Security challenges for humanitarian action

by **Angelo Gnaedinger**

In keeping with the focus of this conference, which is on "coping with the new security challenges of Europe", I shall deal primarily with what I see as security challenges for humanitarian action in Europe. My comments will be made solely on behalf of the International Committee of the Red Cross (ICRC), a humanitarian organization that is present in practically every armed conflict and situation of internal strife or disturbances around the globe, and are not intended to reflect the position of any other humanitarian agency. I shall give you a more detailed portrait of the ICRC in a moment.

The questions I shall attempt to answer are the following:

- In what environment is today's humanitarian action taking place on a *global level* and what are the *main challenges* to be met by humanitarian agencies in this environment?
- Is there anything that specifically characterizes security challenges for humanitarian action *in Europe*? I shall try to answer this question by comparing the ICRC's activities in Africa with those of our organization in two European theatres of operations, namely the Balkans and the northern Caucasus.

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- To what extent has the framework for ICRC activities *in Europe* changed over recent years and might it change further in the coming years? Here, the effects of European integration so far and the possible impact of a common EU foreign and security policy deserve special consideration. Article 17, paragraph 2, of the Treaty on the European Union is, as you well know, of special interest in this context.

The International Committee of the Red Cross

The ICRC is an independent humanitarian organization, with an international legal personality, which protects and assists victims of armed conflicts and internal strife worldwide. The promotion and development of international humanitarian law is central to its mandate.

With independence, impartiality and neutrality as its main guiding principles, the ICRC is no doubt the only humanitarian organization present in practically every armed conflict and situation of internal disturbances worldwide. Physical proximity to the victims on a durable basis, wherever there is a need for protection and assistance, is characteristic of its action. The ICRC strives to obtain access to victims through negotiations with all the parties to a conflict or a political crisis. The ability to maintain close and regular contacts with the parties — however they may be viewed by different members of the international community — is a result of the ICRC's long experience and is one of the organization's major assets. This unique network of contacts is constantly being developed through more than 200 delegations, sub-delegations and offices around the world.

The ICRC has a staff of almost 12,000 people, including more than 11,000 in the field. Its total expenditure in 1999 came to 849 million Swiss francs, almost twice the amount spent in 1990 (443 million). Expenditure for the year 2000 is expected to reach a record high of 871 million francs. The planned budget for 2001 has been set at a slightly lower level in order to take into account various financial and human resources constraints.

Environment for humanitarian action worldwide

Internal armed conflicts have become the rule, international armed conflicts the exception — and we must not forget internationalized internal conflicts, such as those in the Democratic Republic of Congo or in Sierra Leone. Non-State parties to conflict, which are very difficult to identify as they are often poorly structured and have no clear chain of command, play an ever-increasing part in the fighting. Violence is encouraged by easy access to cheap and powerful weaponry, rapid worldwide communications and, in many places, crumbling State structures. The domination of one ethnic group or one religion by another and the monopoly over access to economic resources are among the most frequent causes of fighting in Africa, the continent with the world's highest number of armed conflicts. The ICRC carries out almost 40% of its field activities in Africa, where nothing seems to be stable and where the situation can change radically within a relatively short time frame. While in three conflicts the fighting has recently come to an end — those in Guinea Bissau, Congo-Brazzaville, and Eritrea/Ethiopia — the situation is worsening in West Africa and concern is growing as far as Zimbabwe and some neighbours of Angola are concerned. At the same time, many other conflicts, such as those in Sudan, Angola, Congo-Kinshasa and Somalia, continue unabated.

A study published by the World Bank in June 2000 on the causes of civil wars from 1965 to 1999 concludes that material factors, in particular economic and demographic ones, led to 47 of the 73 conflicts analysed. In this respect, it is difficult to overlook the fact that Africa, with its share of 10% of the world's population, accounts for just one per cent of the global GDP. In addition, 70% of the world's 25 million AIDS victims live in Africa.

