? So what?'" Thus the

⁹⁹Seiple, The US Military/NGO relationship..., 39.

military's tendency to take charge in what it perceives as a power vacuum can be irritating to NGOs who have a completely different view on the approach to the problem.¹⁰⁰

Clive Anderson of World Concern voices the frustration felt by some NGOs about the way the military imposes its view on security matters in a telephone interview with Chris Seiple: "The military took their understanding of security and applied their own solution ... there was no brainstorming [with non-military actors] about what kind of security [was required in that situation]." This tendency must be avoided if NGOs are to be accepted by the military as valuable partners in these types of emergencies. An understanding within the military that the differing NGO perspectives on security in particular are equally as valid as their own will help provide mutually acceptable solutions to its provision.

Respective organizational structures and the levels of autonomy, a lack of higher control of relief workers by their higher HQ, and tighter control of military personnel by their HQs all mitigate against successful military/humanitarian NGO cooperation. The instigation of Civil-Military Operations Centers (CMOC) can help to encourage contact at appropriate levels. A CMOC was set up in Somalia (1993) where the US Disaster Assistance Response Team (DART) planned security operations with the US Marines, and also had a team of five officers to coordinate with humanitarian organizations. The civilian leader of the CMOC team, Kevin Kennedy, recognized the different organizational styles and took these into account during CMOC briefings in order to establish the "right atmosphere and working relationship." Specifically, he noted the

¹⁰⁰Byman, "Uncertain Partners...", 101.

¹⁰¹Seiple, *The US Military/NGO relationship...*, 124.

"decentralized and independent nature of humanitarian operations" would generate tension between the humanitarian and the military communities. To mitigate this tension he noted the need for "pro-active efforts to overcome any anti-military sentiments" and the importance of considering "the needs of the humanitarian community before satisfying military requirements." ¹⁰²

Despite efforts to accommodate the different organizational styles, a lack of acceptance of one another's authority can render these centres ineffective. It is important for military commanders to remember that aid workers are not under military control, and that they should be treated as valued and equal partners. Telling, or ordering, aid workers what to do can have immediate and catastrophic results. Ronald Libby an OFDA employee in Somalia in 1993, explained during a telephone interview to Chris Seiple: "If you tell NGOs what to do, they will piss on you and then you lose them; and that is the worst thing that can happen." It is in "a spirit of accommodation and collaboration that coordination takes place." This fraternal rather than paternal spirit must be inculcated and maintained if CMOCs are to become and remain effective centres for cooperation and the coordination of activities.

The flat, relatively unsupervised (at the field level) and informal humanitarian NGO organizational structure does not have to be a barrier to effective cooperation. It can bring benefits, ones that in a "spirit of accommodation and collaboration" can be exploited by militaries in the field. As Byman explains:

¹⁰²K. M. Kennedy, "The relationship between the Military and Humanitarian Organizations in Operation *Restore Hope* in Somalia," *International Peacekeeping*, vol.3, no.1: 94.

¹⁰³Interview with Ronald Libby, OFDA 19 May 1995, in Seiple, *The US Military/NGO Relationship...*, 56.

¹⁰⁴Ibid.

NGOs ... are skilled at finding available transportation, identifying the right officials to bribe or pressure, exploiting local family or religious networks and otherwise overcoming distributional problems. ¹⁰⁵

Quite often, their structure allows NGOs to engage in practices that the military would deem morally ambiguous, against regulations or even illegal (for example offering bribes, or entering into informal or untendered contracts for goods and services). So in some ways the institutional and cultural differences between the military and humanitarian NGOs can be of enormous advantage to the provision of aid. Gaining an understanding of one another's ways of working is essential if each is to benefit from the other's unique skills, knowledge and areas of competence.

The challenge is to capture and institutionalize this improving relationship.

Militaries have a long tradition of training; studying successes and failures; and of developing doctrine based on their experience. The institutionalization of "lessons identified/learned" in the humanitarian space has largely concentrated on the application of traditional combat capabilities in complex peacekeeping and enforcement operations. Efforts have also been made to study and articulate formally in doctrine how military material, functions and skill-sets may be applied in the humanitarian space. Much of the doctrinal work has focused on the projection of military might and employment of logistical capacity, local security matters, the provision of health services and the command relationship with the UN and NATO. However, militaries, IOs and academics with an interest in defence matters are also beginning to pay greater attention

¹⁰⁵Byman, "Uncertain Partners...", 100.

¹⁰⁶Many countries issued doctrine publications in the area of peace operations in the late 1990s and early 2000s. Examples are the UK JWP3-50 and the Australian Operations Series Peace Operations (ADDP3.8). For a comparison of various countries' CIMIC doctrine see Victoria Wheeler and Adele Harmer, "Resetting the rules of engagement: trends and issues in military-humanitarian relations," *HPG Report 21*, 6.

to the complications of peace operations, in particular the issues of coordination and cooperation with NGOs. An example is seen in the recent increase in CIMIC training.

