

OI Policy Compendium Note on Multi-Dimensional Military Missions and Humanitarian Assistance

Overview: Oxfam International's position on Multi-Dimensional Missions and Humanitarian Assistance

This policy paper covers missions such as those undertaken by NATO in Afghanistan or by the African Union in Sudan, where national, regional, or multinational operations have combined political, military, and humanitarian functions in a single mission, often in highly contested situations. There is also a complementary OI policy note on United Nations Integrated Missions and Humanitarian Assistance, which focuses specifically on United Nations peacekeeping and humanitarian operations.

The missions are designed to succeed by integrating military, political, and humanitarian assistance, and the effective co-ordination of international action is important in ensuring that all people in need of protection and assistance receive it. Nevertheless, when the whole mission is on one side of a contested conflict, as in Afghanistan, the integration of military, political, and assistance functions can also create the risk that the other side may attack humanitarian workers perceived to be associated with it. This can critically undermine their ability to provide vital humanitarian assistance.

When Oxfam engages with such missions, it will remain outside them as an independent humanitarian agency. It proposes a series of benchmarks to help such missions maximise their impact in saving lives, improving the welfare of affected populations, and enhancing their access to humanitarian assistance – without creating unacceptable risks to humanitarian workers and their beneficiaries.

These benchmarks include:

- Any mission conducted by regional organisations or other groups of countries must be based on international legality and should be authorised by the UN Security Council. Its mandate should explicitly include the protection of civilians.
- The provision of humanitarian assistance should never be fully integrated into such a mission, especially when there are still acute humanitarian needs or where armed groups perceive the mission as hostile.

1. Definitions

Multi-dimensional missions: In recent years, regional organisations and others have established missions to countries in conflict or post-conflict situations that integrate military, political, and humanitarian assistance functions under a single structure. Recent examples include the US-led coalition in Iraq, NATO in Afghanistan, Australia's operation in the Solomon Islands, and the African Union's mission in Sudan. Various concepts have been developed to cover such missions, including NATO's 'the comprehensive approach' and 'Effects-based Approach to Operations (EBAO)', and 'whole-of-government' approaches.

Humanitarian assistance must be delivered impartially to those in need, irrespective of who they are. It must be independent of military or political interests. Work that has primarily political or military objectives should not be designated as 'humanitarian', because of the risk that one side of a conflict will see it, and all other relief, as part of a military strategy, and take action against it.

'Humanitarian space', for Oxfam, refers to an operating environment in which the right of populations to receive protection and assistance is upheld, and aid agencies can carry out effective humanitarian action by responding to their needs in an impartial and independent way. 'Humanitarian space' allows humanitarian agencies to work independently and impartially to assist populations in need, without fear of attack or obstruction by political or

physical barriers to their work. For this to be the case, humanitarian agencies need to be free to make their own choices, based solely on the criteria of need.¹

2. Background

Whether as part of the 'global war on terror' or not, these missions have provided assistance as an integral part of their security strategies, in the long tradition of so called 'hearts and minds' counter-insurgency operations.² Such campaigns challenge the distinction between humanitarian and military action required by international humanitarian law, a distinction essential for the safety of humanitarian workers. If international military forces provide relief, opposing armed groups may perceive that *any* international assistance is linked to their military effort. International humanitarian agencies thereby risk being associated with one side in a conflict, and targeted by the opposing side as a result.

The use of 'hearts and minds' tactics by coalition forces in Afghanistan and Iraq has been particularly contentious. In Afghanistan, some coalition troops have delivered assistance while using civilian vehicles and wearing civilian clothing, and aid has been delivered in return for intelligence. This suggests that in some places aid will not be provided *unless* information is provided. The deliberate targeting of aid to particular groups for political or military purposes is entirely contrary to the humanitarian principle of impartiality, which all major Western governments that have agreed to the principles of Good Humanitarian Donorship claim to support.