Overcrowding on the humanitarian scene, such as occurred last year in the Balkans, is not the main problem faced by the ICRC in Africa, even if the sudden arrival of vast numbers of aid workers in a situation given extensive media coverage, like the one in Ethiopia last spring, may hamper rather than facilitate humanitarian assistance. Moreover, there are very few African countries in which the ICRC and international military forces are working side by side. The

United Nations forces designated for Congo-Kinshasa have not yet been deployed and the positioning of UN forces between Eritrea and Ethiopia has only just begun.

The most obvious case where the relationship between humanitarian and political or military action has to be considered is Sierra Leone. There, the ICRC has drawn the attention of the United Nations to the problems arising from so-called integrated mandates — those that call on the same armed forces to carry out both military and humanitarian tasks. It would be unfortunate, for instance, if the human rights components of a UN peacekeeping mission were to visit detention centres on the basis of less stringent working procedures than those applied by the ICRC. This example points, by the way, to a wider problem under the heading of challenges for humanitarian action, which has nothing to do with cooperation between the military and aid agencies. I am referring to the competition between humanitarian workers which can lead to a duplication of efforts and, in some cases, to a marked lowering of standards. Visits to detention centres or protection and assistance for internally displaced persons are sectors where, it must be clearly said, the humanitarian community has much to gain from complementarity and much to lose from sterile competition resulting from divergent guidelines for action.

What are the main challenges we face today in the most difficult contexts?

- The complexity of conflict situations, i.e. the intermingling of local and international groups in the same context, each of them driven by a different mix of political, economic, ethnic and religious motives.
- Ignorance, or worse, the flouting of the rules of international humanitarian law by parties to a conflict.
- The sharp rise in abductions, "whether because of the copycat effect (Somalia is one example)", as our Delegate in charge of Security put it, or because our activities now extend to areas where such crimes have a long tradition (as in the Caucasus).
- The deliberate targeting of humanitarian workers.
- Ignorance or the calling into question of the ICRC's role as an impartial and neutral intermediary entrusted with a mandate by the international community.

- Rejection of the ICRC's presence by parties to a conflict.

Moreover, our staff members work in situations where boarding an aircraft is more dangerous than anywhere else in the world and where the risk of contracting a serious illness is exceptionally high.

How does the ICRC strive to meet these challenges?

First, we have to accept and understand the full complexity of today's conflicts. Conflict analysis is vital — not just an intellectual exercise. Since the ICRC acts at the crossroads of divergent interests, it must develop an ongoing dialogue with all those involved, be they global players or representatives of a rebellious minority group, militants of a radical religious movement or senior members of the armed forces of a State. Our proximity to and the quality of our dialogue with all the warring parties are essential if we are to gain access to the victims of a conflict and provide them with the protection they need. In order to achieve this we must adapt our discussion of humanitarian law and values to different cultural contexts, while reaffirming our own identity as an impartial and truly independent humanitarian organization. We need to avoid any action, as inoffensive as it may seem, that could give rise to doubts about our independence. When, in spite of all these efforts, our acceptability is questioned, withdrawal must be considered. As an alternative, we sometimes restrict our activities to a particular area or sector.

Secondly, security training and the systematic exchange and analysis of security-related data have become essential to the ICRC. Strict observance of the rules and criteria for action and for withdrawal have come to play an important role for the organization. Our *modus operandi* must be consistent and reliable, so that we know what to do and others know what to expect of us. The role of security is highlighted in this recent comment made by our Delegate in charge of Security: "The safety of our personnel is a precondition for action. It is both more important than those activities and at the same time entirely secondary to them." Except for the decision to evacuate personnel and to use armed escorts, all other security-related activities — such as gathering information, analysing data and decision-making — are entrusted to our field staff.

Different humanitarian agencies have different security policies and the approaches they adopt can have serious consequences for the ICRC. In particular, the use of armed escorts by aid personnel working in the same area can have a negative impact on the ICRC, which is traditionally unarmed, by pinpointing it as a so-called soft target.

To conclude these general comments, let me say that the issue of improved security for humanitarian workers has now necessarily become part of the overall political agenda. If those who might be tempted to attack humanitarian workers could be convinced that their deeds would elicit more than easily forgotten verbal reprimands on the part of the international community, the security environment for humanitarian organizations would no doubt improve considerably.

Security challenges for humanitarian action in Europe

The security challenges arising from the recent conflicts in Europe are no different in substance from those I have just described. As elsewhere around the globe, ethnic strife, nationalist fervour and religious extremism have spawned tremendously destructive violence in the Balkans and the Caucasus. Combined with the difficulties of transforming the socio-economic structure and coping with conflicting strategic interests, these forces have brought enormous suffering to the populations in those regions and have been the cause of repeated humanitarian tragedies over the past ten years. The ICRC had to learn quickly about the complexity of the cultural, ethnic, political and socio-economic fabric of south-eastern and eastern Europe, which the Cold War had so effectively covered up for decades. And in order to reach the victims in Sarajevo, Pristina, Sukhumi, Nagorny Karabakh and Grozny, it had to explain its role and its way of doing humanitarian work to thousands of people whose respect was — and remains — crucial to its action.

The most outstanding security challenge for humanitarian work in Europe, however, has been the enormous interest which the media, public opinion and hence governments have shown in these dramatic events. The result has been the ICRC's

extraordinarily intense interaction with political and military components of inter-national crisis management. In that respect the conflict in Bosnia-Herzegovina, with the involvement of several generations of United Nations peacekeeping forces and the post-Dayton deployment of IFOR/SFOR, has been the most important testing ground for the new and evolving relationship between humanitarian agencies and the military. From the experience gained in this context, the ICRC has learned to weigh the risks resulting from the blurring of military and humanitarian mandates and to identify areas in which the military can make significant contributions to the work of aid agencies without taking over their role.

Let me say it right away and clearly: the military can indeed make important contributions in the humanitarian field, without turning themselves into a humanitarian enterprise:

- in an unstable situation where, for instance, the military can restore public order and thus not only protect the civilian population, but also facilitate the work of aid personnel;
- in situations of sudden and massive demands for humanitarian assistance (e.g. earthquakes, floods, or a massive influx of refugees into poor countries, such as occurred in Macedonia and Albania last year), military assets can be made available to public services or humanitarian organizations, thus enabling them to respond more effectively.

To highlight the potential of smooth cooperation between humanitarian agencies and the military, let us take a look at the release and repatriation of prisoners in Bosnia-Herzegovina following the conclusion of the Dayton agreement at the end of 1995. In its military annex, this agreement provided for a tight schedule for military measures to enforce the withdrawal from the front lines and the demobilization of hostile armed forces. With the arrival of IFOR in December 1995, those measures were implemented forcefully and on time. As for the implementation of the complex civilian and political provisions of the Dayton agreement, however, the parties showed enormous reluctance to move forward. In that respect their decision to release all prisoners within a few weeks under the auspices of the ICRC became an initial test of the viability of the agreement.

Through its activities during the war, the ICRC had a fairly good knowledge of the places of detention that existed on all three sides and had met the authorities concerned on the ground. This know-how was activated as soon as the ICRC received its mandate under the Dayton Agreement. ICRC delegates held meetings at senior level in Sarajevo, Pale and Mostar, registered prisoners throughout Bosnia and submitted a detailed plan for the simultaneous release and transfer home across the former front lines of the more than 1,000 prisoners being held at the time. Implementing this plan implied first of all strong support from the then High Representative Carl Bildt, who exerted the necessary political pressure on the parties. Equally decisive was the ICRC's extremely close coordination with the IFOR command, which gathered top military leaders from all sides around a table and instructed them in no uncertain terms to open the former front lines at specific locations and points in time, to secure road transport and — last but not least — to comply with the ICRC release plan by bringing forward the prisoners. Moreover, IFOR contributed logistical means and secured crossing points during the critical phase. Only thanks to this excellent cooperation, drawing on the respective strength and know-how of the humanitarian, political and military spheres, was it possible to bring these prisoners back home promptly. The ICRC thus succeeded not only in resolving a pressing humanitarian issue, but also in giving an important impetus to the implementation of the Dayton agreement at a crucial moment. Encouraged by this experience, we continued to cooperate with IFOR/SFOR in its efforts to search for missing persons and develop mine awareness among exposed population groups.

More recently the ICRC had an equally positive experience with KFOR in Kosovo. Already present in Pristina when KFOR was deployed in early June 1999, the ICRC immediately made operational contacts and quickly worked out practical arrangements concerning such issues as the protection of vulnerable groups of civilians, especially minorities, ICRC access to persons arrested and held by KFOR and the return of Kosovar prisoners held in Serbia proper. Our experience is that such cooperation with the military is efficient and does not get bogged down in bureaucracy.

It should be stressed, however, that these examples are drawn from situations in which the ICRC was working with international armed forces that were not only properly mandated for their mission by the UN Security Council, but were officially — albeit reluctantly — accepted by the former warring parties. In addition, IFOR/SFOR as well as KFOR were built on the principle of "one mission — one command" while nevertheless bringing together a large number of partners, including non-NATO countries. The participation of Russian troops in those missions, in particular, proved essential in securing the political agreement of all those involved.

Obviously, the ICRC's experience with the NATO forces engaged in hostilities with the Federal Republic of Yugoslavia was quite different. Although this military campaign was declared to be a "humanitarian intervention", the ICRC had to make it clear from the very beginning that under the 1949 Geneva Conventions the hostilities simply qualified as an international armed conflict, whatever the political motives behind it. Given those conditions, the ICRC had to steer a course of total neutrality between the NATO countries involved and the Federal Republic of Yugoslavia. The ICRC did all it could to stay on the spot, not only in Belgrade but also in the rest of Serbia, in Montenegro and indeed in Kosovo, during the air campaign. Although our delegates were forced to withdraw from Pristina during the crucial weeks of April and early May, we were nonetheless able to bring assistance to many victims within the area declared a "war zone" by the NATO command. The ICRC therefore reacted somewhat tensely when NATO restricted its freedom of movement within Yugoslavia and, moreover, claimed to be the main provider of humanitarian aid for people driven out of Kosovo.

The ICRC must always bear in mind the fact that the military, even when involved in a peacekeeping mission to which consent has been obtained, runs by its very nature the risk of potentially engaging in open hostilities.

Thus the experience in the Balkans has shown how important it is to distinguish clearly, in substance and in form, between military and humanitarian operations. The different mandates and tasks of the military and aid agencies should not be confused. The

ICRC has also drawn a clear line in the other contexts in which it is working alongside the military, for instance in Sierra Leone and East Timor. The importance of this distinction became particularly evident in Sierra Leone, where UN troops with a partial humanitarian mandate became directly involved in the fighting.

The ICRC's determination to maintain its independence with regard to decision-making and action is what enables it to gain access to all the victims of an armed conflict. This independence must be exercised consistently in all contexts where the ICRC works and its meaning must be explained over and over again, especially wherever the organization is not well known.

In order to avoid casting doubt on its independence, impartiality and neutrality, the ICRC refrains from using armed escorts in conflict situations. In the analytical framework devised by K. van Brabaant, which comprises the three concepts of acceptance, deterrence and protection, the ICRC has chosen acceptance. The military, however, must maintain its capacity to escalate the use of force and thus to act as a deterrent, if it wants to remain credible. It can therefore never be seen as neutral or impartial.

There are nevertheless contexts in which we are asked tough questions and for which our operational principles do not provide clear answers; the northern Caucasus is one of them. There, banditry with clear financial objectives constitutes an even greater risk than military attacks. The question therefore was: should our expatriate delegates visit detention centres in Chechnya and the surrounding republics with armed escorts or should they stay away altogether, even if the Russian authorities grant us access to Chechens detained by them? We have opted for the armed escorts, given the importance of our visits to the detainees in question.

Since May 2000, ICRC delegates have conducted more than 40 visits to detainees in Chechnya and to detention centres elsewhere in southern Russia. However, our humanitarian assistance programmes in Chechnya are conducted without armed escorts by local ICRC staff and members of the local branch of the Russian Red Cross. Meanwhile, our expatriate staff members concentrate their efforts on maintaining contact with the authorities and on monitoring

relief activities. We intend to considerably extend our assistance programmes in Chechnya and the surrounding region in 2001.

Our operation in the northern Caucasus thus demonstrates the flexibility with which the ICRC responds to specific situations, working with both expatriate and local staff and bringing into play National Red Cross Societies, while serving as the lead agency of the International Red Cross and Red Crescent Movement in all situations of armed conflict and internal strife.

The European context, as compared with other contexts in which the ICRC works, is striking for its relatively high concentration of security-related international organizations and similar frameworks. In the Balkans and the Black Sea region alone there are numerous overlapping international structures. The main players are, as we all know, NATO for security in military terms, the European Union for security in the wider sense of what we sometimes call *Existenzsicherung* ("subsistence protection"), and the OSCE as a European approach to crisis management and conflict prevention.

As a result, Europe no doubt enjoys favourable conditions for ending armed conflicts and internal violence. This was not always the case. Before the end of the Second World War and before the European Union came into being, Europe, especially Western Europe, was the ICRC's main theatre of operations. The specific nature of the present European context makes it particularly important for the ICRC to maintain a continuous dialogue with the various supranational and international organizations on the continent so as to ensure an ongoing exchange of information concerning guidelines and action.

The European Union as a humanitarian player

By developing its common foreign and security policy (Title V of the Treaty on the European Union) the EU may well become a more important provider of humanitarian aid. The so-called Petersberg Tasks are fully integrated in Article 17 of that treaty's paragraph 2, which reads as follows:

"Questions referred to in this Article shall include humanitarian and rescue tasks, peacekeeping tasks and tasks of combat forces in crisis management, including peacemaking."

At the end of 1999, the European Council decided in Helsinki to set up an intervention force of 60,000 members by 2003 to carry out the tasks laid down in this paragraph.

As a result of this development the European Union, already a major partner for the ICRC, will become even more important for us. There will no doubt be great potential for cooperation. Based on our experience in places such as the Balkans we will, however, insist on a clear line being drawn between humanitarian and political-military action. Considering its own experience in this part of the world, the EU is doubtless also aware of the problems that arise when the same entities and individuals carry out both military and humanitarian activities. To the extent that the European Union is developing its Common Foreign and Security Policy (CFSP), we may well eventually need a dialogue with the EU similar to that which we have established with NATO. Provided that the development of the CFSP does not promote confusion between political-military and humanitarian tasks, it can, in my opinion, only be welcomed, even by a humanitarian organization. It will contribute to improving Europe's security environment, which already owes so much to the very existence of the European Union.

This brings me to a last point: prevention. There is growing agreement that many more resources should be devoted to preventing armed conflict and internal strife. Surprisingly, the conflict-prevention aspect of the European Union's enlargement policy (which sets clear political standards — regarding minority issues for example — for countries seeking EU membership) too often passes unnoticed. During the 1990s, this process defused considerable conflict potential in Central Europe. We must hope that similar processes can be developed in other frameworks, such as the OSCE and the Balkans Stability Pact, in order to bring the peoples of the Balkans and the Caucasus the peace and tranquility for which they long so fervently.