NATO now offers pre-deployment CIMIC tactical training and courses for technical specialists. It is also developing an "operational" level course to educate commanders and their staffs in CIMIC matters. ¹⁰⁷

Humanitarian NGOs, on the other hand, do not necessarily enjoy the same level of educational infrastructure as militaries and thus find capturing and institutionalizing lessons more difficult. Byman notes that they also tend to be reticent to invest in longterm liaison with militaries because they doubt Western governments' commitment to the humanitarian cause. He notes that even in serious humanitarian crises, there are no guarantees that Western governments will commit military forces, which generates reluctance in the humanitarian community to "invest in [joint] exercises and planning." Furthermore, he argues that these NGOs believe that any "identity of interest" between themselves and the military is "likely to be limited and transitory." ¹⁰⁸ A fear of wasting resources on transitory or short-lived relationships is understandable, and it is therefore the job of the better-funded, well-structured military to make the necessary investment. This might be achieved by inviting humanitarian NGOs employees to attend military planning exercises or symposia and covering or subsidizing their costs. There is also a role here for "umbrella" organizations such as InterAction and the more doctrinally mature humanitarian NGOs such as the ICRC, MSF, CARE and OXFAM. Their size and established position in the humanitarian sector means that they are more likely to benefit

¹⁰⁷www.nato.int/ims/docu/cimic/htm;</sup> Internet; accessed 9 March 2009.

¹⁰⁸Byman, "Uncertain Partners...", 107.

from long-term investment in this area than are the smaller, more resource- constrained or "niche" organisations. Also, the involvement of large, well-respected humanitarian NGOs would lend legitimacy to the institutionalization of any "lessons learned."

An interesting development over the past few years has been the increasing awareness of the "professionalization" of humanitarian aid organisations. Kerstin Martens, in her book *NGOs and the United Nations: Institutionalization,***Professionalization and Adaptation,**

109 describes the increasing professionalization of the UN humanitarian agencies in particular. Dr Alan Okros and Willemijn Keizer from the Royal Military College of Canada take this idea further and apply it more broadly across the humanitarian sector. They recognize the value to the humanitarian profession of "broad professional education rather than [just] restricted technical training. There is little evidence that structured professional development, encompassing learning from historical cases, or the development of professional approaches to humanitarian operations, exists in the humanitarian NGO domain. Thomas Weiss explains that there are three stages in the development and institutionalization of organizational and individual learning:

... :identification (where problems are observed and data collected); diagnosis (when information is analysed and underlying beliefs questioned); and implementation (when revised policies and procedures are institutionalized).¹¹²

The first two steps are occurring, but Weiss observes little progress on the third.

¹⁰⁹See Kerstin Marterns, *NGOS and the United Nations: Institutionalization, Professionalization and Adaptation* (New York: Palgrave macmillan, 2005).

¹¹⁰Alan Okros and Willemijn Keizer, "Humanitarianism as a Profession," in *Helping Hands and Loaded Arms...* 75-113.

¹¹¹Ibid., 87.

¹¹²Weiss, "Learning from Military-Civilian Interactions...", 116.

This is not to infer that aid workers are poorly educated; often they are quite the opposite. Many humanitarian NGOs recruit high-quality personnel who have graduated from esteemed universities and hold graduate degrees in international development management and related programmes. Many relief workers have also gained significant experience in the field at an early age. In this sense, an aid worker's early professional development is similar to that of a military officer, with the exception of the promise of later higher-level training and education at staff colleges.

Higher-level educational opportunities do exist within the humanitarian sector.

The International Organizations Masters degree in Business Administration (IOMBA) at the University of Geneva¹¹³ is an example of a move in the right direction with respect to the development of higher education and recognition of the humanitarian profession.

However, it falls short of being as effective and integral to attaining a professional status as are military staff colleges.

Development of best practices, code of conducts and codes of ethics¹¹⁴ aside, humanitarian NGOs simply do not function within a culture of higher professional education as do most Western militaries. This is not surprising considering how humanitarian NGOs are funded. Many donors might question the return on investment of higher-level education for aid workers who need not make a long-term commitment to the particular organization. Nevertheless, higher-level education has the potential to reap

¹¹³The international organizations MBA (IOMBA) is a programme that "prepares professionals for careers in the increasingly interconnected fields of international governmental and nongovernmental organizations and companies that work with these institutions". http://hec-executive.ch/iomba//www/; Internet: accessed 3 March 2009

¹¹⁴Principles of Conduct for The International Red Cross and Red Crescent Movement and NGOs in Disaster Response. Available from http://www.ifrc.org/publicat/conduct/code.asp; Internet; accessed 4 March 2009.

rewards in terms of mutual understanding. It could lead to the dismantling of stereotypes, particularly if conducted alongside other humanitarian sector professionals including those from IOs and militaries with whom they are likely to interact in the future.

A start might be for the militaries to offer humanitarian NGO workers placements at their staff colleges in order to expose the humanitarian NGO students to military cultures and practices, and vice versa. There are examples of NGOs offering training to the military prior to deployment, but these remain at the lower tactical end of the training and education spectrum. Ben Hemmingway, InterAction's International Relief and Development program officer for Iraq, gives one such example:

In five days of training, representatives from the International Rescue Committee, the Center for Excellence in Disaster Management and Humanitarian Assistance, the U.S. Army War College and International Relief and Development covered topics ranging from basics in understanding nongovernmental organizations and international organizations to international relief coordination structures and field negotiation techniques. ¹¹⁵

Peter Langille, Fellow for Human Security Studies at the Center for Global Studies, University of Victoria, gives another example of this type of training, one that included other (Canadian) government agencies. However, he concedes that it falls short of the level of training required to inspire "satisfactory confidence or competence for rapid deployment" at the operational level in complex emergencies. This training,

¹¹⁵Ben Hemmingway, "Civil-Military Cooperation in Post-Conflict Rebuilding (2008)." Available from http://www.interaction.org/library/detail.php?id=2860; Internet; accessed 4 March 2009.

¹¹⁶Specifically, Langille mentions: Department of National Defence, Canadian Forces, Department of Foreign Aid and International Trade Canada (DFAIT), Canada International Development Agency (CIDA), Royal Canadian Mounted Police (RCMP) and CANADEM (Canadian civilian reserve).

¹¹⁷H. Peter Langille, Enhancing the Rapid Deployment Capacity of the Canadian Forces, CPCC, Peace Operations Working Group, NGO-Government Roundtable on The Responsibility to Protect As Part of Canada's Defence Effort, Ottawa 22 September 2003. Available from http://www.worldfederalistscanada.org/R2P/PLangille.pdf; Internet; accessed 25 March 2009, 4.

aimed at the tactical or field level is valuable and should be encouraged, but it is education at the operational and institutional levels that will bring enduring benefits.

Clearly, the diversity of the sector would make selection of suitable candidates from humanitarian organizations for placement at military staff colleges difficult. Thus, it would probably make sense to start an exchange programme with the larger, internationally respected service-type humanitarian NGOs such as CARE, OXFAM, MSF and if willing, the ICRC. It may also be beneficial to place military students who have an interest in the humanitarian sector on programs like the IOMBA.

IOs that send militaries into the field to work with humanitarian NGOs have resources that might also be leveraged into improving on-going development of humanitarian professionals. NATO, for example, has permanent staffs that are dedicated to supporting CIMIC at the strategic and operational levels. As advertised in a backgrounder document, NATO's civil emergency planning staff "regularly gives courses to military staff officers at their schools in Oberammergau and the NATO Defense College in Rome." This capability might well be able to assist in the development of curricula and support professional education programmes for humanitarian NGO employees.

Institutionalizing higher-level education for humanitarian NGOs would be an onerous task, made particularly difficult because of the diverse nature of the sector and its lack of a coordinating body. Even designing a curriculum acceptable across the humanitarian sector would be challenging in the extreme. Again, this is possible if in the

¹¹⁸NATO Public Diplomacy Division - NATO Backgrounder. Civil Support for Military Operations and Emergency Responses. (BGR6-CEP-ENG-0108) (Brussels: NATO, 2008).

initial stages curricula development was limited to the larger service type humanitarian NGOs. It may not be possible to design a curriculum that satisfies the needs of all humanitarian NGOs exactly, but a broad curriculum would lead to greater understanding across and within the sector. This broad curriculum would help to promote a professional identity and make transfers from one humanitarian NGO to another seamless and productive. The intellectual experience and institutional depth of InterAction, ICRC and MSF, for example, makes them ideal candidates to lead such a program. Of course this should not be seen as a one-way street. In order to gain the most benefit from education in this sector, military officers should be offered the opportunity to take advance degrees in development management, and humanitarian NGO academics invited to assist in the development of military staff course curricula.

The great advantage of a separate humanitarian NGO "staff course," independent of, but possibly affiliated with, military colleges would be the ability for the various institutions to share ideas at the academic level. This would open up possibilities for dialogue far beyond that which is experienced today. Also, it would allow for interaction between military and humanitarian students as colleagues and generate informal networks that could be accessed in the future. Conferences and exchanges could be set up and a liaison established which would have huge mutual benefit that would, over time, help embed the lessons learned at the institutional level. Through the development of policy and examination of case studies, this growing body of institutional knowledge would filter through to operations in the field. Graduates of all courses, civilian and military, would be well placed to make sure the lessons were transplanted into the field and inculcated in the next generation of humanitarian workers.

The case for a humanitarian NGO staff course is based on the military experience and the concept would need to be developed further in the context of the humanitarian profession. There is no literature available on the pros and cons of the creation of such a course; the feasibility of setting one up is worthy of further study in order to gain a valid assessment of its viability from the perspective of the humanitarian community.

Coordination – the case for creative chaos.

Coordination in the field is more than just about personalities and absence of negative stereotypes. Coordination, in a consensual manner rather than in a command context, is the product of cooperation and collaboration, and need not mean integration and consolidation. In humanitarian scenarios, coordination becomes a matter of enabling every day needs of security and access to the population at risk. Sharing information and working towards a broadly articulated common goal, which keeps the humanitarian imperative at the forefront, must become commonplace. Experience shows that these facets of coordination all too often fail or leave room for significant improvement.

Thomas Weiss believes that efforts to integrate, consolidate and form a large humanitarian conglomerate are futile, and largely not wanted by the various actors in the humanitarian arena. He calls for "creative chaos" rather than "botched efforts at coherence." This section will support Weiss' view and offer ways to improve cooperation and collaboration within the chaotic humanitarian space by encouraging openness and understanding of each side's needs and abilities.

Coordination across the spectrum of peace operations is complicated. The relationship between the DPKO and the militaries they send is often fragile because of the

¹¹⁹Weiss, "Learning from Military-Civil Interactions...,", 123.

way contingents are constructed. IOs such as the EU, AU, OAS or ECOWAS conducting peace operations, whether at their own behest or at the request of the UN, suffer from similar force generation and command difficulties. There is often little cohesion across the military command due to the diversity of the component parts of the force. The same is true of humanitarian NGOs and their headquarters. Often their political or strategic aims may not reflect accurately or support the efforts in the field. These relationships are important but beyond the scope of this paper. This paper concentrates on an examination of the difficulties of relationships at the field or tactical level and efforts that may be made, either in situ, or in preparation of workers for the challenges seen through training and education in advance of deployment.

Chris Seiple talks about "crying need for coordination" ¹²¹ in the field during humanitarian operations. His interpretation of coordination implies a military style of command and control, however loosely defined. This betrays his background as a military officer and a lack of familiarity or comfort with informal, consensual management methods. The humanitarian space is a confused, messy environment where gaining complete agreement on the nature of the problem is wholly impractical. The military will have its mission, quite often dictated by national or diplomatic interests. The humanitarian NGOs will likely have varying missions or priorities dependent upon their type and charter. For example, OXFAM may focus on the delivery of food and water, whereas MSF's priorities may lie in the field of sanitation or specific disease prevention

 $^{^{120}}$ For an example of difficulties experienced between the DPKO/UN Commander see Dallaire, Shake Hands with the Devil...,.

¹²¹Seiple, *The US Military/NGO Relationship...*, 39.

programmes. No peace operation or humanitarian crisis is the same as any other, nor are the same actors necessarily involved.

Despite the chaos inherent in humanitarian operations, there are some constants for which coordination may be improved. There will always be the need for information sharing, logistical support and security operations. It is also important to recognize that not all organizations will have the same end state in mind. The military often seek a short engagement in the crisis aimed at providing security and stabilization efforts. Many humanitarian NGOs aim to provide immediate humanitarian aid; that is to address the humanitarian imperative. Each has their own take on what is required, and how they might be of use. So it will be difficult to harmonize those divergent aims.

Information is critical to gaining a full appreciation of the nature and scale of a problem. Information sharing between militaries and humanitarian NGOs does not have a good history. Generally speaking, militaries fail to appreciate the depth and breadth of the knowledge and experience of humanitarian NGO employees. As a consequence, militaries are unable to make use of that knowledge and experience. Chris Seiple notes that prior to deploying to Somalia the US forces failed to make contact with the NGOs that were already in country, either to offer support, discuss their plans or gain information. Ignoring these NGOs prior to deployment denuded the US military of the "only Western source of [current] information on Somalia" and the "most up-to-date information on the overall humanitarian emergency."

Given the suspicion in which some humanitarian NGOs hold the military, sharing information might be seen as the passing over of intelligence. This would have

¹²²Ibid., 111.

implications for an organization's perceptions of its own neutrality and such practices would be discouraged. However, if personnel in these organizations were approached as equals, with the imperative of humanitarian aid kept at the forefront of planning, then an open exchange of information and views might be possible. Seiple explains that when the US force finally engaged the NGOs in the field in Somalia (1993), the feeling was that a good relationship was stuck up; however, doubts about being treated as equal partners persisted: "Despite the feeling that the NGO/military relationship was good, there was a feeling [amongst NGOs] that information sharing was a 'one-way street' with the military's penchant for secretiveness preventing a reciprocal flow." 123

The military's need to classify information, to apply levels of security to knowledge, and to utilize a "need to know" approach in determining the release of that knowledge is entirely sensible in a war-fighting scenario. In the confused security situation that accompanies humanitarian operations, particularly those set in a civil war or ethnic conflict, militaries will continue to protect information. Notwithstanding the need for security in some matters, militaries could share more information with their NGO partners. Finding the balance between secrecy and transparency should be a priority for military staffs in peace operations. Being more open to NGO workers and bringing them into their circle of trust should pay dividends in terms of information sharing. Developing professional networks and breaking down stereotypes, as described in the previous section, will facilitate this process.

One of the great advantages of military intervention in humanitarian emergencies is the level of "organic" logistical support militaries bring into theatre. Often this will be

¹²³Ibid., 117.

food and water, medical supplies, engineering support, transport capacity and inter-theatre air- and sea-lift. Still, coordination efforts must ensure the maintenance of individual NGO capabilities and avoid creating a dependency on military capacities, in particular logistics support. This will prevent military "mission creep" and obviate the need for a step-change in NGO resource requirements as the military effort is scaled back.

It is also important to remember that coordination amongst NGOs themselves is poor. The range of size, capabilities, competences, resources and ideologies demonstrate that they cannot be treated as a single entity. Whether they are large, transnational organizations capable a broad spectrum of engagement, or small specialized or "niche" organizations, they each make their own decisions independently. There is no agreed conduit for consultation across the disparate types of organizations. Even where the military sets up a Civil-Military Operations Centre (CMOC), 126 there is no guarantee that humanitarian NGOs will choose to participate and cooperate. Militaries have no authority over these groups, and even with the support of UN agencies in the field, NGOs cannot be compelled to coordinate their efforts via this centre. Furthermore, the military may not even know which NGOs are in country. As Byman explains: "Many NGOs do not register with any embassy or otherwise try to make their presence known. In Rwanda,

¹²⁴J.W. Rollins, "Civil-Military Cooperation (CIMIC) in Crisis Response Operations: The Implications for NATO," *International Peacekeeping*, vol.8, no.1 (Spring 2001): 127.

¹²⁵Mission creep occurs when a military force's capabilities are used in unforeseen or un-mandated areas to the point where losing those capabilities would have a massive negative impact, thus making it difficult for the military to justify withdrawal. See Michael Pugh From "Mission Cringe to Mission Creep? Concluding Remarks," *International Peacekeeping, Special issue: The UN, Peace and Force*, vol.3, no.4 (Winter 1996): 191-94.

¹²⁶CMOCs is one name for a coordination centre – others are Humanitarian Assitance Coordination Centres (HACC), Humanitarian Operations Centres (HOCs, Assisitance Centres (ACs) and Civil-military cooperation centres (CIMC centres) amongst others. They all perform similar functions in trying to encouraging civil-military coordination and cooperation. See Victoria Wheeler and Adele Harmer, "Resetting the rules of engagement…, in *HPG Report 21*, 11.

Somalia and other crises NGOS often simply appeared without making any arrangements to be received."¹²⁷ If humanitarian NGOs cannot, or will not, coordinate their efforts, then it is unlikely that the military will be able to force them to. Nor should the military expect NGOs to use valuable resources in terms of people and time just to satisfy the military's wish to generate neat and tidy coordination structures. This reluctance to coordinate is not a one-way street. If the NGOs demanded the military report its every movement to them, then a similar reluctance towards coordination might emerge. Seiple gives an example of the indignation felt by military personnel when interrogated by human rights inspectors:

Human rights inspectors would show up, seeking to examine the S[pecial] F[orces] methods. A typical uniformed response was "Who are these freaks? I'm an American trying to do my job." 128

The desire to work with one another must become mutual, and is not something that can be imposed by one organization on another.

Max Stephenson Jr., co-director of the Institute for Governance and Accountabilities at the Virginia Tech's School of Public and International Affairs, makes other important observations about the reluctance of humanitarian NGOs to coordinate more closely with the military, or other NGOs in the sector for that matter. He explains that the desire to "be there first" is an important driver for humanitarian agencies. This can create a "prominence" that will "draw in new donors and possibly increase revenues."

¹²⁷Byman, "Uncertain Partners...", 105.

¹²⁸Seiple, *The US Military/NGO relationship...*, 39.

He also correctly points out that coordination "implies costs in both direct and organizational terms." ¹²⁹

Coordination also has implications in an organization's ability to remain truly independent. Humanitarian organizations are no different than any other in their will to exist. If cooperation means lowering their profile, or challenging their utility in an emergency, they are unlikely to agree to that level of cooperation. Sadly, at times this means that the provision of aid may be less effective than it might be were it to be better coordinated. This is a fact of life in humanitarian interventions and must be accepted and worked within and around. Issues surrounding humanitarian NGOs' desire to exist as entities distinct from one another will be explored in greater detail in a later section covering consolidation in the humanitarian sector.

Humanitarian NGOs will cooperate with others, including the military, to the level and for the duration that makes sense to them individually. Lt Col Bill Norton, Deputy Operations Officer during Operation *Sea Angel*, notes: "The NGO will work with whomever makes its job easiest; that is, you have to satisfy their self-interest." Without an intuitive understanding of the motives of each humanitarian NGO there is little chance that the military will be able to anticipate what constitutes "self-interest." Thus, it would be difficult to set up the correct environment in which the desired level of coordination and cooperation between the groups might be realized. Despite these difficulties, the CMOC does have an important role to play. It is the only forum that exists to encourage

¹²⁹Max Stephenson, Jr. "Making humanitarian relief networks more effective: operational coordination, trust and sense making," *Disasters*, vol.28, no.4: 338.

¹³⁰Telephone interview with Lt Col Bill Norton USMC, Deputy Operations Officer, Chittagong, Operation Sea Angel, Bangladesh May 1991, in Seiple, *The US military/NGO relationship...*, 77.

cooperation and coordination. The way in which it may promote or facilitate coordination and cooperation remains open to debate.

Chapter 4 - The Humanitarian Space as a Market Place.

Given the diversity in the humanitarian sector, it is hardly surprising that there is chaos in the complex environments that characterize modern peace operations. Effective coordination, whether achieved by command or consensus, would lead to what the military calls "unity of effort." This is one of the principles of war that helps shape the way the military plans and conducts its business. It infers that all units are aware of the final goal, and apply and synchronize their assets towards the attainment of that goal. However, the complex nature of humanitarian emergencies and the diverse aims of various actors cannot all be distilled into an easy to digest concept, from which a single agreed and unified plan may emerge. The chaotic conditions in which these types of operations take place may be compared to the complexity of the market economy. In a market economy, no company has complete knowledge of its competitors' or collaborators' end goals, yet most continue to plan, allocate resources and execute their business within this constraint successfully. Coordination and collaboration exists only to the extent required to conduct business with one another.

In the humanitarian space, this may also be the case. A laissez-faire attitude to the provision of humanitarian aid may therefore be more appropriate than attempting to coordinate that which cannot be coordinated. Weiss emphasizes the benefits of viewing the humanitarian space as a market economy:

Some proponents of laissez-faire humanitarian action insist that a coherent strategy is unwise because it works against the magic of the market place in which individual agencies pursue independent strategies and arrive at a sound division of labour. ¹³¹

¹³¹Weiss, "Learning from Military-Civilian Interactions...", 123.

The Smithsonian "invisible hand," ¹³² if allowed to, may provide as effective provision of relief as any grand plan handed down from a CMOC or other coordinating body. The problem with a grand plan is that it assumes an authority over NGOs that simply does not exist.

Humanitarian NGOs' continued existence depends upon them proving their utility and indispensability in these emergencies. Therefore they will resist attempts to coordinate their efforts with competitors in their section. This reluctance to coordinate will be particularly strong if that coordination threatens or reduces their organization's footprint in the operation. Thus, freedom to interpret need in a creative manner amidst the chaos of the humanitarian operation may encourage the efficient and effective provision of aid in the same way that innovation and entrepreneurship does in the marketplace. An imaginative and creative approach by individual humanitarian NGOs allows the provision of aid to evolve as the situation unfolds and makes use of the broad skill-sets of each organization without placing artificial constraints on their ability to act as they deem fit.

The military needs to learn to understand this market place analogy and to work in a flexible manner with other agencies in order to facilitate cooperation that can support its mission without interfering with the innovative approaches and creative nature of humanitarian NGOs operating in the same humanitarian space. This is likely to be a great challenge for military personnel, but one that would be facilitated by greater on-going contact with, and understanding of, their humanitarian NGO colleagues.

¹³²Adam Smith, an 18th century economist in his book *An Inquiry into the Nature and Causes of the Wealth of Nations* (1776) compared market forces to an invisible hand that guided sensible division of labour and allocation of resources to best effect in the chaotic market environment.

Consolidation

Consolidation of the organizations that provide humanitarian relief could lead to an improved level of efficiency within the sector. The argument is that greater consolidation of humanitarian NGOs would reduce duplication of effort, help develop technical competence and generally improve the overall quality of service provision.¹³³

One initiative towards consolidation, if only in terms of standards and procedures, rather than organizational consolidation, is the ICRC Code of Conduct. The ICRC Code of Conduct was produced in 1994 on behalf of the humanitarian NGO community in order to offer guidance in the provision of disaster relief. According to the ICRC's Bruce Biber (Deputy Head of Division, Policy and Cooperation within the Movement), the Code of Conduct was established to "create common standards for disaster relief" in the hope of guiding NGOs that "launched operations in the field according to questionable, vague, or sometimes inexistent ethical standards." On initial inspection, creation of and adherence to a commonly agreed code of conduct seems sensible. A code provides advice and guidance to workers in the field, and offers a common reference against which to measure performance. Peter Walker, Director of the Feinstein International Famine Center at Tuft's University, is of the opinion that at this level, the code seems to have been successful. In the context of military/humanitarian NGO relations, it offers a starting point for assessing likely responses to military plans and policy and is a useful

¹³³See George Weber, "Introduction: Standards for Survival," *World Disasters Report 1996* (Oxford: Oxford University Press: 1996).

¹³⁴Bruce Biber, "The Code of Conduct: Humanitarian Principles in Practice," (20 September 2004) Available from http://www.icrc.org/Web/eng/siteeng0.nsf/html/64ZAHH; Internet; accessed 28 March 2009.

¹³⁵Peter Walker, "Cracking the Code: the genesis, use and future of the Code of Conduct," *Disasters*, vol.29, no.4: 324.

training tool for military officers deploying into the field. However, the Code of Conduct was designed to manage standards of disaster relief and did not consider in sufficient detail humanitarian relief in conflict zones; its drafters did not foresee the impact of the Code on integration with the military and other security-based issues. Hugo Slim considers this omission makes the Code of Conduct seem "reckless and lacking in operational nuance."

The Code of Conduct has been developed alongside other initiatives with which it is closely associated: the Sphere Project on the Humanitarian Charter and Minimum Standards in Disaster Relief (Sphere), ¹³⁷ and the Humanitarian Accountability Project (HAP). ¹³⁸ Taken together, these three initiatives seemed to be leading towards a sector-wide consolidation of practices, technical standards and accountability. But there is widespread criticism of these initiatives within the humanitarian NGO community.

MSF's Jacqui Tongs fears that the standards imposed by these initiatives are too technical in nature and may be "above and beyond what can be achievable in a hard emergency." ¹³⁹ If these standards are imposed with any authority, this would affect a humanitarian NGO's ability or willingness to enter a theatre and provide aid if its resources were insufficient to meet the criteria set. In this case, some NGOs might be dissuaded from making efforts to meet the humanitarian imperative. Tong explains further that "[t]he perfect would become the enemy of the good as an inability to adhere to [Sphere's]

¹³⁶Hugo Slim, "Claiming a Humanitarian Imperative: NGOs and the Cultivation of Humanitarian Duty," *Refugee Survey Quarterly* vol.21, no.3 (2002): 163.

¹³⁷http://www.sphereproject.org; Internet; accessed 29 March 2009.

¹³⁸ http://www.hapinternational.org; Internet; accessed 29 March 2009.

¹³⁹Tong, "Questionable Accountability...", 182.

Minimum Standards could lead to inaction on the part of social agencies."¹⁴⁰ In cases of extreme humanitarian need, it is surely better to provide food and aid at a lower standard than prescribed, dependent upon available resources, than to provide none at all.

The presence of a code of conduct and its associated standards and accountability procedures also has implications for funding. It may be the case that donors see noncompliance as an indication of lack of competence or even a desire to evade audit. As a result, donors may feel more comfortable giving resources to those organizations that they feel are "legitimized' by compliance with the Code. Compliance with standards and preparing for auditing adds another layer of bureaucracy to humanitarian NGOs, which implies costs that must be subtracted from the resources available for the provision of aid. This technical approach to the validation of humanitarian aid also has the potential to favour larger projects that have the attendant financial and technical oversight and to marginalize smaller, resource-constrained organizations. 141 Consolidation might then happen by default, with some of the smaller "niche" organizations, along with their specialist skills, withering on the vine, unable to meet the published technical standards. As a result, it may be easier for the military to identify with whom it should work, and how, but the aggregate level of aid reaching the emergency may be reduced along with the loss to the sector of some smaller NGOs.

The Code of Conduct, Sphere and HAP all have positive contributions to make to military/NGO relations, in particular through the alignment of NGO practices and setting

¹⁴⁰Ibid.

¹⁴¹Charlotte Dufour, *et al* "Rights, Standards and Quality in a Complex Humanitarian Space: Is Sphere the Right Tool?" *Disasters*, vol.28, no.2 (2004): 137.

of technical standards. However, the benefit to the sector overall, and to the meeting of the humanitarian imperative, is much less clear.

Theoretically, organizational consolidation of the humanitarian sector, by which is meant amalgamation of NGOs to create fewer, but potentially larger, arguably more capable NGOs would seem to offer benefits significant in terms of cooperation and coordination with the military. George Weber, former Secretary General of the ICRC, explains: "The best way to improve civilian-military interactions would be more consolidation, representing 'shake-out' for independent intergovernmental and non-governmental agencies." 142

Consolidation would reduce the number of different agencies with which the military would need to coordinate, and the number of cooperative agreements required. There would also be fewer points of view and logistical requests to manage and accommodate. Basically, consolidation has the potential to simplify relationships and communication arrangements.

However, humanitarian NGOs are not united in their support for consolidation.

Some of the larger ones (like the ICRC) have voiced tentative support, but of course, they are the ones likely to benefit from consolidation. The smaller, poorly funded, more specialized organizations may fear that they will be swallowed up by the larger agencies in the process. Consolidation is a direct challenge to the independence of smaller organizations in particular. If the market economy analogy is to be accepted, consolidation may well improve efficiency, but it would also restrict choice and potentially inhibit innovation and initiative in the humanitarian arena. It could lead to a

¹⁴²Weber, World Disasters Report 1996, 6.

"big-box store" style of humanitarian intervention. You could get everything you need, so long as those larger, consolidated agencies continue to provide those services required. If the smaller "niche" humanitarian NGOs are lost in the consolidation process, certain services, competencies and experience may be lost as well. Weiss argues that consolidation works "against the magic of the market place in which individual agencies pursue independent strategies and arrive at a sound division of labour." ¹⁴³

Consolidation could also bring about benefits in terms of security. Protecting aid workers in a humanitarian emergency is difficult because of their large number and the way they tend to become scattered around the conflict area. Consolidation might reduce the number of "nodes" that would need to be shielded. However, some humanitarian NGOs, fear that this would make them a "bigger target, and stood to separate [them] from the very population they were seeking to serve." ¹⁴⁴

Institutionally there seems to be support for greater consolidation. But on closer examination, it seems that organizations accept the idea, but are reluctant to put it into practice. Weiss' observes:

Autonomy, not collaboration is the hallmark of the UN feudal system and of turf-conscious NGOs, so perhaps one should just get used to this fact. Disingenuous crocodile tears are often shed by governments, intergovernmental and non-governmental officials who lament the lack of effectiveness and coordination while working strenuously against any meaningful consolidation. ¹⁴⁵

On balance, the benefits brought to the military by consolidation of the sector are at best questionable. It is important though that the military is aware of this impetus and

¹⁴³Weiss, "Learning from Military-Civilian Interactions..., 123.

¹⁴⁴Seiple, *The US Military/NGO relationship...*, 126.

¹⁴⁵Weiss, "Learning from Military-Civilian Interactions...", 123.

watches it closely in order to keep informed of the changes and evolution of the sector.

Militaries should monitor the policy developments of their humanitarian partners in the same way they keep abreast of changes to the policies of their military allies and potential enemies in order to anticipate the best ways of dealing with them.

Chapter 5 - Conclusion

The new security paradigm that has developed since the end of the Cold War has seen interaction between military forces and humanitarian aid organizations increase to unprecedented levels. The number of agencies, organizations and militaries involved in peace operations and complex humanitarian emergencies creates a wide diversity within the sector. Thus, the humanitarian arena, previously dominated by humanitarian agencies, has become a much more crowded and contested space. Contact between humanitarian organizations and the military has not always gone smoothly, largely based on their differing attitudes and approaches to various facets of complex humanitarian operations, along with mutual misconceptions. Nevertheless, most actors in the sector seem to have learned that the changing nature of peace operations requires recognition of the one another's legitimate presence in the space, and a need to coordinate activities, albeit to varying degrees.

The humanitarian NGOs' adherence to humanitarian guiding principles is one of the impediments to the establishment and maintenance of close working relationships with the military. These principles, in particular those of impartiality, neutrality and independence, can be challenged by cooperation or coordination with the military. These challenges are particularly acute when militaries try to take charge and direct the efforts of the other actors. Even being seen to cooperate with or even operate near the military could challenge perceptions of an organisation's neutrality and impartiality. Being directed or constrained, geographically or otherwise, by the military presents a fundamental challenge to NGO independence.

The publication of the Brahimi report in 2000 set the stage for more robust military engagement in peace operations and seemed to offer challenges to some of the guiding principles of UN/humanitarian NGO intervention and humanitarian action. Specifically, the new security paradigm challenged the concepts of consent and neutrality. It became clear that the UN would need to take sides in some circumstances, particularly in cases where blatant humanitarian atrocities were being witnessed. Furthermore, these new types of humanitarian emergencies in which the belligerents were indistinct, and the limits of the conflict ill-defined, presented greater threats to the safety of humanitarian workers than previously experienced. The humanitarian NGOs' traditional reliance upon neutrality as a protection for aid workers seemed to be failing. Also, despite a declared desire to remain neutral, humanitarian NGOs operating in the same space could have perceptions of their neutrality compromised by association with the UN or UN-mandated military forces. This undesired compromise of humanitarian NGO guiding principles caused friction between militaries and many humanitarian NGOs, particularly those with Dunantist traditions.

Institutionally, the UN seemed to understand that compromises to neutrality were unavoidable, and preferred to see UN intervention in terms of impartiality instead. Thus, UN-mandated military forces began to gain the freedom to act in a more robust fashion in some peace operations. Some humanitarian organizations (for example, MSF) recognized the increasing threat to their workers and started to value the security that could be offered by military forces. These humanitarian NGOs are now able to operate on a pragmatic basis with the military under these circumstances. Other, more philosophically guarded

humanitarian NGOs, such as the ICRC, determinedly defend their guiding principles and continue to find working with the military challenging.

In their interactions with humanitarian NGOs, militaries need to remember that they have no automatic authority in any given situation. They have no right to take charge of others in the humanitarian space, nor to dictate how other organizations should operate. Furthermore, military officers need to understand and respect the importance that the guiding principles have on the way NGOs function. On the other hand, humanitarian NGOs must recognize the changing dynamic of the new international environment and the challenges it brings, particularly to perceptions of neutrality and the need for security. Humanitarian NGOs must be prepared to contextualize their guiding principles and *modus operandi* in order to deal with the complex nature of the contemporary humanitarian space. This may make acceptance of compromises to their principle of neutrality in particular necessary in some circumstances.

Barriers to cooperation appear at two main interfaces between militaries and humanitarian NGOs: individual and institutional. Barriers at the individual level are based largely on false stereotyping, misconception and prejudice. Experience shows that increasing contact between aid personnel and military officers tends to lower or remove individual barriers constructed in this manner. This trend is encouraging and seems set to continue.

Barriers to cooperation and coordination at the institutional level are complicated and operate over many levels. Increased mutual awareness through training and education has the potential to overcome institutional barriers. Although there is evidence that there is increasing mutual training at the field level, the challenge of institutionalizing these

lessons remains. The instigation of a humanitarian sector "staff course" with affiliations to military colleges where educational efforts can be maximized and collaborated may assist to capture lessons learned. Transmission of these lessons learned into planning and operational procedures at the field level may increase understanding between military and aid workers. Also, greater participation of serving military officers on post-graduate development management and international organizations programmes will improve the understanding of humanitarian NGOs within military circles. Understanding is the key to relationship building and dismantling of barriers in this context.

The organizational structure of militaries compared with typical humanitarian organizations can also act as a barrier to effective cooperation and coordination. Military officers may feel uncomfortable with the level of authority that a young (and thus apparently inexperienced) aid worker may have, or the apparent lack of oversight from the employing organization. Finding the right person, with the appropriate level of authority, to act for an organization with a flat command structure is difficult. Similarly, aid workers tend to find the more rigid, authoritarian style espoused by most militaries inappropriate and patronizing.

Consolidation of the number and type of humanitarian organizations has the potential to improve levels of cooperation and coordination between military and humanitarian actors in peace operations. Fewer organizations would reduce the number of different actors in any given scenario and hence simplify communication and security requirements. Similarly, gaining agreement on a broad overall aim of the operation may be easier under such circumstances. However, despite many organizations calling publically for increased consolidation of the sector, in practice this would mean loss of

footprint for some, and extinction for others, along with the potential loss to the sector of some niche service providers. Given the turf-conscious nature of many NGOs and UN humanitarian agencies, the consolidation of the sector as a means of simplifying and improving humanitarian NGO/military relations is unlikely.

Actions in the humanitarian space can be compared to transactions in a free market economy. Need dictates the provision of services and an "invisible hand" guides the division of labour and allocation of resources in a laissez-faire manner, rather than by the employment of a centralized system of command. This laissez-faire type of aid provision encourages innovation, invention and creativity in the humanitarian space and may be more effective in the long run than trying to coordinate service provision centrally. Central command and consolidation also increases the potential for service provision to become concentrated into the hands of the larger, better known NGOs at the expense of the smaller niche operations.

Probably the best way to improve relationships and minimize barriers to cooperation and coordination is through continued contact in the field, and the generation of mutual awareness and respect through training and education. The motivations of many military and humanitarian NGOs members are not dissimilar - members of both groups are driven by the desire to serve - it is only the way they choose to serve that differs.

Ultimately, cooperation and coordination in the chaotic humanitarian "market place" rely on the effective building of relationships between actors of all natures.

Increased contact, better education and training, and a willingness to recognize one another's unique contribution will help bring down the barriers; drawing lines in the sand

and refusing to compromise regardless of the changing situation will not. The diversity of the actors generates resistance that is too great to allow seamless coordination of effort towards an "overarching common goal." However, acting in a "spirit of accommodation," while keeping the humanitarian imperative at the fore will help develop mutually beneficial relationships that can be leveraged in the service of humanity in times of need. Developing these relationships at all levels throughout the sector will make any barriers, if and when erected, much easier to overcome. Ultimately, the humanitarian space is a messy, complex arena; allowing market forces to prevail and encouraging the building of respectful relationships among all actors are the best ways of optimizing coordination and cooperation in humanitarian operations.

¹⁴⁶ Seiple, The US Military/NGO Relationship...,", 8.

 $^{^{147}}$ Interview with Ronald Libby, OFDA 19 May 1995, in Seiple, The US Military/NGO Relationship..., 56.

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