Provincial Reconstruction Teams (PRTs) of mixed military and civilian personnel dig wells, rebuild schools and medical facilities, and provide other assistance, even in areas of Afghanistan where the security conditions do not suggest that such exceptional measures are necessary.³ Whether such tactics increase the security and acceptance of coalition forces is unclear. Taken together, they have done nothing to reduce Afghan insurgents' perception that international humanitarian agencies are linked to the continuing conflict, and therefore, in their view, are legitimate targets.

Based on Afghanistan and elsewhere, leading NATO members (including Canada, the UK, and the Netherlands) and NATO itself have developed the concept of 'integrated' or '3D' approaches that integrate development, diplomacy, and defence objectives in single missions. To date, security or military, rather than diplomatic or development, objectives have dominated. The provision of assistance has been driven more by the need to 'win hearts and minds' – to increase 'force protection' by greater local acceptance – than to meet impartially assessed humanitarian needs.

The assistance element of such missions has often taken the form of Quick Impact Projects (QIPs), a concept that originated in the Balkans in the 1990s, and has since found a place in most statements of Western military doctrine. The UK states that QIPs 'should contribute to the creation of a more normal and therefore secure environment, and can shape local perceptions. As a result, such activity may well generate a positive Force Protection spin-off'.⁴

The military element of such missions has reflected the doctrine of a 'three-block war'. As combat occurs on one city block, the same military may be engaged in separating warring factions on another, while at the same time delivering assistance to war-affected civilians on a third.⁵ It is within this last 'block' that humanitarian agencies may also be operating, and this creates tensions between military and humanitarian actors.

¹ L. Sida (2005) 'Challenges to Humanitarian Space – A Review of Humanitarian Issues Related to the UN Integrated Mission to Liberia and the Relationship Between Humanitarian and Military Actors in Liberia', study facilitated by the Monitoring and Steering Group, the main INGO co-ordination body in Liberia.

² In some cases, they have had the legal obligations of occupying powers to *facilitate* but not necessarily to *provide* basic assistance under international humanitarian law and human rights law. These obligations continue when those missions transform to support a newly established government.

³ Numerous papers written on PRTs exist, but a British agencies Afghanistan group briefing paper on the development of a joint regional team in Afghanistan by Barbara J. Stapleton, January 2003, is a comprehensive one.

⁴ Stuart Gordon, The changing role of the military in assistance strategies, HPG Report 21, 2003.

⁵ The term 'three-block war' (3BW) was developed by Gen Charles Krulak in the late 1990s. The design of 3BW offers the military a framework for the variety of their activities in a way that makes sense to a warfare-centric profession.

3. Oxfam International's position on Multi-Dimensional Military Missions

Oxfam will constructively engage with Multi-Dimensional Military Missions that are legitimately established in accordance with the UN Charter. Impartial humanitarian action can complement the nation building that such missions often support. But Oxfam cannot get too close. Simply operating side-by-side with the military and political components of a mission may put humanitarian actors at risk of being identified with the mission and targeted by those forces that see the mission as part of the hostile international community, which is often more concerned with state-building rather than peace-building.

Oxfam's engagement with such missions will be grounded in humanitarian principles, outlined in the annex below, drawn particularly from the SPHERE Humanitarian Charter and the Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief.

We propose the following benchmarks to help ensure that such missions help save lives, without increasing the risk to humanitarian workers or people in need of humanitarian assistance:

- **A Multi-Dimensional Military Mission must be based on international legality.** Any intervention mission must be in accordance with the UN Charter, in particular Chapters VI and VII on the role and authority of the Security Council, and Article 51 on collective self-defence, which also requires subsequent Security Council authorisation.
- **The process for establishing a Multi-Dimensional Military Mission for any country must include consultation with NGOs at the earliest stages of planning and design,** and include a wide group of stakeholders, specifically key agencies and civil-society institutions in the country, and the UN.
- **The UN Security Council should explicitly include the protection of civilians in the mandate of authorised Multi-Dimensional Military Missions,** and this article should be incorporated into the Rules of Engagement of all participating member states, to ensure implementation in practice.
- **Humanitarian actors, governments, and NGOs should NEVER be fully integrated into a Multi-Dimensional Military Mission,** especially when there are still acute humanitarian needs, or where armed groups perceive the mission as partial or hostile. Humanitarian activity should be managed separately and should not be part of the Mission. UN humanitarian agencies should not have their activities subordinated to a political agenda and integrated into the structure of a Multi-Dimensional Military Mission where they are no longer able to define their objectives in humanitarian terms.
- **Multi-Dimensional Military Missions must take account of and work with functioning and viable government frameworks and civil society,** where they exist, as opposed to being wholly directed by the UN headquarters in New York.
- **Humanitarian negotiations and their underlying humanitarian imperatives should remain distinct from such missions' political and other negotiations.** Political negotiations should not incorporate humanitarian provisions that are contingent on political actions or agreements. In contrast, humanitarian negotiations should *not* be led by the Mission, but by the UN Humanitarian Coordinator or another prominent member of the humanitarian community.
- **Multi-dimensional missions must not allow the inappropriate use of military assets to provide relief.** A separate paper in this series of OI Policy Notes – 'The Provision of Aid by Military Forces' – offers detailed guidelines. Key points include:
 - Military assets, armed escorts, joint humanitarian–military operations, and any other actions involving interaction between humanitarian agencies and the military, are only used as a last resort.
 - If military personnel do provide assistance, they must clearly identify themselves as military. They should not wear civilian clothes and, if possible, make efforts to fully distinguish themselves from civilians and aid workers.

4. What Oxfam International will do:

- **Distinguish itself from, and remain outside, the direct management of Multi-Dimensional Military Missions.**
- **Assist UN and international humanitarian agencies** to distinguish themselves from military forces, in the planning and implementation of Multi-Dimensional Military Missions, through developing benchmarks for the success of Multi-Dimensional Military Missions.
- **Oppose structural association between humanitarian and military entities in Multi-Dimensional Military Missions.** Co-location, under a common leadership, of political, development, and military personnel, is seen as inappropriate and contrary to the fundamental humanitarian principles of independence and impartiality. This may include limitations on donor visibility or refusal to accept funds from donor governments participating in a mission.
- **Support efforts to develop field-based pre-planning crisis-management exercises and training by humanitarian experts and military planners, with military forces working under the UN mandate deployed on peacekeeping missions.**⁶ These exercises should familiarise military commanders with humanitarian expertise in needs assessment and programme design within the aid community, and the potential advantages humanitarians enjoy in community relations and local geographic and socio-political analysis.
- **Conduct its operations in accordance with internationally accepted humanitarian principles, and guidelines on interaction between humanitarian agencies and military forces outlined in the OI Policy Note on The Provision of Aid by Military Forces.** As a result:
 - **Oxfam staff will not take orders from the military in normal circumstances**, with the exceptions of evacuation, rescue, or risk to life of staff. The decision to evacuate will be Oxfam's.
 - **Oxfam aid will not be provided through the military.**
 - **Oxfam will only use logistical military resources (such as heavy-lift aircraft) as a last resort, where no other means are available to save lives, and comparable civilian resources are not available.**
 - **Oxfam will discourage the military from undertaking survival assistance** (health, food security, water/sanitation/hygiene, shelter) or socially connected activities like education and agriculture, which can be manipulated for military and political advantage. Access should not be denied for humanitarian actors to provide assistance.
 - **Oxfam will highlight the distinctive competence of the military, which may include: security; disarmament, demobilisation, and reintegration; security-sector reform; logistics; reconstruction** (roads, bridges, airfields, ports, etc.); and initial phases of deployment – policing and criminal justice.
- **Oxfam will oppose the use of those 'hearts and minds' activities that are similar to the work undertaken by humanitarian agencies.** 'Hearts and minds' operations confuse the respective role and remit of the humanitarian agencies and militaries in the minds of beneficiaries and other observers. Force protection and stabilization is better served by military actors abiding by international humanitarian law (IHL) and protecting civilians.

⁶ In particular: familiarisation with basic humanitarian principles in international humanitarian law, human-rights law, and refugee law; Security Council resolutions such as A/RES/46/182; humanitarian agency principles such as the Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief, SPHERE Humanitarian Charter; and the UN IDP Guidelines; MCDA guidelines and the IASC paper on civil–military relationships in complex emergencies; and insights into the ways in which humanitarian workers operate and which familiarises humanitarian workers with the military approach.

- **Oxfam will support efforts to review integrated missions during their life and encourage independent** evaluation of cost effectiveness on the immediate and longer-term impact of the donor investments at the end of the mission. There should be a strategic monitoring mechanism that allows for missions to learn 'on the job', assessing what works and what doesn't, and allowing them to change course if necessary. In addition there should be a process by which lessons are learnt systematically at the end of the mission.
- **Oxfam will oppose the diversion of donor humanitarian funding for military or political business.** The military should not claim to undertake or report its activities as humanitarian action. Activities undertaken by the military should not be recorded as humanitarian Overseas Development Assistance.
- **Oxfam will support efforts to build awareness of humanitarian principles in troop-contributing countries** by disseminating IHL, humanitarian principles in the Code of Conduct, the SPHERE Humanitarian Charter, and the UN IDP Guidelines

Annex: Summary - Oxfam's Humanitarian Principles⁷

- **Humanitarian Imperative.** Humanitarian assistance must be provided on the basis of the needs of those affected by the particular emergency, taking into account the local capacity already in place to meet those needs.⁸
- **Impartiality.** The delivery of humanitarian assistance to all populations in need must be impartial. It must come without political or military conditions. It must be given without adverse discrimination of any kind, regardless of race, ethnicity, sex/gender, religion, social status, nationality, or political affiliation of the recipients. It must be provided in an equitable manner to all populations in need.
- **Independence.** The assessment of needs must be conducted independently. Humanitarian workers must never present themselves or their work as part of a military operation, and military personnel must refrain from presenting themselves as civilian humanitarian workers.
- **Distinction between combatants and non-combatants.** At all times, a clear distinction must be maintained between combatants and non-combatants – i.e. between those actively engaged in hostilities, and civilians and others who do not or no longer directly participate in the armed conflict (including the sick, wounded, prisoners of war, and ex-combatants who are demobilised).
- **Humanitarian Access to Vulnerable Populations.** Humanitarian agencies must maintain their ability to obtain access to all vulnerable populations in all areas of the emergency in question, and to negotiate such access with all parties to a conflict. Particular care must also be taken to ensure that access is sustainable. Co-ordination with the military should be considered to the extent that it facilitates, secures, and sustains – rather than hinders – humanitarian access.
- **Gender equity.** Humanitarian assistance must be provided in a way that responds to the expressed needs of women as well as men, girls as well as boys. It must do nothing to reinforce unjust power relations between men and women. Indeed humanitarian assistance that is distributed equitably can help to challenge gender inequality.
- **Respect for Culture and Custom.**⁹ Respect and sensitivity must be maintained towards the culture, structures, and customs of the communities and countries where humanitarian activities are carried out. Where possible and to the extent feasible, ways shall be found to involve the intended beneficiaries of humanitarian assistance and/or local personnel in the design, management, and implementation of assistance, including in civil–military co-ordination.
- **Complementarity.** A strong humanitarian movement is made up of distinct, independent actors. The actual roles of these actors in humanitarian response will differ, based on their core competencies and comparative advantages in a particular situation. The UN should play the central and unique role in providing leadership and co-ordination of international humanitarian action. Moreover, the UN should lead in the direction of maximising the strengths of individual agencies in contributing to a collective effort, rather than ensuring that all actors, including NGOs, are moving in lockstep toward a particular political outcome.

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⁷ See **OI Policy Note on Humanitarianism** for more detail.

⁸ A similar provision on needs-based assistance is articulated as Principle 2 in The Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief. The principle of non-discrimination is expressed in a multitude of human-rights instruments, including the Universal Declaration of Human Rights of 1948; International Covenant on Civil and Political Rights of 1966; International Covenant on Economic, Social and Cultural Rights of 1966, etc.

⁹ For example, see Principles 5 and 7 of The Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief.