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Competition, Compromises, and Complicity: An Analysis of the Humanitarian Aid Sector

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Abstract

This paper analyzes humanitarian assistance to complex humanitarian emergencies to understand why suboptimal outcomes result even when humanitarians have ethical principles and good intentions. It focuses on the International Committee of the Red Cross, the United Nations, and Médecins Sans Frontières to understand their core principles before looking at how these principles operationalize during emergencies. Challenges arise due to complex relationships with donors, local actors, and recipients, along with issues of marketization and competition. This paper's case studies of the post-genocide Rwandan refugee crisis and post-9/11 Afghanistan explore how humanitarian principles clash with such dilemmas. In the end, humanitarian organizations are often unable to adhere to principles in the midst of crises and make compromises of competition and complicity that lead to suboptimal outcomes for the people they are trying to help. Looking to modern emergencies in Syria, Yemen, and South Sudan, it is critical to understand these dynamics and seek to improve institutions of humanitarian aid to make assistance actually beneficial for those in need.

Acronyms

ADFL: Alliance of Democratic Forces for the Liberation of Congo

CARE: Cooperative for Assistance and Relief Everywhere

CHE: Complex Humanitarian Emergency

COIN: Counter-Insurgency Concept

EU: European Union

FAO: Food and Agriculture Organization of the UN

ICRC: International Committee of the Red Cross

IDP: Internally Displaced Person

IGO: Inter-Governmental Organization

IHL: International Humanitarian Law

IO: International Organization

INGO: International Non-Governmental Organization

IRC: International Rescue Committee

ISAF: International Security Assistance Force

MSF: Médecins Sans Frontières

NATO: North Atlantic Treaty Organization

NED: National Endowment for Democracy

NEO: New Economics of Organization (theory)

NGO: Non-Governmental Organization

OECD: Organization for Economic Co-operation and Development

PRT: Provincial Reconstruction Team

RDF: Rwandan Defense Forces

RPF: Rwandan Patriotic Front

UN: United Nations

UNAMA: UN Assistance Mission in Afghanistan

UNAMIR: UN Mission in Rwanda

UNDP: UN Development Programme

UNHCR: UN Refugee Agency

UNICEF: UN Children's Fund

UNOCHA: UN Office for the Coordination of Humanitarian Affairs

UNSC: UN Security Council

UNSMA: UN Special Mission to Afghanistan

USAID: United States Agency for International Development

WFP: World Food Programme

WHO: World Health Organization

ZCSC: Zairean Camp Security Contingent

Introduction

In 2017, the United Nations (UN) is warning that the largest global humanitarian crisis since 1945 is rapidly approaching. UN humanitarian chief Stephen O'Brien recently declared that "we stand at a critical point in history," as the international community determines how to address famines in Yemen, Somalia, South Sudan, and Nigeria, and ongoing conflict in Syria and Iraq.[1] However, it is unclear whether the next moment will be the world's humanitarian triumph or deep failure. What sort of outcomes should we expect from humanitarian assistance to these crises? How should we understand the dynamics of the humanitarian aid sector? Does aid do more harm than good?

Aid agencies are positioned as moral, neutral entities that send life-saving assistance around the globe. Yet, critics of humanitarian assistance are increasingly common and outspoken, as aid has become scapegoat for the challenges of addressing crises abroad. Such critiques focus on aspects like overreach of aid organizations, naivety of political context, and neo-imperialism. This paper is another critique of the aid sector, seeking to understand the institutional factors that constrain humanitarians and how humanitarian actors respond to them. Can humanitarian principles resist influences that coopt and constrict? Should they? Although humanitarian aid actors are typically considered ethical, neutral bodies, there are many cases where actors compromise their principles. Often humanitarians are locked in counterproductive competition, as

[1] "UN: World Facing Greatest Humanitarian Crisis since 1945." 2017.*BBC News*, March 11, 2017. http://www.bbc.com/news/world-africa-39238808.

the aid sector does not behave like a free market and humanitarians face challenges to their fundamental beliefs, service delivery, and even survival. In the face of such challenges, humanitarian organizations are unable to fully adhere to their best practices and make compromises or set bad examples that ultimately lead to suboptimal outcomes for the communities they are attempting to help.

Scope

This paper is an analysis of emergency humanitarian assistance in complex emergencies. As defined by the UN, complex humanitarian emergencies (CHEs) are "deep social crises in which large numbers of people die from war, displacement, disease, and hunger, owing to man-made disasters..."[2] Such emergencies are often multidimensional and involve various forms of suffering. It is also important to note that complex humanitarian emergencies are man-made, making them both political and politicized crises, although a natural disaster may trigger or complicate such a situation.

There are four main components of a complex humanitarian emergency. Warfare involves population dislocation, disruption of economic/political institutions, and loss of life thus increasing a country's vulnerability. Displacement involves ethnic cleansing, internal movement, repression, and international migration. Diseases vary across the world with intensity and ability to treat and often have high child mortality rates. Hunger afflicts many parts of

[2] Klugman, Jeni. 1999. *Social and economic policies to prevent complex humanitarian emergencies: Lessons from experience*. Helsinki, Finland: The United Nations University.

the developing world, but famines often result from human intervention involving disruption of food supplies, interruption of transportation, or manipulation of markets. When all four issues are present in a complex humanitarian emergency, it is classified as "acute," or the most severe.[3] Complex humanitarian emergencies have many causes, especially political and economic factors: group mobilization, inequality, absence of attractive sources of income, issues of state legitimacy, state-sponsored violence, lack of institutions, worsening economic conditions, external shocks (change in terms of trade, debt, change in development assistance), and environmental degradation/reduction in resource availability.[4]

This paper offers two complex humanitarian emergencies as case studies through which to understand the challenges of humanitarian assistance: post-genocide Rwanda and post-9/11 Afghanistan. Both Rwanda and Afghanistan were categorized as "acute" complex humanitarian emergencies, meaning they involved warfare, disease, hunger, and displacement.[5] These emergencies are useful case studies for this reason, as they allow for a broad analysis of humanitarian aid.

This paper uses the terms humanitarian assistance and humanitarian aid interchangeably. Humanitarian assistance is the provision of aid to people in immediate peril during emergencies. Its main goal is keeping people alive and alleviation of suffering.[6] Such aid often involves the "provision of food, water and

[3] Ibid.
[4] Ibid.
[5] Ibid.
[6] Barnett, Michael N. 2011. *The Empire of Humanity a History of Humanitarianism*. Ithaca [N.Y.]: Cornell University Press.

sanitation, shelter, health services and other items of assistance, undertaken for the benefit of affected people and to facilitate the return to normal lives," as defined by an initiative on humanitarianism of the European Commission, the ICRC, OECD, various NGOs, and academic representation.[7] Humanitarian aid directly contrasts development assistance, or alchemical humanitarianism as termed by Michael Barnett.[8] Development assistance attempts to address root causes and systemic problems, focused on economic, social, and political work. Development aid is often long-term and not in direct response to a specific emergency. Development assistance is set aside for the purposes of this paper. Humanitarian assistance, for its part, is often based on humanitarian principles, but these are not monolithic and differ between organizations.

The system of international humanitarianism involves a multitude of actors that finance, plan, coordinate, and deliver assistance. These actors include intergovernmental organizations (IGOs) like the United Nations (UN), hybrid groups like the International Committee of the Red Cross (ICRC), non-government organizations (NGOs) like Médecins Sans Frontières (MSF), government institutions, and philanthropic foundations. NGOs are private non-profit groups set up by individuals with a common interest, often organized around a specific issue or provision of a certain service. NGOs can be regional, national, or international and are not founded by a state. In contrast, IGOs are created by a treaty, involving more than one nation, to work on an issue of

[7] "23 Principles and Good Practice of Humanitarian Donorship." Good Humanitarian Donorship., http://www.ghdinitiative.org/ghd/gns/principles-good-practice-of-ghd/principles-good-practice-ghd.html.
[8] 2011.

common interest. Often IGOs have special agencies or organs to fulfill specific functions, along with rules and rights/duties of members.

This paper utilizes three archetypal organizations for detailed analysis. These organizations are the ICRC, the UN, and MSF. Each of these organizations represents a certain type of humanitarian actor and has influence within the humanitarian system. The UN is one of the oldest and largest IGOs, with a major humanitarian role. MSF is an international, independent medical humanitarian organization and notably present/outspoken in many complex emergencies. The ICRC is a hybrid organization, neither an IGO nor an NGO, but an important and foundational humanitarian actor. The ICRC is a private association formed under Swiss Civil Code, but a government does not mandate its existence.[9] Its functions are mandated by international law, the Geneva Conventions, and as a result, it enjoys certain privileges (exemption from taxes, inviolability of premises, judicial immunity) that IGOs do.

This paper's overall lens is humanitarian assistance provided to complex humanitarian emergencies, specifically by the ICRC, UN, and MSF. By examining these actors' efforts and the challenges they face, it is possible to understand some key dynamics within the humanitarian sector, including politicization and marketization. Politicization is the process of making humanitarian aid political, through either deliberate action or as a consequence of entanglement with political actors. Marketization is the exposure of a sector to market forces that makes entities act in increasingly competitive ways. Looking at

[9] Rona, Gabor. "The ICRC's Status: In a Class of its Own." ICRC., last modified February 17, 2004 https://www.icrc.org/eng/resources/documents/misc/5w9fjy.htm.

the actions of the ICRC, UN, and MSF in the complex emergencies in Rwanda and Afghanistan allows for examination of these institutional forces in the humanitarian sector.

Overview

Chapter I is an in-depth comparison of the ICRC, MSF, and UN in terms of organization history, values, funders, and priorities. It provides organizational context to understand the values and operational frameworks of each entity that will be drawn upon throughout the case studies that follow.

Chapter II explains and analyzes the various challenges and institutional constraints of the humanitarian sector. It first describes humanitarians' relationships with donors, local governments, and aid recipients and the institutions that govern them. Next, it explains the phenomenon of marketization in humanitarian aid. Finally, it offers an analysis of institutional factors that create challenges of coordination and competition in the provision of humanitarian assistance.

Chapter III provides context for the first case study, that of the post-Rwandan Genocide refugee crisis. It contains a brief history of Rwanda and details the reputations of humanitarian actors in the region. Chapter IV, the first case study, argues that the Rwandan refugee crisis was a situation where humanitarians neglected political factors, which led to donor manipulation of goals and a use of humanitarian aid instead of desperately needed security intervention. The chapter first explains the organizational goals of the ICRC, UN,

and MSF going into the crisis before outlining the various crisis-specific challenges. It then recounts the three organizations' responses to such challenges before finally analyzing these actions for what they represent about humanitarians facing sector difficulties broadly.

The subsequent chapters are an additional case study, following a similar organization. Chapter V offers a brief explanation of the conflict in Afghanistan since 1979 and characterizes the reputation of humanitarianism in country. Chapter VI, the case study of the post-9/11 emergency in Afghanistan, argues that humanitarian assistance was coopted by military and political goals. Ethical principles were largely unable to prevent this. This chapter uses the same organization as Chapter IV, going through the organizations' goals before the challenges, their responses, and a final contextualizing analysis.

The Conclusion summarizes the challenges that humanitarian agencies face when responding to complex humanitarian emergencies and how such challenges clash with humanitarian principles. Finally, this paper offers brief implications for the urgent humanitarian crises of 2017, in particular those in Syria, Yemen, and South Sudan.

Chapter I: Organization Comparisons

Introduction

Humanitarian organizations react to challenges based on their principles and relative power. As it is impossible to understand the intricacies of a wide array of humanitarian actors and their responses to challenges faced in emergency relief, three organizations are used here for analysis: the ICRC, MSF, and the UN. The International Committee of the Red Cross (ICRC) was a pioneer for humanitarian assistance and most organizations base their principles on those it promulgated. For these reasons, understanding the ICRC's principles and actions in complex emergencies is important. The United Nations (UN) has many humanitarian branches and often sets the tone for humanitarian assistance to a given emergency. For this paper, the UN High Commissioner for Refugees (UNHCR) and the UN Office for the Coordination of Humanitarian Affairs (UNOCHA) will be most relevant because these agencies are present in complex emergencies. It is important to note that the UN is an intergovernmental organization (IGO), affected by member state interests in a way that NGOs are not. This means the UN must be more responsive to states and may have less room for negotiation with donors. Finally, Médecins sans Frontières (MSF) adopted many of the principles of the ICRC, yet is also known for being more advocacy-oriented. This means it often advocates for international action regarding complex emergencies and is notable for suspending operations when it disagrees with political or security aspects of a situation.

The ICRC, UN, and MSF are powerful organizations in comparison to many other NGO and IGOs, making it critical to analyze how they respond to challenges of marketization and politicization, as explained in the introduction. Since these organizations often set a standard for humanitarianism, their ability or inability to navigate the dilemmas of humanitarianism are illuminating for comprehending the challenges of the sector more broadly. This chapter offers a brief history and explanation of values/mission for the three organizations to provide context when examining their responses to the complex emergencies in the case studies.

International Committee of the Red Cross (ICRC)

Troubled by the bloody aftermath of the Battle of Solferino between the Austro-Hungarian and French empires in 1863, Henry Dunant, a Swiss businessman, formed the ICRC to organize emergency medical assistance.[10] Dunant built the organization upon Calvinist ideas and Genevan exceptionalism, arguing for a more humane approach to war. The ICRC's first motto was *intra armas caritas* or "in war, charity," responding to states' lack of concern for humanity during conflict. During the same period, figures such as Florence Nightingale, Clara Barton, and Francis Lieber were also reacting to war's horrors. Nightingale argued, for example, that aid fails its duty if it is used to the

[10] Forsythe, David P. 2005. *The Humanitarians*. publ. ed. Cambridge [u.a.]: Cambridge University Press, 15.

advantage of any of the warring parties.[11] In the Crimean War, she saw that aid could be used to prolong war, as providing medical and food assistance helped the armies. The founders of the ICRC rejected her views. Dunant argued that there was a duty to help, regardless of Nightingale's concerns. For him, humanitarianism was a "presumed duty to ease human suffering unconditionally."[12] This principle became entrenched in humanitarianism.

The ICRC's principles of humanity, neutrality, impartiality, and independence are planted in humanitarian rhetoric. Since many aid organizations draw on the ICRC's definitions of humanitarianism to inform their own principles, it is worthy defining them at length. The ICRC defines humanity as:

> a desire to bring assistance without discrimination to the wounded on the battlefield, endeavors - in its international and national capacity - to prevent and alleviate human suffering wherever it may be found. Its purpose is to protect life and health and to ensure respect for the human being. It promotes mutual understanding, friendship, cooperation and lasting peace amongst all peoples.[13]

To fulfill this, the ICRC adheres to impartiality, understood as:

> no discrimination as to nationality, race, religious beliefs, class or political opinions. It endeavors only to relieve suffering, giving priority to the most urgent cases of distress.[14]

The ICRC also furthers the principle of neutrality, meaning:

> the Red Cross may not take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature.[15]

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[11] Polman, Linda. 2010. *The Crisis Caravan: What's Wrong with Humanitarian Aid?*. 1st U.S. ed. ed. New York : Metropolitan Books.
[12] Polman, 7.
[13] Pictet, Jean. "The Fundamental Principles of the Red Cross : Commentary - ICRC.", https://www.icrc.org/eng/resources/documents/misc/fundamental-principles-commentary-010179.htm.
[14] Ibid

Lastly emphasizes the idea of independence to be understood as:

> political, religious and economic independence….[so that] auxiliaries in the humanitarian services of their Governments and subject to the laws of their respective countries, must always maintain their autonomy so that they may be able at all times to act in accordance with Red Cross principles. [for this reason] the Red Cross must be sovereign in its decisions, acts and words: it must be free to show the way towards humanity and justice. It is not admissible for any power whatsoever to make it deviate from the line established for it by its ideals.[16]

In 1864, the ICRC convinced governments to adopt the first Geneva Convention to protect wounded soldiers and prevent humanitarian actors from being targeted by belligerents.[17] The ICRC first acted as a coordinator, setting up national societies of the Red Cross and Red Crescent. During World War I, the ICRC turned its attention towards prisoners of war and created a Central Prisoners of War Agency.[18] Additionally, it intervened to prevent the use of arms that caused extreme suffering. During the interwar period, the ICRC was active as a neutral intermediary, separate from the national movements. Additionally, it pushed for a new Geneva Convention in 1929 to protect prisoners of war. During World War II, the ICRC was active with relief activities and connecting the wounded to their families.[19] WWII is known as one of ICRC's greatest failures, because the organization did not act on behalf of Holocaust victims and many saw

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[15] Ibid
[16] Ibid
[17] "History of the ICRC - ICRC." ICRC., last modified October 29, 2017, accessed Apr 8, 2017, /eng/who-we-are/history/overview-section-history-icrc.htm.
[18] Ibid
[19] Ibid

the organization's neutrality as complicity with the Nazis.[20] Since WWII, ICRC has continually pushed for expansion of international humanitarian law (IHL) and has provided assistance for many complex emergencies. Its influential reputation is largely related to the Geneva Conventions and IHL, along with its impact on promoting neutrality and impartiality in humanitarianism.[21]

The ICRC started the International Red Cross and Red Crescent movement that is now a network of national societies.[22] The ICRC is largely independent of government oversight, unlike the national societies, although there is coordination between branches. The ICRC takes the lead over emergency response in conflict areas and directs the work of Red Cross/Red Crescent partners.[23] The ICRC has around 14,500 staff in over 80 countries and self-describes its current key operations as those in Afghanistan, Iraq, Chad, Somalia, South Sudan, Syria, and Yemen.[24]

The total ICRC budget for 2015 was around $1.58 billion, representing its largest operations ever, up from $1.07 billion in 2014.[25] Of that budget, the ICRC received funding from a range of donors, the top being about $1.2 billion from

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[20] Gourevitch, Philip. "Alms Dealers." The New Yorker., last modified October 11 2010, accessed Mar 8, 2017, http://www.newyorker.com/magazine/2010/10/11/alms-dealers.
[21]"Geneva Conventions and Commentaries." International Committee of the Red Cross., last modified 2016-07-28, accessed Apr 8, 2017, https://www.icrc.org/en/war-and-law/treaties-customary-law/geneva-conventions.
[22] "The International Red Cross and Red Crescent Movement." International Committee of the Red Cross., last modified 2016-08-13, accessed Apr 8, 2017, https://www.icrc.org/en/who-we-are/movement.
[23]"What is the ICRC's Relationship with National Red Cross and Red Crescent Societies? - ICRC.", last modified 2012-11-20, accessed Apr 8, 2017, /eng/resources/documents/faq/5fmjhl.htm.
[24] "Where we Work." International Committee of the Red Cross., accessed Apr 8, 2017, https://www.icrc.org/en/where-we-work.
[25] *ICRC Annual Report 2015*. 2016. https://www.icrc.org/en/document/annual-report-2015-icrc.

governments (83.02 percent), followed by around $123 million from the European Commission (9.42 percent), with the rest coming from private/private sources (4.09 percent), the Red Cross/Red Crescent national societies (3.37 percent), and international organizations (.1 percent).[26] The ICRC attempts to accept revenue only from sources that recognize and respect the principles of independence and impartiality of action.[27] With this funding, in 2015, the ICRC provided 31.3 million people with improved access to water and sanitation, 13.3 million people with basic aid distribution, and conducted 2.9 million health consultations.[28]

United Nations (UN)

The United Nations was founded in 1945 in the wake of World War II as an international organization to secure peace and solve problems facing humanity.[29] The UN was originally formed by 51 countries, but now includes 193 member states. The UN has many functions, but its relevant goal for this paper is "to achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character," with an emphasis on the latter.[30] The UN Office for the Coordination of Humanitarian Affairs (UNOCHA) is responsible for coordinating provision of emergency relief. Four UN entities

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[26] Ibid
[27] "The ICRC's Funding and Spending." International Committee of the Red Cross., last modified -04-11, accessed Apr 8, 2017, https://www.icrc.org/en/faq/icrcs-funding-and-spending.
[28] *ICRC Annual Report 2015*.
[29] "Overview." United Nations., http://www.un.org/en/sections/about-un/overview/index.html.
[30] *Guide to the United Nations Charter*. Lake Success, NY: Department of Public Information.

deliver humanitarian aid: the United Nations Development Programme (UNDP), United Nations Refugee Agency (UNHCR), the UN Children's Fund (UNICEF), and the World Food Programme (WFP). The World Health Organization (WHO) also plays a role in coordinating relief for health emergencies. This paper will mainly discuss the activities of UNHCR and UNOCHA, with some mention of WFP, as these entities are responsible for general humanitarian assistance and are present at most complex emergencies.

UNOCHA states that all of its activities are guided by the four principles of humanity, impartiality, neutrality, and independence as understood by the ICRC.[31] 1991General Assembly (GA) resolution 46/182 endorses these principles as the foundation of the UN's humanitarianism, entrenching them as global norms. Additionally, the UN Charter reinforces commitment to international law and justice, including the Geneva Conventions of the ICRC.[32] UN humanitarian entities draw on the ICRC understanding of humanity as the principle driver for crisis response.[33] UNHCR, UNOCHA, and WFP institutionalize the idea of impartiality, acting based on need, prioritization of urgency rather than race, nationality, gender, religious belief, political opinion, or class.[34] These bodies say they refrain from taking sides in hostilities or engaging in political, racial,

[31] Bagshaw, Simon. 2012. *What are Humanitarian Principles?;* UNOCHA.
[32] "UN Charter Principles." United Nations and the Rule of Law., accessed Apr 8, 2017, https://www.un.org/ruleoflaw/thematic-areas/international-law-courts-tribunals/un-charter-principles/.
[33] "Humanitarian Principles." UNHCR., https://emergency.unhcr.org/entry/44766/humanitarian-principles.
[34] Ibid.

religious, or ideological controversies to maintain neutrality and independence.[35] In reality, the UN is an intergovernmental organization and cannot be independent from governments' interests. The mandates of the UNHCR, WFP, and UNOCHA are technically non-political and humanitarian, but they also must coordinate with and solicit donations from governments. The UN attempts to maintain autonomy for its humanitarian branches, but this is not always possible due to the intergovernmental structure.

Each humanitarian branch of the UN has a unique mission. UNHCR has a mandate to protect refugees, as "persons outside their country of origin for reasons of feared persecution, conflict, generalized violence, or other circumstances that have seriously disturbed public order...require international protection."[36] UNHCR was established in 1950 with the initial goal to help millions of Europeans in the wake of WWII and, in 1954, the organization won a Nobel Peace Prize for its work on the continent.[37] The 1951 Refugee Convention was a landmark international law to protect refugees and internally displaced persons (IDPs). During the Hungarian Revolution of 1956, UNHCR accepted Hungarians as prima facie refugees, which critically shaped the way that humanitarians would deal with refugees going forward.[38] Throughout the rest of the 20th century, UNHCR played a major role in responding to population shifts

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[35] Ibid.
[36] "The Mandate of the High Commissioner for Refugees and His Office." UNHCR., last modified October 2013, accessed Apr 8, 2017, http://www.unhcr.org/protection/basic/526a22cb6/mandate-high-commissioner-refugees-office.html.
[37] "History of UNHCR." UNHCR., http://www.unhcr.org/en-us/history-of-unhcr.html.
[38] Ibid.

and solidified its humanitarian role through its work in the 1990s and into the 21st century. WFP was established in 1961 with a mission to deliver food assistance in emergencies and work with communities to build nutrition.[39] It provided food aid during crises of the 20th and 21st centuries, making it the largest humanitarian agency fighting hunger.[40] UNOCHA's role is "to mobilize and coordinate principled action," and it engages with state and non-state actors to do so.[41] It was founded in 1991 through General Assembly resolution 46/182 with a goal of strengthening UN response to complex emergencies and improving humanitarian intervention.[42] UNOCHA carries out most of its functions through the Inter-Agency Standing Committee (IASC) that coordinates with humanitarian organizations, UN agencies, the ICRC, and various NGOs.[43]

UNHCR is currently focusing on Syria, South Sudan, Iraq, the Central African Republic, and Europe. UNHCR has around 10,700 staff members that work in 128 countries, with about 87 percent of staff based directly in the field.[44] UNHCR's budget was $6.54 billion in 2016, almost entirely funded by voluntary contributions (meaning it does not receive annual funds from the total UN budget).[45] Of these funds, UNHCR receives 86 percent from governments and the European Union (EU), 6 percent from IOs and pooled funding mechanisms, 6 percent from the private sector, and a 2 percent subsidy from the UN budget.

[39] "Overview." WFP., http://www1.wfp.org/overview.
[40] Ibid.
[41] Bagshaw.
[42] "History of OCHA." UNOCHA., https://www.unocha.org/about-us/who-we-are/history.
[43] Ibid.
[44]"Where we Work." UNHCR., http://www.unhcr.org/en-us/where-we-work.html.
[45] Ibid.

UNHCR has been able to assist over 50 million refugees throughout its organizational lifetime.[46]

WFP's current emergency focus is in Iraq, Nigeria, Southern Africa, South Sudan, Syria, and Yemen. WFP works in around 80 countries worldwide with more than 14,000 staff, 90 percent of whom are located in the field.[47] In 2016, WFP had a budget of $5.9 billion, all from voluntary contributions.[48] Only about .06 percent of its budget in 2016 came from financial institutions, pooled funding, and private sector donors - the remainder was sourced from governments and the EU.[49] WFP supplies about 12.6 billion rations around the world each year as an emergency responder.[50]

UNOCHA works worldwide, with a focus on L3 (most severe, large-scale crises) in Iraq, Syria, and Yemen.[51] UNOCHA has around 2,300 staff members working in over 60 countries.[52] For 2015, it had a budget of $334 million, with 96 percent of its funds from governments and 4 percent from multi-donor funds, the UN annual budget, and private donations.[53] UNOCHA was responsible for soliciting funds for its humanitarian partners and raised/coordinated the use of $10.7 billion total in 2015. Working with its partners to implement assistance

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[46] Ibid.
[47]"Where we Work." WFP., http://www1.wfp.org/countries.
[48]"Contributions to WFP in 2016." WFP., last modified March 26, 2017 http://www.wfp.org/funding/year/2016.
[49] *Contributions to WFP: Comparative Figures by Donor Type*. 2017: UN.
[50]"Overview." WFP.
[51] "UNOHCA Emergencies." UNOHCA., https://www.unocha.org/where-we-work/emergencies.
[52]*UNOCHA Annual Report 2015*. 2016. Geneva: UN.
[53] Ibid .

projects in 2015, UNOCHA coordinated aid that affected around 80 million people across the globe.[54]

Médecins sans Frontières (MSF)

MSF was formed in 1971 in France by a group of doctors and journalists outraged by the war and famine in Biafra. They aimed for an independent organization that could deliver fast and impartial emergency medical assistance.[55] MSF has five foundational principles: medical ethics, independence, impartiality/neutrality, bearing witness, and accountability.[56] As its assistance is primarily medical, MSF maintains that it carries out its work with respect of medical ethics, namely: "the duty to provide care without causing harm to individuals or groups" and providing high-quality medical care.[57] Independence is a policy of offering assistance based solely on need, maintaining access to populations, and controlling aid provisions. Impartiality and neutrality are the same principles for MSF as for the ICRC and UN; it provides assistance on a need basis without taking into consideration factors like race, religion, gender, political affiliation, or the demands of governments/warring parties. MSF believes that speaking out publicly about violence and extreme suffering is also a duty,

[54] Ibid.
[55] "MSF History." Médecins Sans Frontières (MSF) International., accessed Nov 3, 2016, http://www.msf.org/en/msf-history.
[56] "MSF Charter and Principles." MSF., http://www.msf.org/en/msf-charter-and-principles.
[57] Ibid.

especially when access to care is prohibited or crises are neglected. Lastly, MSF is committed to accountability and evaluation/reporting of its activities.

MSF is headquartered in Geneva, Switzerland with national offices in 28 countries and more than 35,000 staff and volunteers across the world. MSF is a worldwide movement of 25 independent associations that are members of MSF International and participate in an International General Assembly with an independent president who safeguards the mission and protects coordination.[58] MSF's first mission was in Managua in 1972 after an earthquake, with its first major operation during the 1975 refugee crisis in Cambodia.[59] Currently, MSF has 450 projects in 69 countries in addition to search and rescue operations. It intervenes based on independent evaluations of medical need.

In 2015, MSF had a budget of around $1.36 billion, 80 percent of which went to its humanitarian activities with the remainder going to management/administration.[60] Over 5.7 million individual donors provided around 92 percent of this funding, while just 8 percent came from governments and IOs.[61] To maintain independence, MSF has a policy of only allowing a small portion of its funds to come directly from governments and IOs.[62] In 2015, MSF conducted 8.6 million outpatient consultations, assisted with over 200,000 births, and rescued around 24,000 refugees/migrants from sea.[63]

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[58] "MSF History."
[59] Ibid.
[60] 2016. *MSF International Financial Report 2015*.
[61] Ibid.
[62] "MSF Charter and Principles."
[63] *MSF International Financial Report 2015*.

Conclusion

Different groups deal with the demands of emergency assistance corresponding to their principles, priorities, and autonomy. These brief descriptions of the ICRC, UN, and MSF demonstrate such differences and will serve as reference points throughout the case studies. None of these organizations are free from forces of marketization or politicization, yet their principles and history mean they respond distinctly. The ICRC has described "politics [as] a moral pollutant," of humanitarianism, but there is a serious of question as to whether it is possible or even desirable to separate humanitarianism from politics.[64] MSF is characterized as "more rebellious and rowdy," because it focuses on the idea of *temoinage* or "giving witness" to call attention to the world's problems.[65] This often involves criticizing political actors, in contrast to the ICRC's methods of avoiding conflict. While MSF and the ICRC avoid reliance on governments, humanitarian operations of the UN do not have such autonomy, given their funding sources, and many other NGOs are unable to do so. Understanding these principles and histories helps explain how humanitarians react to dilemmas and global emergencies.

[64] Weiss, Thomas G. and Michael Barnett. 2008. *Humanitarianism in Question*. 1st ed. Cornell University Press. doi:10.7591/j.ctt7v7ms. http://www.jstor.org/stable/10.7591/j.ctt7v7ms, 4.
[65] Weiss and Barnett, 37.

Chapter II: Challenges of Relationships, Marketization, and Competition

Introduction

Humanitarian organizations have positive intentions and attempt to ensure they achieve those by disciplining their efforts through intentional principles, but the conditions in which they operate can undermine both practices and outcomes. The goal is to understand how organizations' principles interact with institutions of the aid sector that systematize relationships between humanitarians, donors, local power, and recipients. Institutions of aid are the "formal and informal rules of behavior that constitute incentives for all agents involved in the aid delivery process."[66] Humanitarian organizations must operate within these rules that determine how emergency aid is delivered. The humanitarian principles discussed in the prior chapter are meaningless without contextualization. Principles are only desirable depending on:

> how effective they are in specific situations...under certain conditions, they can be so dysfunctional as to be counterproductive. How does neutrality help the victims of ethnic cleansing and genocide? If states are the solution to humanitarian emergencies and are required to end mass killing, then what good is independence?[67]

This chapter begins by describing the relationships between actors and how these relationships constrain humanitarian organizations. Challenges of the humanitarian sector are overlapping and nonlinear, but for the sake of simplicity, this chapter first explains the relations between actors before looking at

[66] Martens, Bertin, Uwe Mummert, Peter Murrell, and Paul Seabright. *The Institutional Economics of Foreign Aid*. Cambridge [u.a.]: Cambridge Univ. Press, 2001, 6.
[67] Weiss and Barnett, 4.

marketization, and then competition between agencies. Humanitarian organizations are negotiating an environment in which they are appealing to donors and local authorities while trying to get aid to those who most need it. Not only do the local power dynamics within complex contingencies impose challenges to humanitarian organizations, but as soon as more than one organization is present, that becomes another complication. Interwoven with the problems arising when actors with different agendas are operating in the same space are issues of marketization and competition. This chapter examines these dynamics and how they shift humanitarian organizations' contributions away from the ideals to which they aspire. Although these dynamics are broken into distinct sections for this chapter, it is important to remember that they influence each other and overlap as will be demonstrated in the case studies.

Relationships with Donors, Local Governments, and Recipients

Humanitarian organizations do not exist in a vacuum. They respond to dynamic political and security crises while interacting with a multitude of actors. Humanitarian "institutions - rules of behavior - exist precisely because they are means to partially overcome...information problems and the resulting uncertainties…[yet they] can not create a risk-free world and we have to live with these residual uncertainties in our daily activities, including in the delivery of foreign aid."[68] Aid agencies interact with donors, local governments, and international powers. They are dependent on private and public donors for their

[68] Martens et.al, 10.

funding and often lose autonomy over agenda-setting as a result. The nature of limited funding creates competition between organizations and affects their missions. Organizations are dependent on governments for access to conflict zones, necessitating political negotiation. Additionally, humanitarian actors must interact with local powers for security and coordination of aid delivery. These relations can create friction and lead to compromised principles and outcomes because organizations are responsible to governments, international bodies, local powers, donors, and aid recipients in overlapping and conflicting ways. These relationships are mainly defined by contracts, access, evaluation/feedback, and principal-agent dilemmas. Issues of imperfect information are also interwoven throughout.

Contracts

Funds and access for assistance programs are given on a contractual basis, a system that has grown due to increases in organization number and size. Most donors and governments issue short-term, renewable contracts filled through a competitive bidding process where organizations must demonstrate concrete results for accountability's sake.[69] Winning contracts is a constant focus for organizations, as they cannot survive without the resources afforded through them.

[69] Cooley, Alexander and James Ron. "The NGO Scramble: Organizational Insecurity and the Political Economy of Transnational Action." *International Security* 27, no. 1 (Jun 1, 2002): 11, http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=library/jrnart/Y2C76.

In war-related relief, three to six month contracts are increasingly the norms.[70] This short-time span increases insecurity for organizations, as they incur significant startup costs to begin servicing a new contract. Then, after just three months, a contract can be severed and agencies are at risk for capacity reductions. Aid organizations cannot take their survival as a given.[71] When aid agencies feel threatened in this way, there is a strong pressure to renew or extend existing contracts and to win new contracts regardless of the project's utility. Other concerns are pushed to the margins (such as ethics, project efficacy, evaluation, self-criticism) because securing access and funding is a continual part of humanitarian operations.

Contracts influence where organizations operate and what sort of emergency relief services they provide, as donors "affect agency decision making at every level."[72] Agencies adapt to donor interests, vying for earmarked funds or changing their approaches based on temporary political leanings. Generally, contractual funding is available for "loud" emergencies that attract media attention and resources dry up as soon as a conflict is no longer interesting.[73] This directs NGO behavior, as they have no choice but to follow the contracts they depend upon. Dependency leads to politicization of aid, as donor governments often choose to use humanitarian assistance to make public statements or influence other actors. According to James Fearson, "evidence suggests that

[70] Ibid.
[71] Martens et al.
[72] Hoffman, Peter J. and Thomas G. Weiss. *Sword & Salve*. New Millennium Books in International Studies. US: Rowman & Littlefield, 2006, 134.
[73] Ibid.

emergency aid has become, in some large part, a handmaiden of post-cold war major-power foreign policies."[74] Humanitarians attempt neutrality, but dependence on donor contracts often makes political agendas unavoidable.

Access

In order to gain access to conflict zones, humanitarian organizations must work with local governments and international powers. Gaining access means obtaining consent of involved parties so that humanitarian operations can reach certain emergency zones.[75] This could take the form of establishment of temporary relief transportation corridors or days/zones of peace. Referring to UN Resolution 46/182, humanitarian access officially involves both the humanitarians' ability to reach populations in need and the affected population's ability to access services.[76] Political and military forces are often the gatekeepers, and access can be prevented through bureaucratic restrictions, intensity of conflict, and direct attacks on humanitarian personnel/assets.[77] Negotiations for access are traditionally determined through engagement with states, often with the UN serving as an intermediary. Due to this necessity of gaining access, humanitarian actors often must follow a state's lead in how they would prefer to coordinate aid within their countries. Additionally, NGOs are reliant upon states

[74] Weiss and Barnett, 60.
[75] "Thematic Areas: Humanitarian Access." http://www.unocha.org/what-we-do/policy/thematic-areas/humanitarian-access.
[76] United Nations. *Resolution 46/182*. (1991).
[77] de Torrenté, Nicolas. "The Relevance and Effectiveness of Humanitarian Aid: Reflections about the Relationship between Providers and Recipients." *Social Research* 80, no. 2 (Jul 1, 2013): 607-34, http://www.jstor.org/stable/24385620.

to direct political efforts. For example, states are responsible for prosecuting war criminals within their borders. When states are unwilling to take action, humanitarian organizations are usually powerless to influence governments otherwise, as they need their continued cooperation to maintain aid operations.

Since the 1990s, organizations have increasingly had to interact with non-state actors to gain access to emergency zones. In the past, the UN would avoid legitimizing non-state actors through negotiations, but the end of the Cold War led to the proliferation of non-state actors' involvement in regional conflict, making it an institutional imperative to negotiation with them.[78] This has blurred the lines of legal and ethical negotiation practices, significantly complicating the process. Organizations have a multi-part task: identification of who can facilitate emergency assistance, limiting relations with rogue or militant actors, and creating incentives for other local actors to contribute to the humanitarian project.[79] Although organizations often attempt a principled approach to refuse negotiations with violent or insurgent groups, there exists a "specter of 'gray humanitarianism,'" where agencies navigate a variety of actors.[80] As local powers do not always want aid agencies operating in the region, or only want them to operate on specific terms, it can be extremely difficult to gain access.

Often accessing a region means acquiescing to local powers' demands, even if they are belligerents. If one agency makes concessions, then there is pressure on other organizations to follow suit. For example, an organization may

[78] Anderson, Mary B. *Do no Harm: How Aid can Support Peace--Or War*. Boulder, Colo.: Lynne Rienner Publishers, 1999.
[79] Hoffman and Weiss, 96.
[80] Ibid.

be willing to pay bribes to access victims, and this can establish precedent. Local actors seek which humanitarian actors will allow for the greatest amount of extortion.[81] This causes organizations to one-up each other in making deals, leading to "atomistic actions by individual agencies," as they are fearful of losing access or influence in a region.[82] These choices have ambiguous consequences where recipients may benefit from aid, but violent non-state actors are legitimized or the neutrality of aid is undermined.[83]

To maintain access, some organizations, like the ICRC, "are open to engaging with belligerents on all sides," which has proven successful in some instances.[84] Aid organizations often position themselves outside the power dynamics of a crisis, reiterating impartiality and neutrality when possible.[85] Humanitarians attempt to find overlap between the interests of those in control and their organizations; such alignment is critical for access. For example, MSF benefits both civilians and wounded combatants, which is often a strong selling point.[86]

There is a fine line between being a minor component of a political narrative (often unavoidable) and significantly contributing to a political or military goal.[87] Thus, in his recent book, Peter Hoffman asks, "can humanitarians remain oblivious to incentive structures and spoiler behavior by local actors

[81] Hoffman and Weiss, 134.
[82] Ibid.
[83] Hoffman and Weiss.
[84] Ibid.
[85] De Torrenté.
[86] Ibid.
[87] Ibid.

whom they are helping?"[88] In negotiating access, humanitarians must make decisions about legitimate actors, political agendas, and the ultimate effects of their assistance.

Feedback Loop and Evaluations

Aid agencies are placed in the middle of two critical stakeholders: donors and recipients. Yet, beneficiaries and benefactors are far apart geographically and politically.[89] This means the two parties often lack information regarding the other. To make matters worse, there is a power imbalance where donors are usually judicious providers and recipients are expected to be welcoming acceptors.[90] In Stephen Hopgood's words: "one is the realm of ends, of dignity, the other of means."[91] Aid agencies must deal with both sides of this spectrum and often defer to powerful donors. The reliance of aid agencies on donors' definitions of good performance means donors hold aid agencies accountable while recipients are unable to do so. Another way to think about this is that aid agencies are split between motives and consequences.[92] Donors provide the motives when they earmark funds for certain uses, while recipients experience the consequences of aid programs. In this way, recipients seem better posed to determine what they need and how aid will be received. However, beneficiaries'

[88] Hoffman and Weiss, 99.
[89] Martens et al.
[90] Hopgood, Stephen. "Saying "no" to Wal-Mart? Money and Morality." In *Humanitarianism in Question : Politics, Power, Ethics*. 1st ed., 98-123. Ithaca: Cornell University Press, 2008.
[91] Ibid, 112.
[92] Ibid.

views may also be biased, as they do not pay for benefits and their preferences are unlikely to coincide with donors.

The question of how to define good humanitarian performance in the face of complex emergencies is a major challenge. Conventionally, effectiveness is considered the extent to which humanitarian's main aim in an emergency is attained, for example mere reduction in mortality.[93] The Sphere Project, a voluntary initiative composed of around 20 major humanitarian agencies, began in 1997 as an attempt to codify "minimum standards of aid," including "evidence-based standards," however this has been less influential than hoped.[94] How can minimum standards be determined based on normal conditions, when each emergency is relatively unique?[95] Efforts are constrained by resources and situational demands. Donors and recipients often add additional requirements with different criteria for success, leaving providers caught in the middle. Coordinators of emergency assistance are outsiders, which creates an inherent perspective problem, where outsiders and insiders may see the needs of a recipient population differently. Outsiders often lack understanding of the conflict and its history and this lack of information reduces the meaningfulness of evaluation conditions. Humanitarian organizations combine these external requirements and expectations with their own principles and priorities. There is an increasing effort for downward accountability to beneficiaries, but poor communication and

[93] De Torrenté.
[94] "The Sphere Handbook." http://www.sphereproject.org/handbook/.
[95] De Torrenté.

misunderstanding make this hard in practice.[96] Overall, the evaluation process is not an easy one and ultimately, any system of singular accountability is flawed due to the incentive biases as "the large power asymmetry between providers and recipients set limits to what can be achieved."[97]

A further problem regarding evaluation of humanitarian aid is a faulty feedback loop system that leads to dysfunction. A feedback loop is a tool that allows a system to analyze its output and make adjustments to improve its performance to meet a desired response. However, for such a loop to function, information must flow between components of the system. If a complete and functional connection existed, donors and aid providers would receive full information from recipients about the quality of aid and its impact, then donors and providers would adjust their priorities and programs while also passing relevant information to recipients. However, within foreign aid there is vast inequity of information and a broken feedback loop where donors and recipients likely never interact. Martens describes that the:

> Nature of foreign aid - with a broken information feedback loop - combined with the nature of public administrations (including aid agencies) in general - with multiple hard-to-measure objectives and often multiple principals too - put a number of inherent constraints on the performance of foreign aid programmes. All these constraints are due to imperfect information flows in the aid delivery process.[98]

Breaking this down, Martens is asserting that the aid sector struggles from a lack of connection between donors and recipients that is made worse with the

[96] Ibid.
[97] Ibid.
[98] Martens et.al, 30.

difficulty of evaluation (especially of emergency intervention), multiple actors, organizational bureaucracy, and imperfect information. Martens explores how the broken feedback loop is further perpetuated by the challenges of evaluating humanitarian aid, especially in emergency situations, even though evaluation systems attempt to correct the loop.[99]

Institutions holding donors and recipients accountable are lacking so donors are often unresponsive to the needs and/or desires of beneficiaries because there is no connection between them. Even if donors want to gather information from recipients, there are barriers to doing so. Geographical distance, lack of infrastructure, and high costs are just a few of these challenges. A good negative analogy is the information relationship between politicians and constituents. While politicians may be outsiders, they must be responsive to their constituents' interests because they are reliant upon their affirmation for election. In contrast, beneficiaries do not hold donors accountable by any means, and so they can act out of ignorance or self-interest with impunity.

Evaluations have increased in both prevalence and intensity to create an explicit information connection throughout the sector, but they have also been co-opted and warped from their original purpose. Organizations must ask how much of their budget should be spent on evaluations, a tough question for some. Further, agency interests can easily manipulate evaluations, whether that is reducing the costs of evaluation, changing the quality, or adapting their programs to fit donors' priorities. Using evaluations as an explicit feedback loop cannot correct for the

[99] Ibid.

brokenness of the system, as it does not actually complete the loop (usually missing any evaluation of recipients' opinions) and is susceptible to manipulation. Additionally, organizations are often insulated from feedback or lack the ability to respond to it. There is no competitive response from agencies despite the existence of evaluative mechanisms. It is challenging for aid organizations to evaluate their efforts or utilize new information when time spent operating in a conflict zone may be brief or dangerous and organizations do not have excess funds.[100] This means inefficient practices are not effectively removed even if organizations identify them.

Demand for evaluations relates to accountability - often donors want a method for evaluating and comparing aid providers to decide where to send funds. Expectations for evaluations are on the rise as more aid agencies enter the sector, so donors hold organizations to a higher standard due to competition. Evaluations are supposed to influence organizations to understand their flaws and make improvements to their systems. Yet, with questions about how to evaluate aid and holes in the feedback system, evaluative mechanisms are often unable to serve their purpose.

Principal-Agent Dilemma

At all levels of the humanitarian sector, there are processes of delegation based on the hierarchical nature of the system. Principal-agent problems occur when one party (the agent) can act and make decisions on behalf of the principal

[100] Martens et.al.

(the delegator), even if its actions stray from the principal's original intent.[101] Most organizations are hierarchical structures and, since principals cannot do everything, they delegate tasks to agents. Delegation inherently implies that the principal no longer has full information or control. Since there are many actors involved in the humanitarian sector, the principal-agent problem is persistent. Hierarchical structures within humanitarian aid worsen this problem. For example, when taxpayers, as the principals, are providing money to a government for a certain cause, the government is an agent of the taxpayers, but also becomes a principal through interactions with aid agencies who provide assistance. With contract systems and the possibility of various work being delegated, the series of principal-agent relationships replicates. Aid recipients themselves are also considered agents, as they may welcome all aid as intended or appropriate resources for opportunistic gain.[102] At every level of the humanitarian sector, there are elements of delegation and thus complicated structures of principal-agent relationships.

Within principal-agent relationships there is a unique type of moral hazard, where an agent deviates from the instructions provided by a principal and instead carries out a task to advance personal interests or other motivations.[103] This moral hazard does not always take the same form and some institutional aspects of the humanitarian sector worsen or increase the likelihood of deviation. For example, imperfect information between donors, aid agencies, and recipients

[101] Martens et. al.
[102] Cooley and Ron.
[103] Martens et. al.

allows agents to stray from the principal's intention. The agent may be able to deviate from instructions because the principal receives imperfect knowledge about the contractor's activities. A lack of evaluation mechanisms within emergency aid makes it harder for principals to know what agents are actually doing, thus increasing the ability of an agent to co-opt a task. Additionally, adverse selection may occur where the agent possesses information that is unavailable to a principal and can manipulate the situation counter to a principal's interests.[104]

The contract system has made the power of information even more important in principal-agent relationships. Aid agencies that receive contracts are more likely to use information to their advantage and guide action to serve their interests rather than the interests of the donor or principal. As contracts are increasingly competitive, organizations have greater incentives to conceal information and influence tasks in their favor. Agencies may conceal information when projects are not going well or if they know projects will be renewed after little evaluation because they have no incentive to report failing or inappropriate projects. This can become a vicious component of the contract cycle and evaluation requirements, as concealment and short contracts weaken the trust between principals and agents.

In the humanitarian sector, the presence of many actors means a given agent may maneuver between multiple objectives from multiple principals. For example, one organization may receive funding from one entity and access to a

[104] Ibid.

conflict zone from another and thus are caught between the parties' objectives. If recipients are considered agents, then they are often dealing with this situation when multiple agencies are providing aid and recipients must react to the influence of many objectives.

Marketization

Recent trends in humanitarian assistance complicate the web of relationships even further. Alexander Cooley and James Ron describe the humanitarian sector as characterized by increasing organizational density and marketization, which lead to insecurity, competitive pressures, and fiscal uncertainty.[105] These elements affect how organizations seek access to emergency situations and how they maintain operations.

The sector has grown tremendously, from 1,000 international organizations in 1960 to over 5,500 by 1996 and an expansion of operations by 150 percent from 1985 to 1995.[106] Spending has also increased; for example, USAID spent just $297 million in 1989 but by 1993, they spent $1.2 billion. Total spending on NGOs grew from $.28 billion in 1980 to $5.7 billion in 1993.[107] By 2010, aid flows reached around $12 billion annually.[108] For 2015, the international humanitarian budget reached $28 billion.[109]

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[105] Cooley and Ron.
[106] Ibid, 10.
[107] Hulme, David and Michael Edwards. *NGOS, States and Donors*. International Political Economy Series. Basingstoke, Hampshire [u.a.]: Macmillan [u.a.], 1997,, 4.
[108] De Torrenté.
[109] *World Humanitarian Data and Trends*. United Nations Publication.2016.

This increase in numbers is cumulative, as growth in organizations leads to further reliance on NGOs, which then allows them to grow in numbers and funding. The barriers to entry for the humanitarian sector are relatively low, allowing for the proliferation of organizations.

As the number of organizations grows, the challenges of marketization intensify and lead to more insecurity and competition. As defined in the introduction, marketization occurs when the humanitarian sector is exposed to market forces so that organizations compete like for-profit corporations even though they do not generate a profit. Cooley and Ron argue, with reference to density and marketization, that "these powerful institutional imperatives can subvert IO/NGO efforts, extend inappropriate aid projects, and promote destructive competition."[110]

They apply New Economics of Organization (NEO) theory to explain patterns of behavior and outcomes that fall outside the theories usually relied upon to understand humanitarianism. Realism and liberalism do not include utility functions of humanitarian actors, assuming their goals are the same as the states that fund them.[111] Neoliberal theories assume that dysfunctional behavior and competition do not occur in the humanitarian aid space, instead presuming cooperation. Yet, Cooley and Ron explain that NGOs internalize the values, goals, and methods of their institutional environment.[112] Thus, as international aid

[110] Cooley and Ron.
[111] Barnett, Michael and Martha Finnemore. "The Politics, Power, and Pathologies of International Organizations." *International Organization* 53, no. 4 (1999): 699-732, http://journals.cambridge.org/abstract_S002081839944086X.
[112] Cooley and Ron.

is increasingly organized like the for-profit sector, material incentives have greater influence over humanitarian organizations. This is a self-perpetuating cycle: the institutions and subsequent behaviors are strengthened as NGOs mimic private-sector models in structure. Contractual relations, incomplete information, transaction costs, and property rights complicate these institutions. The contract system pushes NGOs toward the private-sector model most strongly, as aid providers cannot take their survival for granted and continually seek new contracts.[113] Overall applying NEO theory demonstrates that these institutional dynamics generate "organizational imperatives that promote self-interested action, inter-INGO competition, and poor project implementation."[114] This helps explain phenomena like compromises for access and principal-agent moral hazard issues that arise.

The meaning of humanitarianism itself can be coopted by marketization. Organizations may adjust their missions or values to better align with donors, rather than the needs of aid recipients or humanitarian principles broadly. Organizations may also have incentives to modify their outcomes to make it appear as if they are more successful. Stephen Hopgood describes this phenomenon as:

> Mission effect is the surrogate for profits. Mission aligns the organization with its stakeholders, sets the boundaries for the organization, and provides the foundation on which trust is developed. Strong NGO brands succinctly articulate their missions in terms of what, how, and for whom; these missions are equivalent in many ways to brand positioning statements.[115]

[113] Cooley and Ron.
[114] Ibid, 14.
[115] Hopgood, 29.

The changing of mission does not necessarily cause dysfunction or unethical intervention, but it can. There is evidence that organizations define performance in terms of incentives *within* the aid delivery process rather than recipient outcomes.[116] Additionally, pressures arise from donors that lead to greater convergence towards what donors want to fund.[117] NGOs can quickly determine what types of goals will receive more money and then tailor programs towards those goals. Finnemore and Barnett say that when agencies adjust "missions to fit the existing, well-known, and comfortable rulebook…[the] means...may become so embedded and powerful that they determine ends and the way the organization defines its goals."[118]

Marketization does not affect all types of organizations equally. Smaller organizations' survival may be genuinely threatened, but large and well-established organizations will not be driven to extinction. Instead, for organizations like the ICRC and MSF, the humanitarian sphere has grown more complicated. They must cooperate and work alongside organizations that lack principles, technical expertise, or historical knowledge. This serves to compromise their image as humanitarians, as local communities do not always distinguish between agencies. Additionally, funding is scarcer for everybody and increases general sector stress. Overall, marketization of aid has fundamentally changed the humanitarian sector, creating greater uncertainty that leads to dysfunction among actors.

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[116] Ibid
[117] Hulme and Edwards, 9.
[118] Barnett and Finnemore.

Coordination and Competition

Even as density and marketization exacerbate competition between humanitarian organizations, many entities increasingly advocate for coordination among them.

Coordination is defined by Larry Minear as "systematic utilization of policy instruments to deliver humanitarian assistance in a cohesive and effective manner. Such instruments include: (1) strategic planning; (2) gathering data and managing information; (3) mobilizing resources and assuring accountability; (4) orchestrating a functional division of labor in the field; (5) negotiation and maintaining a serviceable framework with host political authorities; and (6) providing leadership."[119] Coordination is often heralded as a solution to challenges of aid, such as imperfect information or security risks. Sometimes governments require cooperation or determine which organizations are allowed in the country. To do this, governments often pass crisis management (particularly regarding refugees) to a UN agency. In 2005, the UN tried to resolve the problem of coordination independently of states, with a Cluster Approach to organize all NGOs responding to a crisis under certain lead NGOs in an area. Some organizations feel this is effective, while others reject the loss of autonomy that it requires.[120]

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[119] Minear, Larry, UBP Chelliah, Jeff Crisp, John Mackinlay, and Thomas G. Weiss. *United Nations Coordination of the International Humanitarian Response to the Gulf Crisis, 1990-1992*. Providence: Institute for International Studies, 1992.

[120] Humphries, Vanessa. "Improving Humanitarian Coordination: Common Challenges and Lessons Learned from the Cluster Approach." *The Journal of Humanitarian Assistance* (April 30, 2013), http://sites.tufts.edu/jha/archives/1976 (accessed Apr 5, 2017).

Indeed, not all organizations want to cooperate with each other. According to Sommers,

> Probably the most important assumption underlying successful humanitarian coordination is that all involved feel it is necessary. But they do not...Some humanitarian actors, at least in certain circumstances, view coordinated action as restrictive of internal objectives and even counter to fundamental humanitarian principles. In other words, the most 'effective' humanitarian response may not necessarily be 'cohesive' at all.[121]

Some organizations distinguish themselves from others on a principled basis and they see other humanitarians as potentially compromising to their identity. For example, if an NGO refuses to recognize a militia group as legitimate, then they will be hesitant to collaborate with an organization that openly works with the group. There is great "difficulty of maintaining a unified coordination structure when key actors are deeply divided against each other."[122] This complicates coordinating tasks for the UN and other bodies.

Resistance to coordination and increased competition relate to contracts, systems of access, inequality of information, and need for donations. A UNOCHA study on sector coordination describes "donor earmarking, micro-management, visibility concerns, and political agendas," along with "demonstrated preoccupation with securing funding," as factors that weaken coordination.[123] Organizations quickly determine that it is:

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[121] Sommers, Marc. "The Dynamics of Coordination." *Occasional Papers of the Watson Institute*, no. 40 (2000).
[122] Sommers, 18.
[123] Reindrop, Nicola and Peter Wiles. *Humanitarian Coordination: Lessons from Recent Field Experience*. London: Overseas Development Institute, 2001.

> more profitable and institutionally logical for a humanitarian actor to command a larger percentage of a particular sector, camp, or region even at the expense of coordination with other humanitarian actors. Since larger field operations call for bigger budgets, coordination runs against the institutional grain because each actor seeks a bigger piece of the humanitarian pie.[124]

Interestingly, organizations seem willing to allow competition for a bigger piece of pie even if it actually reduces the size of the overall pie. That is to say, they will undermine cooperation in a way that will decrease donors' willingness to supply funds or that will reduce the benefit of aid to recipients. For example, an organization may be willing to compromise with a militant group because "competition for turf and difficulties of coordination...make [today's] humanitarian actors easy targets for political actors seeking access to the scarce resources they control," even if security risks result.[125] This behavior reflects perception of a zero-sum game between providers as they compete for donor funds and emergency access. There is often a limited amount of funding and access, so they must compete for it. This problem has increased with the entrance of more organizations into the humanitarian sector and greater reliance on contract systems.

This competition also leads to repeated attempts for differentiation. Organizations want to distinguish themselves to increase chances of receiving funds and contracts. This is analogous to product differentiation in the traditional marketplace - NGOs do not want to be seen as mere substitutes for one another. Assumptions of sector universality and unity are false as organizations re-define

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[124] Sommers, 60.
[125] MacFarlane, Neil. "Politics and Humanitarian Action." *Occasional Papers of the Watson Institute*, no. 41 (2000).

their principles in attempts to demonstrate uniqueness. Barnett and Weiss describe this process:

> as aid agencies debate who they are and what practices are reflective of their identity, they simultaneously reveal who they believe they are not and the practices they deem illegitimate. The attempt to define the humanitarian identity, in other words, reflects a desire to define difference.[126]

In doing so, organizations "seem to be driven by both values *and* interests," meaning that they attempt to define principles while also furthering their material goals, evident "where some [organizations] appeared to be 'pornographers of death,' caring more about constructing heroic images of themselves for donors than about the plights of the victims."[127] Some organizations may stick closely to principles. For example, the ICRC is often seen as the "credible interlocutor," but other NGOs "are almost always willing to compete and deliver what[ever] a donor desires."[128]

These trends in the humanitarian sector also affect the operations within various organizations, as aspects of competition and insecurity trickle down to inter-organizational interactions. The effects of market-like forces on humanitarian organizations influence incentive structures within organizations. [129] For example, as competition for resources becomes more intense between organizations, subunits of organizations also compete with each other for resource allocations. This begins a cycle of bargaining games not just between aid agencies, but also within them. People working for organizations are forced to

[126] Weiss and Barnett, 5.
[127] Ibid, 6.
[128] Hoffman and Weiss, 135.
[129] Finnemore and Barnett.

deal with "environments [that] are often ambiguous about missions and contain varied, often conflicting, functional, normative, and legitimacy imperatives."[130] As international organizations reproduce these contradictions based on the institutional signals they receive, employees and volunteers grapple with conflicts between ethics, resources, and mission goals. Incentives and signals demonstrate that certain behaviors will be rewarded, and aid workers respond to these messages. When "optimising agents face incentives and constraints that deviate their behavior from [a] target" of delivering aid with positive effects towards a target of the general aid delivery process, it is unsurprising that sub-optimal outcomes result.[131] Since rules and routines within organizations respond to environmental stimuli, problematic ritualized behavior can result. Although this dysfunctional behavior may look somewhat different based on the type of organization, even large agencies have trouble avoiding institutional pressures as all organizations operate within the broader environment of emergency aid.

Conclusion

The challenges of maintaining relations with many actors, pressures of marketization, and institutional factors increasingly define the humanitarian sector. Although not all these elements are present in every situation, they affect how organizations interact with donors, recipients, and local actors. As humanitarians compete for donors and access, they pander to them, seek differentiation, accept problematic contracts, inadvertently reduce productivity,

[130] Ibid.
[131] Martens et.al, 9.

and give up their principles. While doing so, organizations resist coordination amongst each other due to competition and a desire for autonomy. These dynamics often mean the neediest people do not receive sufficient assistance because humanitarian actors cannot overcome issues of density, marketization, and dependency. The following case studies will demonstrate how these challenges transpire in Rwanda and Afghanistan, how they conflict with organizations' goals, and how these tensions result in sub-optimal outcomes or aggravated conflicts.

Chapter III: Background on Rwandan Genocide

Introduction

The Rwandan genocide and subsequent refugee crisis during the 1990s exemplifies the detrimental effects of international humanitarian assistance when agencies face challenges. To understand the complex humanitarian emergency that came in the wake of the genocide, a description of the genocide and the role of international actors is useful. The genocide itself was a political crisis, where humanitarian actors had little significance. The following chapter contextualizes the complex environment that humanitarians faced in the post-genocide humanitarian crisis.

Genocide Background

The Rwandan genocide occurred during the early summer of 1994, building on decades of ethnic tension between Hutus and Tutsi. With decolonization of Rwanda in 1947, Hutus were given the opportunity to seek power over the minority Tutsis, who had been privileged by colonial rule. Rwanda officially gained independence from Belgium in 1962 with the Hutus in power, by which time ethnic violence was a "central feature of Rwanda's politics."[132] In 1973 President Habyarimana took power through a coup d'état and allowed for the registration of explicitly racist parties to keep the Tutsi from gaining power. Tensions escalated to violence and extremist Hutu leaders blamed

[132] Barnett, Michael N. 2002. *Eyewitness to a Genocide*. 52. publ. ed. Ithaca, NY [u.a.]: Cornell Univ. Press.

it on the Tutsi (claiming that any action against the minority group was reactionary).[133] Members of the Rwandan Hutu elite allowed this violence to continue and even encouraged it, as they grew concerned about losing power.

In response, the Tutsi-led Rwandan Patriotic Front (RPF) began to consolidate military and political strength. Their goal was to repatriate Tutsi refugees and share power with the Rwandan government. War between the RPF and Rwandan government began in October 1990, exacerbating racial tensions. After intervention by the French to help Habyarimana's government, as well as months of negotiation, President Habyarimana and the RPF signed a peace accord to create a coalition Hutu-RPF government.[134] Habyarimana stalled while militia training intensified and extremist radio stations broadcasted programs about killing Tutsis.

On April 6, 1994 presidents Habyarimana of Rwanda and Ntaryamira of Burundi were killed when their plane was shot down, becoming the pretext for a genocidal campaign against the Tutsis. Thousands of Tutsis and moderate Hutus, perceived to be supporting the RPF, were raped, mutilated, and massacred.[135] Around one million lives were cut short between April 6 and July 19, 1994. This massacre was an efficient killing spree, explicitly supported by local officials and the national government.[136] Journalists in Kigali described the operation as well-

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[133] Ibid, 54.
[134] "Rwanda: A Historical Chronology;" PBS Frontline., http://www.pbs.org/wgbh/pages/frontline/shows/rwanda/etc/cron.html.
[135] Terry, Fiona. *Condemned to Repeat? the Paradox of Humanitarian Action*. Ithaca: Cornell University Press, 2002, 155.
[136] "The Rwandan Genocide." History.com., http://www.history.com/topics/rwandan-genocide.

planned and thorough.[137] As a result, more people died in less time than any other massacre of modern history.[138]

Leading up to the genocide, there was a UN peacekeeping mission, UN Mission in Rwanda (UNAMIR), but due to recent failures to maintain peace in Somalia, many parties opposed strengthening the operations in Rwanda.[139] General Dallaire, head of UNAMIR, requested additional troops after receiving intelligence of plans for mass killings of the Tutsi population, but was told to do nothing by the UNSC as the US, France, and Belgium dismissed any threats.[140] Countries like the US had little strategic interest in Rwanda and did not support international action. Foreign governments were explicitly *not* using the word genocide publicly, as that would require action. States were operating under the "never again" principle after failure to prevent tragedy in Somalia. The US government was worried that if the term genocide was used, there would be an obligation to act due to powerful international norms.[141] As a result, alternative terms like "humanitarian crimes" were used to describe the situation in Rwanda. Powers like the US continued to deny the occurrence of genocide even when on April 28, 1994, Oxfam, a large aid agency, declared a genocide occurring in Rwanda and UNAMIR and the ICRC issued similar statements soon thereafter.[142]

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[137] Rieff, David. *A Bed for the Night: Humanitarianism in Crisis*. New York: Simon & Schuster, 2002.
[138] Ibid, 160.
[139] Mills, Kurt. "Rwanda: The Failure of "Never again"." In *International Responses to Mass Atrocities in Africa*, 53-82. Philadelphia: University of Pennsylvania Press, 2015, http://www.degruyter.com/doi/10.9783/9780812291605-004.
[140] Ibid.
[141] Ibid.
[142] Ibid, 58.

In May, the UN Secretary-General announced there was a genocide in Rwanda and by the end of the month, the UNSC had passed a resolution containing the word genocide and sent in troops. Official use of the word genocide created immense pressure to act, yet as late as June 1994, Christine Shelly, then-spokesperson for the US State Department, officially stated there was reason to believe "acts of genocide" occurred. When a reporter asked how many acts of genocide it takes to make a genocide, Shelly responded, "that's just not a question that I'm in a position to answer."[143] This delay in acknowledging reality meant the international community had no role in preventing or stopping the genocide.

At the end of June, France launched Operation Turquoise to establish a safe zone in the south-west of Rwanda, a mission supported by the UN.[144] Although this deployment was supposed to create peace, the French supported the Hutu government as long as possible.[145] Many criticized the French as propping up the Hutu regime and allowing génocidaires to escape justice. Many actors were pessimistic about the effects of Operation Turquoise, though in the end, France did protect thousands of Tutsis.

Role of Humanitarian Actors during Genocide

Humanitarian actors do not have a blank slate when they enter a crisis zone; they carry a reputation. The ICRC, the UN, and MSF had a presence in

[143] *Ghosts of Rwanda.* Directed by Greg Barker. Frontline PBS, 2004.
[144] "Rwanda UNAMIR Background." United Nations., http://www.un.org/en/peacekeeping/missions/past/unamirFT.htm.
[145] Rieff, 177.

Rwanda leading up to and during the genocide that defined how they could respond to the refugee humanitarian crisis in the Great Lakes that followed the genocide's end.

The ICRC refused to deviate from its self-imposed regulations of neutrality and refraining judgment of who should receive aid.[146] The ICRC had already been operating in Rwanda throughout the war of the 1990s and witnessed the peace agreement brokered by the French. Phillipe Gaillard, head of the ICRC delegation from 1993-1994 recalled that prevention and reporting on the developments in Rwanda was a priority for the organization.[147] This contribution to reporting was unprecedented in the organization's 130 years of existence, although the ICRC quickly discovered that their reporting was ineffective and prevention of the genocide was impossible; "as a Red Cross worker, you really don't have the political - not to mention the military - means to stop" a genocide.[148] Gaillard maintains that neutrality was effective in Rwanda throughout the genocide, as the ICRC hospital had a "mixed population" and "became some kind of a sacred place, a strong symbol and demonstration of neutrality," since it opened its doors to RPF, Hutu, Tutsi, and government forces.[149] Gaillard describes the humanitarian enterprise of the ICRC as "an effort to bring a measure of humanity, always insufficient, into situations that should not

[146] Terry 2002.
[147] Gaillard, Phillipe. "Rwanda 1994: "...Kill as Many People as You Want, You Cannot Kill their Memory" - ICRC." https://www.icrc.org/eng/resources/documents/misc/5xfncq.htm (accessed Mar 15, 2017).
[148] Ibid.
[149] Ibid.

exist."[150] Politicized humanitarianism was nonsensical when there was no opportunity for political action.

MSF had also been operating in Rwanda and neighboring countries throughout the early 1990s, often in joint-missions with the ICRC. At first, MSF focused on neutral provision of technical assistance, helping the ICRC run hospitals across Rwanda. Yet, after the spread of systematic killing, MSF was restricted in Rwanda due to safety concerns.[151] MSF's ties to Belgium and a perception of MSF alignment with the Tutsi made the volunteers a target for violence. All members of MSF Belgium were evacuated from the country, along with many other volunteers. Those that remained worked under the ICRC and avoided mention of MSF to reduce risk of violence.[152] In order to continue providing technical assistance in Rwanda, MSF was forced to stay silent as the ICRC was to be the only spokesperson from a neutral standpoint. MSF was split as many called for the release of a formal statement about the genocide. Rony Brauman, co-founder of MSF, described this tension as:

> one of the constitutive paradoxes of humanitarianism: on the one hand, we are held to act on a certain level as if it was the suffering of populations and not political reality that should be our principal concern. On the other, we have a duty to be lucid politically. That has led us to draw a line beyond which the necessary negotiations and compromises with local authorities become unacceptable.[153]

By April, MSF France and MSF Holland began publicly criticizing the United Nations and international community as "abandoning the Rwandan

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[150] Rieff, 178.
[151] Binet, Laurence. *MSF Speaking Out: Genocide of Rwandan Tutsi 1994,* 2003.
[152] Ibid.
[153] Rieff, 168.

people," when they failed to provide security by reducing the number of UN peacekeepers.[154] MSF had been traditionally willing to negotiate with violent groups, such as the Khmer Rouge in Cambodia and Taliban in Afghanistan, but thought that the explicit extermination of the Tutsi crossed a line and humanitarian aid was no longer useful.[155] MSF began campaigning the West to have Rwanda recognized as a genocide and begin international military intervention. On April 29, 1994 the MSF Belgium Director of Operations George Dallemagne said that "a veritable genocide is underway in Rwanda...The international community cannot close its eyes to the massacres."[156] MSF struggled with feelings that the situation was out of control - it was "impossible to protect the wounded and international staff," which strengthened its resolve that the international community had to face the truth of the genocide.[157] MSF wanted to reiterate, "it acts and expresses itself independently of any political power."[158] With the principle of independence in mind, MSF also made its objective to "see military action guided by clear political objectives, with aid organizations assisting with humanitarian action," rather than the mixing of militarism and humanitarianism.[159] This objective for coherent political and military action, separate from independent and effective humanitarianism was maintained by MSF throughout their work in Rwanda and the Great Lakes region.

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[154] Binet.
[155] Rieff, 168.
[156] Binet.
[157] Ibid, 30.
[158] Ibid, 52.
[159] Ibid, 31.

The UN did not have a large humanitarian role in Rwanda leading up to or during the genocide. The UN deployed UNAMIR within Rwanda as a peacekeeping mission to facilitate negotiations after the civil war. Prior to the genocide, the goals in Rwanda were economic and political. There was no need for UNHCR to operate within the country during the early 1990s. Similarly, WFP had no role in Rwanda before or during the genocide[160] and UNOCHA was not yet equipped to coordinate a response (and actually played no role in responding to the post-genocide crisis).[161] A need to balance humanitarian assistance to refugees and the pressure exerted upon it by the international community would define the UN objectives in Rwanda and the Great Lakes region after the genocide.

Post-Genocide Emergency

In response to the genocide, the RPF invaded Rwanda and civil war raged alongside the genocidal slaughters. The mass killings ended with the defeat of the Rwandan government by the RPF in July 1994, when their army captured Kigali. As a result, the former government and thousands of Hutus fled to Zaire (now Democratic Republic of the Congo), Tanzania, and Burundi. Nearly a million Rwandans were dead, the country was in crisis in the aftermath of the violence, neighboring states were now hosting thousands of refugees, water and food and medical supplies were in short supply, and local infrastructure needed repair. In short, the genocide was over, but the humanitarian crisis was just beginning.

[160] "History." http://www.wfp.org/timeline.
[161] *25 Years of Humanitarian Coordination,* UNOCHA, 2016.

Two million Rwandans fled to neighboring countries. Some Tutsi populations attempted to flee the genocide, but the waves of Hutus that left after the RPF took control were larger. Thousands of Hutus participated in the genocide due to hatred, financial gain, and fear so when the RPF gained ground, Hutus fled for fear of retaliation.[162] In one 24-hour period alone, about 170,000 Rwandans crossed into the Ngara district of Tanzania. Shortly after around 700,00 Rwandans crossed in North Kivu of Zaire in just three days in July 1994.[163] An aid worker at the time described the hills as "nothing but people. The hills were covered with a moving mass. The entire African landscaped was awash with people, all headed our way."[164] This movement created a major humanitarian crisis throughout the Great Lakes Region of Africa as Tanzania, Burundi, and Zaire were unprepared to handle the influx of refugees.

The lack of infrastructure to aid refugees led to high mortality rates during the first few weeks of the emergency.[165] The disease outbreaks in the Goma camp in Zaire were particularly severe. Within the first few weeks of Goma's establishment, cholera broke out and six hundred deaths a day rapidly increased to estimates of three thousand deaths daily.[166] In total, there were about 80,000 cases

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[162] Terry 2002, 170.
[163] Ibid, 171.
[164] Wilkinson, Ray. "Refugees Magazine Issue 110 (Crisis in the Great Lakes) - Cover Story: Heart of Darkness."http://www.unhcr.org/en-us/publications/refugeemag/3b6925384/refugees-magazine-issue-110-crisis-great-lakes-cover-story-heart-darkness.html.
[165] Legros, Dominique, Christophe Paquet, and Pierre Nabeth. "The Evolution of Mortality among Rwandan Refugees in Zaire between 1994 and 1997." In *Forced Migration and Mortality*, edited by H. E. Reed and C. B. Keely, 52-68 National Academies Press, 2001, http://www.nap.edu/read/10086/chapter/4.
[166] Polman, 18.

of cholera within the first month.[167] Between 6 and 10 percent of the total refugee population in Goma died - a major public health disaster.[168] This combination of post-genocide insecurity, resettlement needs, and health crisis was the situation humanitarian actors faced when they arrived to the Great Lakes Region in July 1994.

[167] Legros et. al.
[168] Ibid.

Chapter IV: Rwandan Refugee Crisis Case Study

Introduction

As explained in the prior chapter, there was a terrible genocide in Rwanda creating a complicated situation with many actors and interests at play. From the outset of responding to the refugee crisis, humanitarian organizations were compromised by impressions and actions that occurred during the genocide itself. This chapter focuses on the humanitarian action to address the complex emergency post-genocide, namely the rapid creation of refugee camps throughout Tanzania, Zaire, and Burundi. First, the crisis-specific missions, goals, and principles are explained, before details are offered on the challenges faced by coordinating with donors, local actors, and international powers. Finally, the responses of the ICRC, UN, and MSF will be described before analyzing how their reactions relate to institutional pressures.

The Rwandan refugee crisis represents a situation where humanitarian actors failed to understand political intricacies, allowing donors to warp aid goals and instrumentalize humanitarianism to fill a void of security intervention. Competition between NGOs worsened the situation and reduced their ability to question proceedings. A lack of evaluation and feedback meant most organizations did not consider their actions' broader implications for the Great Lakes region. In the end, as Phillip Gourevitch stated, the Rwandan refugee

camps became the "ultimate examples of corrupted humanitarianism - of humanitarianism in the service of extreme inhumanity."[169]

Organization Goals

ICRC Mission/Goal

At the conclusion of the genocide, the ICRC released a press statement stressing "its desire to help ensure, in agreement with the parties concerned and insofar as its means allow, respect for the humanitarian rules and to carry out the tasks conferred upon it by international humanitarian law."[170] Neutrality was repeatedly emphasized, as well as promotion of "relief operations for the civilian population that are solely humanitarian, impartial, and non-discriminatory in nature."[171] The ICRC maintained this position of neutrality in order to maintain access to both Hutu and Tutsi populations within and outside Rwanda. This meant the organization provided aid indiscriminately, focusing on civilians, but also willing to assist militants and soldiers (even if they had participated in the genocide). As the ICRC already had operations in the region, it aimed to maintain its relationships with local actors through an apolitical role. With its mandate to promote IHL, ICRC continued monitoring the situation and would remind authorities of their duty to respect civilians and humanitarians.[172] Its top priority

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[169] Gourevitch, Philip. "Alms Dealers." http://www.newyorker.com/magazine/2010/10/11/alms-dealers (accessed Mar 8, 2017).
[170] De Saint Maurice, Thomas. *Case Study, Armed Conflicts in the Great Lakes Region (1993-2005)* ICRC.
[171] Ibid.
[172] *ICRC Annual Report 1994*. Geneva: ICRC, 1995.

was to ensure a comprehensive humanitarian response respecting neutrality and independence, while providing medical and food aid.

UN Mission/Goals

The UN's main humanitarian response to the post-genocide situation was through UNHCR. Although WFP provided food aid, this was coordinated through UNHCR. UNHCR's guiding principles for assisting the Rwandan refugees were: repatriation, humanitarian imperative to care for the needy, and security.

When UNHCR became involved in the Great Lakes refugee crisis in July 1994, Sadako Ogata, the High Commissioner for Refugees, made a statement recommending early return of all refugees.[173] Although safe repatriation is always a goal of the UNHCR, the organization prioritized this from the beginning.[174] The agency was involved in the crisis beyond its normal capacity, handling a general humanitarian response, rather than one focused on refugees.[175] Overextension meant UNHCR broke many of its norms for handling refugee issues. Aid workers were unable to disarm the fighters who filled the camps. A lack of organization led to health crises of dysentery and cholera. UNHCR also had to play an important role between various stakeholders, standing in for an absence of other UN intervention.[176] For example, they coordinated between Zairean authorities, refugees, camp leadership, the Rwandan government, the international

[173] Mills 2015.
[174] Rieff.
[175] Mills 2015.
[176] Ibid.

community, NGOs, and donors. UNHCR recognized the precarious nature of the situation and tried to encourage repatriation to prevent prolonging the crisis and improve regional security.

MSF Mission/Goals

MSF mobilized after the Rwandan genocide in response to the refugee cholera epidemic.[177] Across Rwanda, Tanzania, Zaire, and Burundi MSF ran field hospitals, health centers, and mental health programs.[178] MSF adhered to its principles of medical ethics and impartiality/neutrality. The principle of bearing witness also became critical by November 1994, after the initial public health crisis was addressed. MSF published a special report "Breaking the Cycle," where it called for greater protection of refugees and humanitarian workers in Tanzania and Zaire.[179] In this, MSF made its priorities clear as it called upon the UN and its member states to ensure those involved in the genocide were brought to justice and more security was provided to the humanitarian situation. MSF was publicly outraged about the lack of response to the genocide and in its initial refugee response operations also made its moral outrage clear regarding the absence of international action to prevent further abuses.

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[177] Binet.
[178] *Deadlock in the Rwandan Refugee Crisis: Repatriation Virtually at a Standstill,* MSF, 1995.
[179] "Breaking the Cycle: Calls for Action in the Rwandese Refugee Camps in Tanzania and Zaire." http://www.doctorswithoutborders.org/news-stories/special-report/breaking-cycle-calls-action-rwandese-refugee-camps-tanzania-and-zaire (accessed Mar 15, 2017).

Challenges

Donor Pressures

Monetary concerns and public relations were large influences on aid agencies during the Great Lakes crisis. The seemingly non-political aspects of the refugee crisis attracted government and private donor interest. In particular, the cholera outbreak in Goma led to "a dramatic, well-publicized show of human suffering in which the enemy was a virus and the savior was humanitarian aid."[180] Foreign governments have interest in public relations and see channeling humanitarian aid as ideal publicity.[181] J. Brian Atwood, then-head of USAID, called the refugee health crisis "chaos," which was more than he said during the genocide itself , "depoliticiz[ing] the situation and avoid[ing] apportioning blame or responsibility."[182] Countries like the US began to send money and personnel that they had not provided weeks earlier.[183] Huge amounts of money were raised; around $1.5 billion was collected for immediate efforts and UNHCR operated on a daily budget of $1 million.[184] This increased the pressure to act, as aid providers had an interest in gaining lucrative contracts provided by the UN and donor governments. There was a fine line between organizations acting to alleviate the crisis and those trying to raise funds from it.[185] There was also fear that not responding to the Rwandan refugee crisis could jeopardize future contracts. Even

[180] Terry 2002, 171.
[181] Storey, Andy. "Non-Neutral Humanitarianism: Ngos and the Rwanda Crisis." *Development in Practice* 7, no. 4 (Nov 1, 1997): 385, http://www.tandfonline.com/doi/abs/10.1080/09614529754170.
[182] Mills 2015, 64.
[183] Terry 2002, 171.
[184] Polman, 20.
[185] Terry 2002, 203.

when security in the region worsened, many organizations were hesitant to leave because money was still there.[186]

This money also directed where the majority of aid was supplied. Hundreds of NGOs descended upon the region. Humanitarian zones typically wave flags to signal the presence of humanitarian work to warring parties, but the camps in Zaire involved a full PR-battle.[187] Not only flags were used, MSF even branded their own Band-Aids. Aid organizations could not just *be* there, but also had "to show that [they were] there, to avoid being upstaged by the competition."[188]

In order to receive the support offered by donors, humanitarian actors followed their guidelines. Troops and money went hand-in-hand for the Great Lakes refugee crisis, not to mention highly publicized aircraft landings and aid distribution.[189] NGOs are described as taking on "the role of 'public service contractors' on a cautious and ad hoc basis…for many states, NGOs 'are seen as the preferred channel for service provision in deliberate substitution for the state."[190] This trend meant that organizations became a means for states to make public statements. Since NGOs are dependent on the funds for operation, it was hard to turn down funds and avoid instrumentalization as public affairs puppets.

[186] Ibid
[187] Polman, 21.
[188] Ibid.
[189] Mills 2015.
[190] Storey, 385.

For example, the US government launched Operation Support Hope as a humanitarian mission to Goma refugee camp and the surrounding area.[191] Organizations that usually preferred to stay away from military operations had no choice but to cooperate, compromising their neutrality. But, Operation Support Hope did not support NGOs with security. The operation was humanitarian, meaning that they could not act against refugee warriors nor arrest known war criminals of the genocide. Instead Operation Support Hope stood by and allowed war criminals and the former Rwandan army to settle in Goma alongside other refugees.[192] This further undermined humanitarian goals.

Organizations gained access to work outside Rwanda rather than inside the country due to donor interest. The US spent $231.9 million on humanitarian assistance outside Rwanda and only spent $73.3 million inside the country.[193] Overall, from 1994 to mid-September 1995, twenty times more aid went to the surrounding area than people living in Rwanda.[194] As NGOs were dependent on donor money to operate, this affected which populations had access to aid, influencing local authorities' view of foreign assistance. The massive disparities between aid for refugees and internally displaced persons in Rwanda or local communities in Zaire and Tanzania led to tension.[195] In particular, the Rwandan government resented the aid differences, which worsened organizations' access to areas of Rwanda, thus further lowering the amount of aid within the country.

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[191] Terry 2002.
[192] Terry 2002, 173.
[193] Mills 2015.
[194] Storey.
[195] Terry 2002.

Donors' influence and involvement actually lowered the legitimacy of humanitarians in Rwanda. It is important to note that the RPF ended the genocide, rather than foreign intervention. This fact set the tone for handling the refugee crisis, as it decreased the legitimacy of aid funded by governments that did not prevent or stop the genocide.[196] NGOs operating based on ease of access further diminished aid legitimacy because war criminals and the former Rwandan government ruled the refugee camps. Aid workers had no ability to change this. The camp structure was described as a "power structure based on a committee of fifteen or seventeen members, made up of former government, military, and business leaders...which...controls most of what goes on in the camps."[197] The US Committee for Refugees also described this phenomenon, saying that the "exiled regime and its militia maintain control over the refugees through relentless propaganda," giving most NGOs no option but to negotiate with them as they received little support from donors to do anything different.[198]

Media Influence

The media bolstered the international attention and subsequent demands for action. The so-called CNN effect of media attention on a particular crisis increased the pressure for action. When the media began showing the mass refugee flow out of Rwanda, foreigners assumed victims of the genocide were fleeing, rather than Hutu perpetrators of violence.[199] Thus, the majority of help

[196] Rieff.
[197] Terry 2002, 387.
[198] Ibid.
[199] Polman, 17.

was premised on political misunderstanding. The extremely public nature of the aid meant that the UN and international community were able to generate large amounts of funding. Media is free publicity for aid agencies.[200] The amount of media attention made it even more important for NGOs to operate in refugee camps near Rwanda. A failure to respond would have decreased an organization's credibility and profile. It was a situation of "be there or die" for many agencies.[201] Many organizations desperately needed the support awarded by responding to the crisis, generating competition between them. Some agencies attempted to differentiate their work, but most had to conform to the needs of the situation.[202]

Geography determined where refugee camps were established and which ones received media acknowledgement. In particular, Goma in Zaire received a lot of international attention. Goma is remembered for "the landing strip effect," as its proximity to a landing strip meant aircrafts were able to easily bring supplies.[203] This led to the vast amount of aid delivered to Goma - setting it apart from more remote conflict zones that could only be reached through time-consuming ground travel. More NGOs worked in Goma because it was easy to reach, and by virtue of its accessibility, more of the public eye was on the camp as well. However, this media attention was without agenda; it was inconsequential to the public what exactly an organization did. The media rewarded presence over outcome.

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[200] Terry 2002.
[201] Ibid, 391.
[202] Storey.
[203] Polman, 17.

Contribution to War Economy

Given the mixed civilian and militant populations in most of the refugee camps, it was easy for supporters of the former Rwandan government to divert aid for political and violent purposes. Hutu government leaders took control of many camps, meaning they could divert resources. They generated revenue through multiple mechanisms.[204] It was common for leadership to inflate population numbers. For example, in Ngara, leaders initially provided a population count of 350,000, which was corrected to 230,000 people when an official count was conducted 10 weeks later.[205] A similar situation was also documented in Bukavu. The political and military leadership had no incentive for accurate censuses, so would sabotage efforts to get a correct count.

Stealing of materials/resources from aid agencies, trading in looted goods, demanding employment of Hutus for staff, and general bribery/corruption all took place.[206] Theft of supplies happened through diversion and direct looting. Raids of warehouses occurred throughout 1994 until multiple NGOs threatened withdrawal as a result.[207] Additionally, uneven distribution occurred within most camps. In Goma, NGOs estimated that the Hutu militia claimed about 60 percent of supplies for their own uses and to sell back to camp residents.[208] For example, the WFP delivered food to meet the needs of 100,000 more people than actually lived in

[204] Terry 2002.
[205] Ibid, 186.
[206] Ibid, 35.
[207] Ibid.
[208] Polman, 30.

Goma, but high malnutrition rates persisted, indicating theft of supplies.[209] A 1994 survey demonstrated that 40 percent of households received less than their entitled food ration, while around 13 percent received over 5 times the entitled ration. Taxation also occurred, as camp leadership demanded taxes from the refugees employed by local agencies. The exact rates varied, but MSF estimated that camp leadership collected $11,000 per month from local MSF staff alone in Kahindo.[210]

International aid allowed the Hutu government and various militants to sustain themselves and their operations. Ultimately, manipulation meant "humanitarian aid, intended for the victims, strengthened the power of the very people who has caused the tragedy [and] the consequences were devastating."[211]

Local Government Relations

The relationships with host countries of the refugee camps were complicated, particularly in Zaire. Based on the need for the Zairean government's cooperation to access refugees, it was necessary to satisfy their requirements. Zaire wanted the refugees settled close to the Rwandan border, despite UNHCR's preference to move refugees further inland to prevent possible security risks.[212] Additionally, the Zairean government did not want refugees in their country for an extended period and were concerned about arms proliferation. Zaire announced a deadline of December 31, 1995 for all refugees to leave,

[209] Terry 2002, 187.
[210] Ibid, 189.
[211] Terry 2002, 2.
[212] Mills 2015.

despite international laws against forced repatriation. Furthermore, the UN and other international organizations were unable to arrest war criminals within the camps, as it was up to the Zairean authorities to do so. As a result, the defeated Hutu government sought protection in Zaire.[213] Host nations are responsible for ensuring that refugee camps are only civilian, but the Zairean regime was an ally of the former Rwandan government. Their reluctance to arrest war criminals or jeopardize the possibility of a return of Hutu power in Rwanda meant that the camps remained unsafe.

Zairean officials were complicit with the Hutu government and army actions, allowing them to receive arms and financial supplies.[214] This empowered the former Rwandan military to conduct raids into Rwanda, creating insecurity to dissuade return to the country and demonstrate a threat that Hutus would reclaim Rwanda. These attacks were mainly against genocide survivors. The Hutu sanctuary in Zaire also led to strengthening of anti-Tutsi propaganda. Former military and government officials spread messages painting Hutus as the victims of historical oppression and the recent genocide. Hutu officials used the narrative of UN failure to their advantage, jumping on the widespread criticisms of UN forces.[215] They argued the UN forces were partial to the Tutsis and did not protect Hutus. Propaganda included information that refugees returning to Rwanda were being killed; a pamphlet circulating in Mgugnga said "of all those made to return

[213] Terry 2002, 182.
[214] Ibid, 156.
[215] Ibid, 167.

by UNHCR, not one has survived."[216] The former-Hutu government and military used these strategies to keep refugees under their control. International aid in the region strengthened these forces and was unable to prevent the worsening of ethnic relations. Zaire was an unpredictable negotiating partner and most humanitarian actors had little choice but to obey their orders regarding the humanitarian operations.

Violence in Camps

The refugee camps surrounding Rwanda were extremely unstable and the humanitarian community dealt with the security issues because they received little international support. The Hutu leaders used violence throughout the refugee camps to maintain control. Security was precarious for both refugees and aid workers. For example, in 1994, over 4,000 refugees died in a camp in Zaire due to result of violence from the Hutu militia, undisciplined Zairean soldiers, and other refugees.[217] There were also various allegations of poisonings of refugees throughout the camps. Additionally, the Canadian branch of CARE withdrew from the region after its staff were threatened and 35 of its local staff killed.[218] In November 1994, 15 NGOs threatened to leave unless security improved. As a result, the Hutu former government did dispel some violence, realizing it was in their best interest to continue receiving aid. Although the situation improved slightly, violence continued.

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[216] Ibid, 175.
[217] Ibid.
[218] Ibid.

The need for security clashed with donor interests and international powers. The international community said they prioritized stability, but in delaying any real political action, further instability resulted.[219] The UN and its member states refused to supply a security force so officials on the ground had to handle security. Since the UNSC did not take control, UNHCR called for deployment of a security force, the Zairean Camp Security Contingent (ZCSC) that was overseen by the Zaire government.[220] The lack of international support meant "Humanitarian actors…[were] being called upon to carry out functions that they are not equipped to do and which are the purview of international security actors."[221] This resulted in a biased, ill-prepared security force that engaged in exploitative activities like taxing refugees and using them for sexual services. Ultimately, the ZCSC caused more insecurity for refugees because it was seen as a threat by the Tutsi forces in Rwanda due to Zaire's support for the Hutu regime. In response to this perceived threat, the new Tutsi Rwandan government expressed concern about security, hinting at eventual destruction of the refugee camps, but the international community continued to take no action.[222]

[219] Ibid.
[220] Mills 2015.
[221] Ibid, 69.
[222] Terry 2002.

Organization Responses

ICRC Response

The ICRC maintained neutrality as their top priority, which meant refraining judgment from who should be considered deserving of aid.[223] The ICRC cared about direct consequences of its assistance programs, but was not worried about the political connotations of helping Hutus versus Tutsis in the same way as other humanitarians. While other organizations engaged in extensive internal debate about whether to pull out from the region, this was never a topic for the ICRC. It adhered to self-imposed regulations and the objectives of the humanitarian imperative, refusing to deviate. The ICRC did pressure governments and other actors to improve their assistance, but overall did not take a political role. As Peter Walker, member of the Editorial Board for the International Review of the Red Cross said, for the ICRC, leaving the camps was like refusing to treat an injured drunk driver due to concern they might drink again – totally ridiculous in the organization's mind.[224] Thus, the ICRC remained in the Great Lakes Region, providing aid unconditionally, even if it meant that it supported génocidaires and led to further instability.

[223] Ibid.
[224] Ibid, 200.

UN Response

The UN, through UNHCR, had a challenging task of coordinating NGOs, local governments, and assistance from the international community. In its attempt to reconcile its goals of repatriation and security with the goals of local actors and donor governments, UNHCR was ultimately unable to fulfill its goals or principles and helped perpetuate regional insecurity.

UNHCR was involved in the situation beyond its typical mandate or capacity; one official explained that, "probably never before has [the UNHCR] found its humanitarian concerns in the midst of such a lethal quagmire of political and security interest."[225] It played an intermediary role between host governments, refugees, camp leadership, the new Rwandan government, various NGOs, and donors. Notably, UNHCR did refuse to meet with the Rwandan government in exile in Zaire to avoid awarding it any legitimacy.[226] However, the effectiveness of this strategy was reduced because most of the former Hutu government became camp leaders, so meeting with war criminals became unavoidable.

The goal of rapid and safe voluntary repatriation was subverted due to UNHCR's need to maintain safety in the camps and have a good relationship with host governments. Zaire pushed strongly for forced repatriation, but UNHCR could not formally support this, as it violated international law forbidding forced repatriation.[227] This dilemma was challenging for UNHCR, as many within the

[225] Mills 2015, 72.
[226] Terry 2002.
[227] Mills 2015.

organization knew that stability necessitated refugees returning to Rwanda and Zairean authorities had to be kept happy so some individuals actually advocated for support of Zaire's deadline. In the end, UNHCR did not make any public statement opposing Zaire's deadline, and received much criticism because of this breach of international norms.[228] This seemed to compromise some of UNHCR's core values as the international protector of refugee rights. UNHCR also lacked coordination with actors inside Rwanda and had no way to know the actual safety conditions for refugees returning. Without accurate information, it was impossible to promote voluntary repatriation.[229] Other norms for refugee protection were also broken, as refugees had to stay close to the Rwandan border and it was impossible for aid workers to disarm all the fighters within the camps.[230] UNHCR's lack of negotiating power over Zairean authorities and absence of clear strategy from the outset played into these failures.

UNHCR received nothing in response to its appeal for an international force of soldiers.[231] As mentioned earlier, UNHCR ultimately paid for Zairean soldiers to patrol the camps, but this had disastrous outcomes of provoking the RPF to attacks the camps. The UN's insistence that the UN did not fight, and the commitment to "the logic of peace, not the logic of war," actually worsened the situation.[232] The UN was risk-averse, especially in the wake of the disaster in

[228] Ibid, 71.
[229] Terry 2002.
[230] Rieff.
[231] Ibid.
[232] Ibid, 191.

Somalia, and there was a strong desire to make the UN look good in its adherence to the principle of peace.[233] Principles clashed with the crisis's demands.

When security had deteriorated in the camps and it was clear that génocidaires were being assisted by humanitarians, outspoken organizations like MSF, the International Rescue Committee (IRC), and CARE all pressured UNHCR to withdraw.[234] Internal staff and external advisors called for the same. If there was no international military presence, Guy Goodwin-Gill explained that the UNHCR should have pulled out because it was impossible to protect the refugees.[235] UNHCR's mandate was not general humanitarian assistance, rather refugee aid. UNHCR did enter into extensive debate and negotiations about leaving some of the camps, in particular Goma in Zaire and Ngara in Tanzania.[236]

Yet, UNHCR did not withdraw; the International Protection division said it had a "mandatory function...in assisting host countries to cope with refugee influxes…[that] justifies our continued presence even under the most trying circumstances."[237] Many felt there were no alternatives for action but to stay, though UNHCR did eventually reduce aid provision in the hopes of minimizing abuse.[238] Dennis McNamara (who directed the International Protection division), stated that the "agency's mandate and the humanitarian imperative of caring for the majority of vulnerable and needy civilians, women, and children made a

[233] Barnett 2002.
[234] Terry 2002.
[235] Ibid, 198.
[236] Rieff.
[237] Terry 2002, 198.
[238] Ibid, 203.

withdrawal impossible."[239] Ogata, the High Commissioner also expressed feelings that there was a mandate to help due to the presence of innocents. The Assistant Commissioners described it as a lose-lose situation, as they had to stay to help women and children, but the humanitarian agencies' presence contributed to problems.[240]

This insistence that UNHCR was just following the humanitarian imperative to assist the needy was related to career and organizational goals. For example, Ogata, then-High Commissioner, was concerned about the future of her career.[241] Additionally, there was fear for the future of UNHCR. During the Kosovo crisis, NATO marginalized UNHCR and made it irrelevant, generating pressure to demonstrate the importance of UNHCR's crisis management in the Great Lakes.[242] This concern about personal ambition and the image of the UN did not help the Rwandan refugees in the long run, but it did help UN staff. Michael Barnett describes "a nearly inverse relationship between the extent to which UN staff fulfilled their responsibilities and their subsequent professional fortunes."[243] The fears of overstepping mandate, of failure, and of taking action disapproved by powerful states prevented the UN from fulfilling its humanitarian mandate - as was seen when the RPF and other forces attacked the refugee camps and humanitarians fled.[244] Although an organization like UNHCR seems immune

[239] Mills 2015, 68.
[240] Rieff, 186.
[241] Rieff
[242] Ibid.
[243] Barnett 2002, 159.
[244] Rieff.

from the competitive pressures of the humanitarian sphere, its desperate actions and statements during the Great Lakes emergency demonstrated otherwise.

MSF Response

MSF debated internally how to navigate the dilemmas in the Rwandan refugee camps and whether it was making a positive impact. From the start, MSF used atypical advocacy regarding the crisis. MSF usually opposed military intervention, as it had in Somalia, because it thought that mixing humanitarianism and military goals was problematic.[245] For the case of the Rwandan genocide and resulting regional insecurity, MSF requested outside security forces.[246] Phillipe Bieberson, then-president of MSF France, said that "humanitarianism [was] serving as a cover for the inaction of states...humanitarianism of impassibility and of the dead end."[247] MSF adamantly advocated for a political solution. Brauman, one of the founders of MSF, describes their dilemma as:

> One of the constitutive paradoxes of humanitarianism. On the one hand, we are held to act on a certain level as if it was the suffering of populations and not political reality that should be our principal concern. On the other, we have a duty to be lucid politically. That has led us to draw a line beyond which the necessary negotiations and compromises with local authorities become unacceptable.[248]

MSF provided its technical expertise and medical care throughout 1994, while advocating for international intervention. Yet debate whether MSF should stay in the refugee camps continued. MSF recognized that the manipulation of aid and control of political-administrative leaders was not unique; rather the unique

[245] Rieff.
[246] Ibid, 167.
[247] Ibid
[248] Ibid.

aspect was that perpetrators of genocide were running the camps.[249] As a result, MSF created pressures to investigate and prosecute perpetrators of the genocide, demands for more monitoring/censuses to reduce aid diversion, and recommendations to the UN and member states to send security forces.[250] As time went on, the various branches of MSF "acknowledged that the situation was intolerable, but the sections' conclusions differed," with only Belgium and France in support of complete or partial withdrawal.[251]

By October 1994, the internal debate heightened due to a clear lack of international support for UNHCR's proposed security initiatives.[252] For MSF, it was a question of complicity - "should a humanitarian organization professing to alleviate suffering be an accomplice of a system which so obviously violates this fundamental principle?"[253] Humanitarian aid was the only thing allowing the old genocidal regime to stay alive. Dominique Martin, MSF director in Paris, saw this as a "systemic problem," and thought it was imperative to question "the logic of the system where the populations are used by their 'shepherds' for political ends. They serve as hostages, bait for international aid which permits the refugee leaders to build up their political strength."[254] It was impossible to predict the consequence of militarized camps, but it seemed like positive outcomes were unlikely.

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[249] "Breaking the Cycle: Calls for Action in the Rwandese Refugee Camps in Tanzania and Zaire."
[250] Ibid.
[251] Ibid.
[252] Terry 2002.
[253] Ibid, 196.
[254] Ibid, 197.

MSF-France asked "Did their actions just perpetuate the insecurity, providing shelter and resources to militants who destabilized the region and creating a population of 'well-fed dead' who were at the mercy of the militants and ADFL?"[255] On October 28, 1994, the MSF-France Board voted to withdraw from all refugee camps in Rwanda, Zaire, and Tanzania over the next two months.[256] MSF-Belgium and MSF-Holland continued operating in the Zaire and Tanzania camps until the end of 1995. They withdrew after the new Kagame regime in Rwanda infiltrated and killed a whole camp near Kibeho. The camp included Hutu activists, along with many innocents, and UN and other aid workers just watched it happen.[257]

Analysis of Responses

The responses of the ICRC, UNHCR, and MSF to the challenges of the Rwandan refugee crisis demonstrate the difficulty of adhering to principles in the face of contextual demands. Returning to Barnett's question about "how does neutrality help the victims of ethnic cleansing and genocide," it is clear that in Rwanda, neutrality was not enough to neutralize the situation.[258] Even when organizations like MSF France seemingly stuck to their principles by withdrawing, an unsettled feeling remained for many in the organization because they felt MSF's actions were less than ideal.

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[255] Mills 2015, 74.
[256] "Breaking the Cycle: Calls for Action in the Rwandese Refugee Camps in Tanzania and Zaire."
[257] Rieff, 188.
[258] Weiss and Barnett, 4.

The Rwandan refugee camps are a case study of how the difficulty of acting on principles relates to relationships between actors in the humanitarian sector and problematic aspects of competition. Humanitarians' interactions with donors, local actors, and aid recipients constrained the assistance. Meanwhile, competition between organizations reduced reflection about impact and negotiation power. While some Rwandans received life-saving assistance from humanitarians, this confluence of institutional factors made it very unclear whether the humanitarians actually did more good than harm.

Donors constrained action, defining where and how refugees received aid. If donors did not want to take political action or provide security, then humanitarian actors operated on the ground without them. The Joint Evaluation of Emergency Assistance to Rwanda, a synthesis report with OECD, EU, ICRC, and NGO representatives, concluded that, the "Rwanda case demonstrates the need for much closer linkages between humanitarian and political policies in the principal donor countries and the UN system and also with the neighboring countries and regional bodies."[259] The clash of ideals and goals between actors forced to interact led to poor outcomes. Disagreements within and between organizations exacerbated the moral hazard of principal-agent relationships. The aggressive internal debates at the UN and MSF, in particular, meant that agents on the ground had different interests than principals providing direction. This took the

[259] Eriksson, John, Howard Adelman, John Borton, Hanne Christensen, Krishna Kumar, Astri Suhrke, David Tardif-Douglin, and Stein Villumstad. *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience* Joint Evaluation of Emergency Assistance to Rwanda, 1996.

form of public statements that misrepresented agents' views on-the-ground and a lack of support for what agents felt was needed in terms of resources and security. Additionally, the diversion of aid and misuse by recipients was another instance of moral hazard in a principal-agent relationship, as donors did not intend their money to support war criminals or proliferation of violence.

Additionally, media influence and fund availability increased the number of organizations in the region, decreasing each individual organization's political bargaining power and increasing challenges for the entire sector. The Joint Evaluation found that the Great Lakes refugee crisis "involved an unprecedented number of agencies and organizations and this must have - increased overall costs and the difficulties of ensuring a coordinated response."[260] The report went on to state that the high number of NGO "reflects not only a genuine and widespread desire to provide assistance but also the reality that participation in large scale, high profile relief operations has become an important factor in the formation and development [for] NGOs."[261] Combining the CNN effect, the landing-strip effect, and large amounts of money attracted many NGOs to the crisis – even if they were ill equipped or unnecessary. These demands strained coordination by UNHCR and the ICRC. The sheer number of organizations and competitiveness also meant NGOs had less negotiating power with donors and local actors. When multiple organizations threatened to leave due to camp violence, the former Hutu leaders increased camp safety but only marginally, knowing that more NGOs would always come. When MSF left Zaire and Tanzania, there were many NGOs

[260] Ibid.
[261] Ibid.

willing to take their contracts. Further, MSF's decision to leave strained its relationship with UNHCR and the UN was hesitant to offer major contracts to MSF for the next several years.[262] Less powerful organizations would have been financially unable to survive if they made a similar decision. A competitive environment meant local actors could more easily manipulate aid, as many resources were available and organizations were eager to be in good favor with local powers. Lastly, it was even more challenging to adhere to principles in such an environment, as organizations could not avoid working with one another even if they disagreed with the varied approaches. An aid organization that openly associated with former Hutu government leaders could taint the perception of aid more generally.

The large number of humanitarian agencies and highly disorganized response meant the accountability and information-sharing mechanisms were inadequate. The Joint Evaluation report found there was "remarkable variation in the amount and quality of information on the situation in a given area depending on the agencies."[263] Security information and reports on assistance quality varied, reducing the ability of UNHCR to adequately promote repatriation and causing additional insecurity throughout the camps. Further, the report also noted that it was "was struck by the very limited attempts by agencies to obtain the views of beneficiaries on the assistance they were provided with," demonstrating that when contracts are competitive, donors and local powers matter more than recipients.[264]

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[262] Terry 2002.
[263] Eriksson et.al.
[264] Ibid.

Even when organizations tried to collect evaluations on programs, they were often incomplete or biased. The same report states, "a potentially more disturbing problem is that in a context of increased concern for profile by, and competition between, humanitarian agencies, the objectivity of their reporting may suffer as a result of their emphasis on the positive aspects of their programmes and playing down of the negative."[265]

Imperfect information, lack of effective evaluation, and broken feedback loops were all factors that reduced the positive impact of humanitarian aid in the post-Rwandan genocide crisis of the Great Lakes region. Further, the demands of donors and local actors constrained humanitarian actors and forced them into a lose-lose situation caught between providing aid to génocidaires in an increasingly unsafe environment and not providing aid at all. This combination of factors soured the effects of competition in the humanitarian sector.

Conclusion

In the end, the Rwandan army destroyed all the refugee camps and most humanitarians immediately abandoned the camps. People fled across the surrounding area, going on to form militia groups and deep tensions that continue to terrorize people across the Democratic Republic of the Congo, Burundi, Rwanda, and Tanzania. Although there was little room for humanitarian organizations to maneuver, their actions ultimately helped feed into regional instability. Relationships with local actors, donors, recipients, and

[265] Ibid.

counterproductive competition all made the situation worse. The use of humanitarianism in the place of politics had devastating consequences in the Great Lakes region.

Chapter V: Background on Afghanistan

Introduction

Afghanistan has faced continual conflict and upheaval since the Soviet invasion of 1979. As a result, humanitarian actors have maintained a presence in the country throughout the past three decades. To examine the post-9/11 complex emergency environment that is the case study for this paper, it is necessary to first understand the preceding political and humanitarian situation.

Prior to 9/11 Afghanistan

In 1978, a communist coup d'état led Afghanistan into years of conflict and foreign intervention. The Soviet Union invaded Afghanistan in late 1979 to support the communist regime, sparking a proxy war between the USSR and the US that increased Afghanistan's international significance.[266] The US funded the mujahedeen, a loose opposition group to the communist agenda, channeling money through Pakistan and the CIA. Even though the group included radical Islamists, the US government continued to support them. During the ensuing nine-year conflict between superpowers, it is estimated that at least $10 billion was spent in financial and military expenditures.[267] Around 2 million people died and thousands were displaced to nearby Pakistan by the war. Refugees became central to recent Afghan history through this displacement, defining the

[266] Maley, William. "Afghanistan: An Historical and Geographical Appraisal." *International Review of the Red Cross* 92, no. 880 (Dec 1, 2010): 859-76, http://journals.cambridge.org/abstract_S1816383111000154.
[267] "Afghanistan: Conflict Profile." https://www.insightonconflict.org/conflicts/afghanistan/conflict-profile/.

relationship between Afghanistan and Pakistan while leaving today 's population in constant fluctuation.[268] Throughout the 1980s, high levels of mortality due to the mujahedeen's fight against the Soviets and a lack of functioning infrastructure were accompanied by war crimes and human rights abuses. The Soviet Union finally withdrew from Afghanistan in 1992, leaving the country close to collapse. During this time, the Soviet Union prevented many humanitarian agencies from providing aid in the country because their efforts clashed with its goals.[269] Humanitarian aid organizations, including MSF and UN agencies, sided with the mujahedeen against the USSR, though some like the ICRC sought to act neutrally (even though refugee camps were bases for the insurgency).[270] Controlling aid access was a mechanism for power in Afghanistan and this instrumentalization of humanitarianism during the 1980s set the stage for future humanitarian assistance.

Following this, Afghanistan experienced a period of civil war and warlordism as state institutions were non-functional. Localized groups headed by warlords within Afghanistan refused to acknowledge the legitimacy of the new Islamic State of Afghanistan as determined through the Peshawar Accord upon the USSR's withdrawal, so the country disintegrated into fighting factions.[271] The conflict worsened as countries such as the US, Pakistan, Saudi Arabia, and Iran funded warring groups. Pakistan and the US, in particular, were controlling the

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[268] Helton, Arthur C. "Rescuing the Refugees." *Foreign Affairs* 81, no. 2 (Mar 1, 2002), http://parlinfo.aph.gov.au/parlInfo/search/summary/summary.w3p;query=Id:%22library/jrnart/36Z76%22.

[269] Donini.

[270] Marsden, Peter. *Afghanistan- Aid, Armies and Empires: Aid, Armies and Empires (170)*. London, US: I.B.Tauris, 2009, http://site.ebrary.com/lib/claremont/docDetail.action?docID=10359154&ppg=1.

[271] "Afghanistan: Conflict Profile."

Afghan Interim Government through funding, though it lacked capacity to provide any services.[272] Kabul was damaged heavily as different warlords' militias vied for its control.[273] In the midst of this conflict, the Taliban consolidated political and military power. Formed by a faction of the mujahedeen, the Taliban emerged as a defender of strict Wahhabi Islam views and declared themselves as protectors of traditional Afghan culture. They promised to improve stability, winning the favor of many, especially Afghan refugees living in Pakistan.

After years of devastating civil war, the Taliban successfully forced all the remaining warlords out of Kabul in 1996. Wherever they took over, the Taliban introduced an extreme interpretation of Sharia law, limiting the public roles of women and enforcing harsh rules. They granted sanctuary to Al Qaeda and its leader Osama bin Laden, though there were tensions between the two groups.[274] For its abuse of human rights and its relationship with Al Qaeda, much of the international community denounced the Taliban. In 1998, the US conducted airstrikes against suspected bin Laden bases after Al Qaeda attacked American embassies in Africa.[275] In 1999, the UN initiated an air embargo and financial sanctions against the Taliban government to persuade them to hand over bin Laden for trial. Although the Taliban were strong during their reign, they fell

[272] Marsden, 171.
[273] Maley.
[274] "The Taliban in Afghanistan." http://www.cfr.org/afghanistan/taliban-afghanistan/p10551 (accessed Mar 26, 2017).
[275] "Afghanistan Profile - Timeline." *BBC News*, Mar 8, 2017. , http://www.bbc.com/news/world-south-asia-12024253 (accessed Mar 27, 2017).

quickly when the US, working with the Northern Alliance, a collection of Afghan warlords, invaded in October 2001 after the 9/11 attacks of Al Qaeda.

Throughout the civil war and Taliban-control periods, various international and domestic actors attempted to wield influence in Afghanistan, each with implications for the provision of aid. These included regional actors, especially Pakistan, and non-state actors such as warlords and drug lords.[276] Non-state actors enjoyed a monopoly on violence over certain regions of Afghanistan, meaning they could deny or allow aid access as they preferred. They took advantage of aid politically and economically through conditionality, thievery, and abuse.[277] For example, the Taliban placed many restrictions on aid groups such as determining who could get aid and separating men from women in public spaces. Additionally, they would direct where aid went and sometimes would seize aid supplies.[278] As a result, the international community increased its rhetoric of human rights promotion and some donors encouraged conditional aid based on human rights improvement due to concerns about the Taliban's oppressive rule. Besides this incorporation of human rights, humanitarian agencies received little direction from donors regarding how to use resources. Aid budgets were relatively small so donors were more willing to take risks.[279] Yet, even early on, NGOs could tell that humanitarian resources in such a fragile

[276] Donini 2012.
[277] Ibid.
[278] "The Taliban in Afghanistan."
[279] Marsden, 172.

environment held a lot of power because institutions were lacking and provision of social services was desperately needed.[280]

In addition to the trauma of its longstanding internal war, Afghanistan suffered from a series of natural disasters. In 1999, drought left 3.8 million people close to starvation. In 2001, the UNDP ranked Afghanistan as the second to worst country to live in the world.[281] The situation for women and children was particularly dire, as the Taliban's harsh restrictions meant women could not receive medical care they needed and maternal and child mortality rates were high, mostly from preventable causes. For example, in 2000, there were around 1,100 maternal deaths per 100,000 live births.[282] Furthermore, in 2001, 3.6 million Afghans were considered refugees, while 600,000 were IDPs.[283]

Role of Humanitarian Actors

Humanitarian organizations have been critical in Afghanistan, effectively substituting for state capacity throughout the 1990s. The presence of the ICRC, MSF, and the UN leading up to 2001 defined and constrained the organizations after 9/11. During most of the Cold War, the ICRC did not operate a field office in Afghanistan and established its office in Kabul in 1987.[284] The Soviets did not allow humanitarian actors into the country, so the ICRC and other organizations

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[280] Ibid, 173.
[281] *UNDP Human Development Report 2001*. New York: Oxford University Press, 2001.
[282] WHO, UNICEF, UNFPA, World Bank Group and United Nations Population Division. "Maternal Mortality in 1990-2015." http://www.who.int/gho/maternal_health/countries/afg.pdf.
[283] Hoffman and Weiss.
[284] "The ICRC in Afghanistan." https://www.icrc.org/eng/where-we-work/asia-pacific/afghanistan/overview-afghanistan.htm.

were barred.[285] Instead, the ICRC served Afghan refugees in Pakistan, with all their aid stopping at the border. When the Soviet Union began withdrawal, the ICRC established operations in Afghanistan and ran a number of hospitals, while supplying medical equipment and personnel to facilities across the country. It attempted to administer aid to people on all sides of the conflict, adhering to the principles of neutrality and impartiality. Beyond its medical services, the ICRC provided nutritional surveillance, sanitation programs, worked with detainees, and connected prisoners with their families.[286] The ICRC also worked with commanders of various militias and groups to negotiate ceasefires throughout the 1990s, though these usually collapsed within days.[287]

The ICRC continued to emphasize the importance of international humanitarian law. They repeatedly appealed for all parties to the 1990s conflict to respect the Geneva Conventions. When the Taliban took control of Kabul and prohibited women from many public spaces, most international organizations were outraged. However, the ICRC sought "innovative solutions in harmony with local customs, while at the same time endeavoring to sensitize the Taliban leadership to the problem with the aim of bringing about a more flexible

[285] Monod, Jean-Michel. "The ICRC in Asia: Special Challenges?" *International Review of the Red Cross* 83, no. 841 (Mar 1, 2001): 9-18, http://journals.cambridge.org/abstract_S1560775500106157.
[286] Durr, Olivier. "ICRC Humanitarian Activities in Afghanistan: Various Types of Constraints." *Pakistan Horizon* 51, no. 2 (1998): 23-34, http://www.jstor.org.ccl.idm.oclc.org/stable/41394456 (accessed Mar 27, 2017).
[287] "Blood-Stained Hands." https://www.hrw.org/report/2005/07/06/blood-stained-hands/past-atrocities-kabul-and-afghanistans-legacy-impunity (accessed Mar 27, 2017).

government policy."[288] The organization sought to emphasize neutrality/impartiality in working with the Taliban, while also subtly suggesting they change their policies. Even when the Taliban instituted a harmful women-only medical facility, the ICRC did not suspend its activities, arguing that continuing to operate was more important. By holding its ground, the ICRC continued providing care to men and women and sparked a slight change in Taliban policies.[289] Olivier Durr, then-Head of the ICRC Delegation articulated that beyond the challenges of working with the Taliban, the ICRC also faced security issues and struggled to balance its principles while maintaining funding.[290] Working in Afghanistan throughout the late 20th century pushed "the ICRC to juggle many competing humanitarian priorities with limited resources while working in a situation unparalleled in the rest of the world."[291]

The UN had a largely political role in Afghanistan throughout the 20th century; for example, the General Assembly passed a resolution in 1980 calling the Soviets' armed intervention of Afghanistan deplorable and requesting the removal of foreign troops.[292] Although the UN was largely unable to provide humanitarian aid within Afghanistan except through cross-border operations, it adopted a series of resolutions against the Cold War conflict. During this time,

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[288] Curtet, Charlotte Lindsay. "Afghanistan: An ICRC Perspective on Bringing Assistance and Protection to Women during the Taliban Regime." *International Review of the Red Cross* 84, no. 847 (Sep 1, 2002): 643-54, http://journals.cambridge.org/abstract_S1560775500090404.
[289] Ibid.
[290] Durr.
[291] Curtet.
[292] "Afghanistan and the United Nations." http://www.un.org/News/dh/latest/afghan/un-afghan-history.shtml.

UNHCR conducted its largest operation of the decade, managing Afghan refugees in Pakistan.[293] As Afghanistan remained unstable, UNHCR continued to oversee refugee issues and population flows in Pakistan. The UN's inability to secure the Afghanistan-Pakistan border and repatriate refugees given the political climate added to continual domestic upheaval.[294] By 1987, the UN began intense efforts to coordinate humanitarian aid within Afghanistan, expressing concern for its lack of development. The UN provided assistance through various agencies, including UNICEF, UNDP, UNHCR, and WFP. The interim government determined by the Peshawar Accord was ineffectual so the UN took the role of providing basic services.[295] The UN also encouraged development of Afghan NGOs, but this ended up having negative consequences, as there was little way to ensure quality with a proliferation of inexperienced organizations.[296] In 1993, the Secretary-General established the United Nations Special Mission to Afghanistan (UNSMA) to better plan reconstruction of the country, but the Taliban's consolidation of power made this ineffective. The UN also had a hard time raising necessary funds to distribute - for example, the 1995-96 appeal only raised 50 percent of the amount deemed urgent.[297]

In 1997, the UN formed a Strategic Framework to coordinate humanitarian assistance to Afghanistan, relying on the idea that connecting

[293] Schoch, Rudiger. "Afghan Refugees in Pakistan during the 1980s: Cold War Politics and Registration Practice." http://www.unhcr.org/research/working/4868daad2/afghan-refugees-pakistan-during-1980s-cold-war-politics-registration-practice.html (accessed Mar 27, 2017).
[294] Ibid.
[295] Marsden, 172.
[296] Marsden, 174.
[297] "Afghanistan and the United Nations."

politics, assistance, and human rights would increase effectiveness.[298] However, many organizations claimed that this Framework compromised humanitarian aid because it combined all aid under one umbrella. The lack of buy-in from various NGOs meant coordination was low and, in early 2001, the World Bank released a conclusion that the Strategic Framework was ineffectual.[299] There had also been no direct budget to support coordination, adding to the failure. Overall, despite the UN's continual presence in Afghanistan, there was little progress from 1980 to 2001.

MSF condemned the Soviet Union's actions in Afghanistan during the Cold War, instead working with the Afghan resistance, despite the fact that "relations with the mujahedeen gave [them] infinitely more trouble than the Red Army," according to the then-mission organizer Juliette Fournot.[300] MSF was against communism, meaning it was also anti-Soviet, and bore witness to the massive bombing and use of mines against the Afghan people by the Soviets. Claude Malhuret, co-founder of MSF, travelled to the US during this time to contribute to the fight against communism and the organization received several rounds of funding from the National Endowment for Democracy (NED).[301] MSF was based in Pakistan, but ran cross-border programs to equip twelve hospitals throughout Afghanistan. It faced security trouble as Soviet planes often targeted

[298] Donini 2012, 76.
[299] Ibid.
[300] Weissman, Fabrice. "Silence Heals...from the Cold War to the War on Terror, MSF Speaks Out: A Brief History." http://www.msf-crash.org/livres/en/silence-heals-from-the-cold-war-to-the-war-on-terror-msf-speaks-out-a-brief-history.
[301] Ibid.

their hospitals.[302] The organization provided medical services throughout this period, while also attempting to draw public attention to the war and condemning communism.

After the Soviet Union's presence decreased, US funds led to infighting between resistance groups due to resource differences and tensions between MSF and the mujahedeen resulted.[303] In 1990, escalation led to the murder of an MSF expatriate in a clinic in Badakhshan and MSF immediately closed all of its programs throughout the country. MSF returned in 1992, after the official withdrawal of the Soviet Union, to address the all-out civil war that ensued. MSF was able to improve its reputation and acceptance in the country through a large, effective operation with multiple MSF sections across Afghanistan.[304] However, after the Taliban took control and forced NGOs to submit to harsh requirements and random aid seizures, unease among MSF staff grew regarding their operations in Afghanistan. Additionally, MSF criticized the UN's Strategic Framework developed in 1997, saying that it compromised humanitarian assistance.[305]

Some say that "pure" humanitarian action never really existed in Afghanistan, as NGOs provided aid to mujahedeen fighters in the 1980s, supported militant refugee camps in Pakistan, and took money from the US

[302] Malhuret, Claude. "Report from Afghanistan." *Foreign Affairs* 62, no. 2 (Winter /94, 1983): 426-35, http://www.msf.fr/sites/www.msf.fr/files/1983-12-01-Malhuret.pdf.
[303] Crombe, Xavier and Michiel Hofman. "Afghanistan, Retaining Leverage." *Humanitarian Negotiations Revealed: The MSF Experience* (, http://www.msf-crash.org/livres/en/afghanistan-regaining-leverage.
[304] Ibid.
[305] Donini 2012, 77.

during the Soviet invasion.[306] All of these were political choices. Additionally, the annual spending of around $200 million in Afghanistan for humanitarian relief each year meant that the country relied on aid, assuming it would come every year in the absence of other infrastructure, even though it never met total need.[307] Prior to 2001, the humanitarian aid community in Afghanistan was defined by a combination of constant presence, lack of effectiveness, and inability to surmount political challenges. The OECD described the aid effort in Afghanistan at this point as extremely confused:

> As a matter of principle, the aid community wants the Taliban...to respect international norms while at the same time it wants to respect Afghan culture and tradition. As a matter of principle, the aid community wants its aid to be only humanitarian, yet conditional in respecting human rights, while also upholding the right to humanitarian assistance.[308]

The challenges for the humanitarian assistance community did not stop with the US invasion of 2001, rather operations remained precarious and principles were compromised.

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[306] Lischer, Sarah Kenyon. "Military Intervention and the Humanitarian "Force Multiplier"." *Global Governance* 13, no. 1 (Jan 1, 2007): 99-118, http://www.jstor.org/stable/27800644.

[307] Donini 2012.

[308] OECD. "The Limits and Scope for the use of Development Assistance Incentives and Disincentives for Influencing Conflict Situations: Case Study Afghanistan;" *The Development Assistance Committee Journal* 2, no. 3 (2001), http://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=DCD/DAC/CPDC(2002)1&docLanguage=En.

Post 9/11 Complex Emergency

On September 11, 2001, two planes crashed into the World Trade Center in the United States, sparking the Global War on Terror. The US launched Operation Enduring Freedom in Afghanistan on October 7, 2001 with the goals of dismantling Al Qaeda and removing the Taliban from power. The war in Afghanistan made a bad humanitarian situation worse. In response to US invasion, the Taliban declared that they could no longer guarantee safety of aid workers and began to shut down aid communication channels and confiscate supplies.[309] The UN estimated that at least 5 million people were in dire need in October, with projections that would grow by 2.5 million by the end of 2001.[310]

By November 13, the Northern Allied forces took Kabul and by early December, the last Taliban-controlled city was under the control of anti-Taliban troops supported by the US. A political agreement was brokered in Bonn, Germany to form an interim government and launch state-building measures. This included stipulations for development of a constitution and elections that would eventually lead to Hamid Karzai becoming president in 2004. As part of the easing of hostilities, the US launched the Immediate and Transitional Assistance Program for the Afghan People in January 2002 to provide emergency relief. However, fighting continued, and there were attacks by both the Taliban and Al Qaeda throughout the next several years. Very few people in Afghanistan were unaffected by the series of armed conflict. Around 60 percent had direct experience (meaning they had to leave homes, suffered serious property damage,

[309] Hoffman and Weiss.
[310] Ibid.

lost contact with a close relative, lost their means of income, or their property came under enemy control), while an additional 36 percent of Afghans either dealt with limited water/electricity or healthcare.[311] By 2004, the Taliban increasingly asserted itself and increased its kidnapping and murders of aid workers. More than 30 aid workers died that year at the hands of the Taliban.[312] Aid workers were targeted based on their association with the West. This confluence of factors made the situation in Afghanistan particularly precarious. Humanitarian actors tried to respond to the high numbers of IDPs, terrible public health problems, and food insecurity in the midst of a war, while being both funded and targeted by belligerents.

[311] *Afghanistan: Opinion Survey and in-Depth Research*. Geneva: Ipsos/ICRC, 2009.
[312] Hoffman and Weiss.

Chapter VI: Post 9/11 Afghanistan Case Study

Introduction

As described in the previous chapter, Afghanistan experienced around 20 years of turmoil leading up to the US invasion of October 2001. Humanitarian actors were already present in Afghanistan with reputations that would shift with the politicization and militarization that ensued. This chapter focuses on humanitarian assistance to Afghanistan after October 2001. To begin, it details the emergency-specific goals and principles of the ICRC, UN, and MSF, before explaining various difficulties of working in Afghanistan. This chapter describes the responses of the ICRC, UN, and MSF to these challenges and then analyzes them in the context of humanitarian sector constraints.

Humanitarian assistance in Afghanistan was coopted for military and political missions during the early 2000s. As a result, impartiality and neutrality were compromised and the region became increasingly unsafe for humanitarians. A large number of organizations present in Afghanistan further complicated this issue as agencies competed for funding and attention. The absence of effective evaluation tools meant donors and local communities were unable to fully grasp aid's effects. As David Rieff put it, the confluence of these challenges, meant that "if there was anything left of the idea of an autonomous humanitarianism, it was all but put out of its misery in Afghanistan in the fall of 2001."[313]

[313] Rieff, 231.

Organization Goals

ICRC Mission/Goals

The ICRC publicly affirmed its principles regarding impartiality, neutrality, and IHL from the outset of the conflict in 2001. Its first press release after the US invasion reminded all involved parties "of their obligation to respect and ensure respect for international humanitarian law."[314] In the same press release, the ICRC reaffirmed its neutral stance and reminded parties to the conflict that they "must authorize and facilitate impartial humanitarian relief operations and ensure the safety of medical and humanitarian personnel."[315] It should be noted that the ICRC never claimed that IHL protects humanitarian actors that are not impartial or that it extends to development assistance. Instead, the ICRC repeated the idea that impartiality is key to its operations and to the success of any humanitarian operations.

Additionally, the ICRC went on to release a follow-up statement in November regarding its independent role. The ICRC highlighted the importance of work done by local Afghan ICRC staff, rejecting notions that "humanitarian work can only be carried out when the 'victors' have arrived, or worse, in the minds of some people or sectors of the media, when the 'good party' has taken

[314] "Afghanistan: ICRC Calls on all Parties to Conflict to Respect International Humanitarian Law ICRC Press Release, 24 October 2001." https://www.icrc.org/eng/resources/documents/article/other/57jrl8.htm.
[315] Ibid.

control."[316] The same statement also emphasized that "non-partisan, independent, and impartial humanitarian action must be possible," regardless of which parties have local power, and that effectiveness of assistance can and should only be assessed on a "factual basis."[317] The ICRC wanted to be a symbol of humanitarian independence and neutrality, drawing upon its historical presence in Afghanistan as evidence of its ability to continue doing so into the 21st century.

UN Mission/Goals

The UN's humanitarian involvement in Afghanistan was multi-faceted, involving UNHCR, WFP, and UNOCHA. The UN also had development and security components in-country during the early 2000s. After the escalation of conflict from the US invasion, the UNSC expressed its support for the Taliban regime to be overthrown and condemned Afghanistan's use as a haven for terrorists.[318] The UN attempted to promote dialogue between various parties to the conflict, including facilitation of the Bonn Agreement in late 2001. This political role demonstrated a process of taking sides, as the UN explicitly promoted the Karzai government as legitimate.[319] From the outset, the UN bolstered the idea of winners and losers in Afghanistan, pushing all NGOs to work with the new

[316] "A Message from Afghanistan: The Role of Afghan ICRC Staff." *International Review of the Red Cross* 83, no. 844 (Dec 1, 2001): 1183-4, http://journals.cambridge.org/abstract_S1560775500183671.
[317] Ibid.
[318] "Afghanistan and the United Nations."
[319] Donini 2012.

government. For many, this "broke the social contract of acceptance that normally allows humanitarian agencies to operate in volatile environments."[320]

Regarding the UN's humanitarian goals, Kofi Annan, the then-Secretary General, wanted humanitarian assistance in coordination with human rights promotion and the US/NATO forces in Afghanistan.[321] In doing so, he established the UN Assistance Mission in Afghanistan (UNAMA) in March 2002 under UNSC resolution 1401 for "UNAMA and the Secretary-General's Special Representative for Afghanistan (SRSG) to continue leading and coordinating international civilian efforts in assisting Afghanistan."[322] Under this system, humanitarian assistance was subordinate to political goals because UNAMA mainly focused on supporting the new Afghan government's peace process. As these were the top-down goals of the UN, agencies like WFP and UNHCR struggled to balance their humanitarian obligations. These branches were concerned about the crossover between politics and assistance, presuming that political and military involvement would worsen the situation. Stephanie Bunker, spokeswoman for the UN Afghan programs expressed such fears in late 2001:

> The Afghans simply can't cope [with the implications of the US invasion]. With WFP unable to bring in food, with foreign relief workers forced out and programs curtailed, we could be looking at something unimaginable in the next few months. And winter is coming. The question is, 'How are the people in Afghanistan going to survive this?' We're all well aware that so much more could be done. But what we are doing is saving lives, every day in Afghanistan, and that's what is at risk now.[323]

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[320] Ibid, 79.
[321] Rieff.
[322] "UNAMA Mandate." https://unama.unmissions.org/mandate.
[323] Rieff, 255.

Individuals like Bunker advocated for separation between politics and humanitarianism to ensure impartiality would guarantee access, but this proved impossible. Tensions between the political goals of reconstruction and the humanitarian imperative to help the needy clashed within the UN from the start of its provision of aid to Afghanistan after 9/11.

MSF Mission/Goals

MSF did not initially condemn the US invasion of Afghanistan, as it was endorsed by the UN in the name of self-defense, and "the role of a humanitarian agency is not to judge the reasons or objectives of war, but rather the means to carry it out."[324] MSF reduced its humanitarian operations during the heavy US bombing of October, but resumed immediately after the fall of the Taliban government in November 2001. At this point, MSF publicly criticized the US attempt to combine food drops with bombs, which represented the mixture of humanitarian aid with military goals. MSF worried that "if the military are involved in delivering humanitarian assistance, it can be regarded by their opponents as an act of war: aid and aid workers can be legitimately targeted and so denied to people in need."[325] MSF repeated the notion that humanitarian war was a contradiction, not a solution to the problems of Afghanistan.[326] Brauman,

[324] Crombe and Hofman.
[325] Ford, N. "Afghanistan--Humanitarian Aid and Military Intervention Don't Mix." *The British Journal of General Practice : The Journal of the Royal College of General Practitioners* 51, no. 472 (Nov, 2001): 946, http://www.ncbi.nlm.nih.gov/pubmed/11761220.
[326] Rieff.

MSF's co-founder, further argued that subordination of humanitarianism to reasons of state, even if they were good, was a "dangerous regression."[327]

As such, MSF recommended a large-scale humanitarian relief effort, fully independent from belligerents, aimed at reaching the most vulnerable populations throughout Afghanistan. Like the ICRC, MSF stressed the importance of independence and impartiality for humanitarian actors in Afghanistan and attempted to distance itself from politics and military involvement.

Challenges

Donor Pressures

The newly declared Global War on Terror complicated the relationships between donors and humanitarian agencies operating in Afghanistan. The principle of coherence in aid was promoted by donors, yet this was "the code word for the integration of humanitarian action into the wider political designs of donors, the UN, and of the UN-mandated military coalition operating in Afghanistan since late 2001."[328] Most of the funding for humanitarian assistance in Afghanistan came from the West, including belligerent states such as the US and Great Britain. In fact, all of the top aid donors to Afghanistan, except Switzerland and India, were belligerents to the conflict - an unprecedented situation.[329] Humanitarian actors were placed in a position where donors were

[327] Ibid.
[328] Donini 2012, 67.
[329] Ibid, 83.

also responsible for killing civilians, raising issues of credibility. To make matters worse, Afghanistan was a "laboratory" for various "military/political/assistance hybrids" where humanitarian assistance was delivered with or by military forces.[330] Since donors have financial control over humanitarian agencies, NGOs had little choice but to bend to state interests.[331] Belligerent parties and NATO were guided by the counterinsurgency concept (COIN) and this directed where they supported aid rather than urgency of need.[332] Additionally, the situation in Afghanistan was largely painted as a security issue where humanitarian organizations had little say about fund allocation.[333] Donor logic was that military and security objectives would be bolstered by providing aid, in order to increase stability and win local allies.[334] Yet, to do this, political objectives were combined with humanitarianism and neutrality/impartiality were understood as hindrances to efficiency.

In particular, money from the US, one of the largest funders for humanitarian assistance, was tied to military and political agendas. This agenda involved the war against terrorism, geopolitical/economic goals, a project to end a tyrannical regime, improve humanitarian conditions, and create democratic institutions.[335] George W. Bush's division of the world into those with us and against us meant that organizations were forbidden to provide services, personnel,

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[330] Ibid, 81-82.
[331] Rieff.
[332] Lindner, Robert. "Non-Governmental Aid Organisations in Afghanistan between Impartiality and Counterinsurgency." *Sicherheit Und Frieden : S + F* 28, no. 4 (2010): 223, http://www.gesis.org/sowiport/search/id/iz-solis-90562130.
[333] Lischer.
[334] Ibid.
[335] Hoffman and Weiss.

and training to terrorist organizations or individuals related to terrorist organizations.[336] These vague requirements were challenging for NGOs to navigate. Additionally, there was an increase in aid funds controlled by the US military since 9/11, further blurring the lines between military and humanitarian activities.[337]

Colin Powell is known for calling humanitarian NGOs a "force multiplier," for the US military in Afghanistan.[338] The US military also provided humanitarian aid itself, as part of their "hearts and minds" operation. This had limited success; the US military is infamous for dropping food and bombs at the same time where the yellow packaging of food was hard to distinguish from the yellow of unexploded cluster munitions.[339] The US also launched Provincial Reconstruction Teams (PRTs) across Afghanistan to conduct humanitarian reconstruction projects, consisting of soldiers, aid personnel, and civil affairs officers. PRTs provided conditional aid, dependent on the strategic value of certain areas and whether communities would provide intelligence for finding insurgents.[340] PRTs were often confused with humanitarian agency workers separate from the US military, as they provided similar services (along with security and reconstruction assistance). Also, the increasing reliance of the US military on humanitarian action was complicated, as there are different cultures

[336] Donini, 59.
[337] Ibid.
[338] Powell, Colin L. "Remarks to the National Foreign Policy Conference for Leaders of Nongovernmental Organizations." http://avalon.law.yale.edu/sept11/powell_brief31.asp.
[339] Lischer.
[340] Ibid.

and assumptions between humanitarians and the military.[341] Humanitarians emphasize neutrality, independence, and impartiality but these are contrary to military values. Military involvement in humanitarianism through PRTs and other mechanisms compromised these values.

Funders determined the type of assistance provided to Afghans. Donor preference for high-profile aid efforts meant a large portion of funds went towards food aid. Food was a common tool for donors to win good favor, so food and bombs appeared simultaneously to make belligerents look better. Prior to the US invasion, less than 600 metric tons was available in food aid per month. By January 2002, over 3000 metric tons per month was provided to Afghanistan and this remained high for the next year.[342]

Donor resources were scarce overall, meaning humanitarian organizations had to compete for funds.[343] Funding was not definite for NGOs despite the initial attention on Afghanistan. Many private donors lost money due to stock changes post 9/11, reducing overall contributions.[344] Donor governments also felt the financial impact of 9/11. Further, as the turmoil in Afghanistan drew on, interest in the country decreased and funding followed suit. Resources were increasingly provided only through contracts, rather than grants, which meant that donors had more influence over humanitarian agencies.[345] As a result, organizations made hard decisions about where to use limited unrestricted funds and spent more time

[341] Ibid.
[342] Donini 2012, 206.
[343] Hoffman and Weiss, 156.
[344] Ibid.
[345] Ibid.

raising discretionary funds for organizational needs when donors did not cover them through contracts. In Afghanistan, the lack of resources made it extremely challenging for organizations to say no to donors and some donors even tried to incite competition because they thought it would lead to better outcomes.[346] In these cases, humanitarians had no choice but to play into the system.

Overall, donors were relatively intolerant of NGO complaints regarding the politicization and militarization of humanitarian assistance, instead promoting coherence between politics, military objectives, and humanitarianism in Afghanistan.[347] For example, German Development Minister Dirk Niebel complained that NGOs "want[ed] to maintain a certain difference from the Bundeswehr," the German armed forces, and said that if they did not want to cooperate with the military then "they need[ed] to look for other donors."[348] High-level officials at USAID made the same sentiment clear. William Frej, head of USAID mission to Afghanistan, said, "without COIN and without the military's support, many of the humanitarian agencies...would not be able to enter the areas once controlled by insurgents," implying they should be grateful.[349] Andrew Natsios, a USAID administrator, thought that humanitarian aid should be in service of US foreign policy and that concerns regarding autonomous humanitarian space were unfounded.[350]

[346] Ibid, 180.
[347] Lindner.
[348] Ibid.
[349] Ibid.
[350] Rieff.

Media Influence

After 9/11, the threat of violence from terrorists dominated the media and initially Afghanistan received a lot of international attention.[351] The media focused on the war narrative, in terms of how many were killed and how, rather than the humanitarian needs of Afghans. Additionally, the media provided imagery of executions and suicide bombings that demonstrated the complete disregard for IHL by involved parties. These images seemed to suggest that humanitarian assistance and IHL were obsolete in Afghanistan, making the issue more security and terrorism focused.[352]

International perceptions of the conflict in Afghanistan were extremely important to donors and belligerent states like the US. There was an "imperative...of being seen as doing something besides killing people," which meant that the US wanted images of American humanitarianism broadcast across the world.[353] This often involved moralizing rhetoric in press releases or government statements in order to further justify military intervention.[354] For example, the US continually emphasized its commitment to "helping Afghans create a country that is prosperous, democratic, at peace within itself and with its neighbors, possessing a free market and respectful of human rights," in the media.[355]

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[351] Hoffman and Weiss.
[352] Ibid.
[353] Rieff, 236.
[354] Ibid.
[355] Reeker, Phillip T. "Afghanistan's Good Neighborly Relations Declaration Caps One Year of Solid Achievement." US Department of State Archive. Department Of State. The

Non-State Actor Relations

Going beyond the international donors and new Afghan government, humanitarian agencies also had to navigate relations with non-state actors such as insurgent groups, warlords, drug lords, and community leaders. The shared goals and funding between political, military, and humanitarian actors meant that "conceptual confusion and security challenges," were prevalent among non-state actors.[356]

In particular, the Taliban and Al Qaeda (including its affiliates) set up a conflict between the West and Islam, equating humanitarian agencies with the military presence. Insurgency groups viewed the assistance community as part of the "Western conspiracy" because they were "deeply embedded financially, politically, and culturally in the West," shifting their status from "benign infidels to agents of Western imperialism."[357] This was complicated because humanitarians try to avoid engaging terrorists, as doing so would confer legitimacy. Yet, even lesser insurgents have similar tactic and aims so they could not be negotiated with either.[358] Although humanitarian organizations had legitimate reasons to not engage Al Qaeda and similar splinter groups, not doing so increased the perception that they were agents of the West.

Tensions with local powers intensified due to cultural differences between aid workers and local communities. For example, attitudes regarding alcohol, sex,

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Office of Electronic Information, Bureau of Public Affairs., last modified December 23 2002, accessed Apr 11, 2017, https://2001-2009.state.gov/r/pa/prs/ps/2002/16187.htm.
[356] Lischer.
[357] Donini 2012, 80.
[358] Ibid.

and gender roles differed greatly between Afghans and foreign humanitarians.[359] One NGO security director explained that most organizations held parties on the weekends, which often led to security incidents based on these strains.[360] Local populations also complained about unsafe driving habits of aid workers. A lack of overall sensitivity increased local resentment of humanitarian assistance, making it even more challenging to gain access to certain regions in need of aid.

Humanitarian access to various parts of Afghanistan shrunk overall throughout the early 2000s due to security risks. In particular, the UN placed many movement restrictions upon its staff.[361] Programs had to be managed by remote control from safer areas, reinforcing the perception that humanitarian organizations were taking sides because they were established in enclaves controlled by the new government.[362] This just aggravated the perceptions of side taking that initially created tension. As described by Antonio Donini, who served as Director of the UN Office for the Coordination of Humanitarian Assistance to Afghanistan from 1999-2002:

> The aid community suffered from the confusion faced by ordinary Afghans, not to mention the armed opposition, in distinguishing humanitarians from other aid and political actors. The perception that the aid enterprise had taken sides was of course reinforced by the fact that aid agencies were only present in increasingly securitized compounds in government-held towns.[363]

[359] Fast, Larisa. *Aid in Danger*. Philadelphia: Univ. of Pennsylvania Press, 2014.
[360] Ibid.
[361] Donini 2012.
[362] Ibid.
[363] Ibid, 85.

Additionally, long-term relationships with communities fractured because senior staff could not visit project activities. This also diminished project quality; in particular, quality and access of health services declined for many throughout the 2000s. Monitoring and evaluation of programs was negatively impacted, as aid agencies increasingly relied on remote partners to help with reporting which often led to overly simplified or politicized assessments.[364] Perception issues took another form when neutral NGOs could sometimes be perceived as providing aid to enemies to the US coalition. This issue directly harmed Afghan citizens because coalition forces sometimes attacked NGO clinics perceived as harboring insurgents.[365] This increased wariness among communities to accept aid. Overall, gaining access to certain areas of Afghanistan was not guaranteed and humanitarian organizations faced serious dilemmas when interacting with non-state actors.

Economy of Aid

Throughout the early 2000s, the economics of warfare and aid influenced the level of security and development in Afghanistan. An illicit drug trade flourished throughout the country, leftover from the rampant warlordism of the 1990s.[366] Drug economies behind war are incredibly resilient, able to thrive off instability and a lack of government infrastructure. Drug lords had the power to take advantage of aid economically, through denial of access, egress,

[364] Blankenship, Erin. *Delivering Aid in Contested Spaces: Afghanistan,* Oxfam America Research Backgrounder series, 2014.
[365] Donini 2012, 81.
[366] Hoffman and Weiss.

conditionality, thievery, and general abuse.[367] For example, due to the proliferation of food aid after 2001, drug lords and warlords could easily gather and hoard food provisions.[368] These non-state actors saw humanitarian aid as an asset to their operations, which harmed humanitarian actors and increased instability in aid delivery.

The new government of Afghanistan also had an interest in profiting from humanitarian aid and was therefore angered by a perception that aid organizations had economic agendas to benefit from Afghanistan, rather than humanitarian goals. This increased tensions with both the government and local communities in Afghanistan. For example, Bashar Dost, the Planning Minister under Karzai, lamented in 2005, "I have yet to see an NGO that has spent 80 percent of its money for the benefit of the Afghans and 20 percent for their own benefit. International NGOs get big amounts of money from their own nations just by showing them sensitive pictures and videos of Afghan people, and there are even some individuals who give all their salaries to NGOs to spend it on charity here, but NGOs spend all their money on themselves."[369] Many thought that NGOs had decreased in usefulness since 1992.[370] This view of NGOs led the Karzai government to attempt to reduce the number of NGOs in Afghanistan, citing ineffectiveness and waste of money. Wastefulness was embodied in the image of the white Land Cruiser, as Afghans questioned why aid workers used such

[367] Donini 2012.
[368] Lischer.
[369] Baseer, Abdul. "Minister Scorns NGOs' Work." https://iwpr.net/global-voices/minister-scorns-ngos-work.
[370] Hoffman and Weiss.

expensive vehicles. These sentiments motivated the Karzai government's preference for private contractors who had to pay taxes, rather than humanitarian NGOs, for providing social services.[371] Many for-profit companies entered the market for humanitarian services, especially in areas of communication, transport, and logistics and they were perceived as more effective than NGOs.[372] This meant that humanitarian organizations not only competed amongst each other for humanitarian space and access in Afghanistan, but also with for-profit, private contractors who were often favored by the Karzai government due to the unfavorable impressions of NGOs and desire for taxation.

Security Issues

In dealing with the US force, the Northern Alliance, the Taliban, Al Qaeda, and other insurgent groups in Afghanistan, many security issues resulted for Afghan civilians and for humanitarian organizations. In 2001 alone, over 2,300 Afghan civilians were killed and by 2014, this number topped 26,000.[373] High security risks led many to believe that the humanitarian crisis in Afghanistan was only a security issue, leading to calls by donors for more military without "scrutiny of the ramifications."[374] Complex humanitarian emergencies often have security elements, but the use of militaries alongside humanitarians was unique in Afghanistan, as it involved explicit insertion of "soldiers into humanitarian

[371] Ibid.
[372] Ibid, 149.
[373] Crawford, Neta C. *War-Related Death, Injury, and Displacement in Afghanistan and Pakistan 2001-2014*. Providence: Watson Institute for International Studies, 2015.
[374] Donini 2012, 147.

operations and aid workers into military operations."[375] Although there were legitimate security needs in Afghanistan throughout the 2000s, the militarization of humanitarianism worsened the situation.

Many humanitarian organizations feared cooperation with military intervention because it increasingly made them a target of violence. These fears were not unfounded; around 24 aid workers were killed in 2004 alone.[376] In total, according to the Aid Security Database since 2001, over 1000 aid workers have been targets of violence and kidnappings in Afghanistan.[377] This problem was intensified by the relationships between aid and donors/conflict belligerents as discussed earlier. For example, a report released by CARE and the World Bank found that Afghan schools perceived as being supported by US-funded PRTs were at a higher risk of being attacked than other educational institutions.[378] This increase in targeting of aid workers in Afghanistan made it more challenging for organizations to access people in need.

In order to continue working in Afghanistan, many humanitarian organizations increased their security budgets and considered ways to make aid safer.[379] This was often done through private military companies. Privatization of security raised issues of accountability, commodification, and the long-term effects of private security contractors.[380] For example, do private military services

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[375] Ibid.
[376] Hoffman and Weiss.
[377] "Security Incident Data." https://aidworkersecurity.org/incidents/search?start=2000&detail=1&country=AF.
[378] Lindner.
[379] Hoffman and Weiss.
[380] Ibid, 171.

have to adhere to IHL and the Geneva Conventions? Most companies do not consider themselves bound to these laws, but humanitarian organizations actively promote them. Privatization of security in Afghanistan raised questions of who gains from aid, as "utilizing actors with ulterior motives - that is, profit - can distort operations, alienate victims, and undermine the reputation of humanitarians."[381] The security challenges in Afghanistan forced humanitarian organizations to face tensions between expediency/efficiency and ethics. It was nearly impossible for organizations to operate in a hostile environment without security, but this also compromised them.

Organization Responses

ICRC Response

After the US invasion of Afghanistan, the ICRC attempted to maintain relationships with all the involved belligerents, emphasizing the organization's impartiality. To do this, the ICRC cared for wounded combatants, regardless of their affiliation, facilitated repatriation of mortal remains, and provided contacts between families and detainees in Bagram and Guantanamo.[382] Such actions allowed the ICRC to develop trust with various insurgent groups in Afghanistan that other humanitarian organizations did not have. Additionally, the ICRC avoided remote project management when possible, which helped them maintain project quality and relationships with local communities.[383] The WHO actually

[381] Ibid, 150.
[382] Donini 2012.
[383] Ibid.

implemented one of its vaccination campaigns through the ICRC because the UN lacked access to the whole country, but the ICRC was able to facilitate it.[384]

Despite efforts to maintain impartiality and neutrality, the ICRC did not escape the label of the Western conspiracy placed on humanitarians in Afghanistan. In fact, it was one of the first organizations to have its workers deliberately killed.[385] In 2003, Ricardo Munguia, a Swiss ICRC Delegate, was shot by assailants who stopped his car and then warned accompanying Afghans to not work for foreigners.[386] This shocking event led the ICRC to briefly suspend operations before it tried to re-establish its historically strong relationship with insurgents, but it faced challenges and continued to lose staff to violence. To address this, the ICRC hired many local workers, assuming they would be targeted less than foreigners.[387] Though this was well-intentioned and helped protect local capabilities, local staff were sometimes seen as collaborators with the enemy and were unable to leave the country in the same way that foreigners could when threatened.

To improve security, the ICRC used private armed escorts for protection at all times, attempting to do so while maintaining neutrality, impartiality, and independence.[388] It thought that by working with mercenaries, they could demand adherence to IHL through formal procedures.[389] The ICRC thus normalized the

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[384] Ibid.
[385] Ibid.
[386] "Swiss ICRC Delegate Murdered." IRIN., last modified March 28 2003, accessed Apr 11, 2017, http://www.irinnews.org/news/2003/03/28/swiss-icrc-delegate-murdered.
[387] Hoffman and Weiss.
[388] Ibid.
[389] Ibid.

use of mercenaries in humanitarian practices, but not all organizations were able to force such private companies to adhere to international law.

Overall, the ICRC was mainly able to resist the political pressures in Afghanistan and continued supplying critical aid to communities across the country throughout the 2000s, though it did suffer from security risks and the deaths of over 40 ICRC staff members between 2001 and the end of 2016.

UN Response

The UN as an organization was complicit with the politicization and militarization of aid in Afghanistan, as it was fully aligned with one set of belligerents. From 2001-2011, Afghanistan was the only complex emergency in which the UN was so politicized, called by some a "failure of mandate and of leadership."[390] This one-sidedness was demonstrated in many ways. Since the humanitarian coordinator in Afghanistan also acted as the Deputy Special Representative of the Secretary-General, this meant the same person was in charge of both impartial humanitarianism and reconstruction/development planning with the Karzai government. All the UNSC resolutions during this time supported the US coalition and UNAMA. Even UNOCHA's ability to be principled seemed uncertain, setting the tone for all UN humanitarian assistance. UNOCHA did not negotiate access with insurgents or advocate for the respect of humanitarianism in Afghanistan.[391] Furthermore, the UN did not take a public stand against well-documented attacks on minority groups in Afghanistan by

[390] Donini 2012, 83.
[391] Ibid.

coalition forces in 2002, failing to adhere to principles of protection.[392] Additionally, UNOCHA lacked reliable data and did not analyze the humanitarian caseload as it normally did. These problems meant there was a "failure to put together a credible picture of the humanitarian implications of the war, rising insecurity, and lawlessness…[this] fed donor reluctance to acknowledge that a robust humanitarian response was necessary."[393] This also jeopardized all other humanitarian organizations operating in Afghanistan, as it was hard for insurgents to distinguish them from organizations like the UN that were aligned with the US coalition.

Many individuals operating within the UN questioned the alignment with military forces and the failure to maintain an autonomous space for humanitarians. Various officials criticized Secretary-General Kofi Annan's continued support for the US-supported coalition and his welcoming attitude toward the military surge. Such actions by Annan allowed opposition forces to point to clear instances that demonstrated the "lack of impartiality of the United Nations as a whole," leading to more brutality towards aid workers.[394] Individuals such as Haj-Ibrahim, the UNOCHA lead in Kabul, questioned the military provision of humanitarian assistance.[395] He argued that it may not be the most effective path of resources and they should separate their purposes. Some UN officials stated or implied that they thought delivering aid as military strategy

[392] Ibid.
[393] Ibid, 85.
[394] Ibid, 84.
[395] Lindner.

actually provoked insurgents.[396] Also, a combination of current and former UN officials signed a public letter against the military-humanitarian coalition. These officials included Sadako Ogata, the former head of UNHCR, and Mark Malloch Brown, then-head of UNDP who also used to be at UNHCR.[397] However, there was ultimately not enough unified opposition to change the overall strategy.

The UN benefitted from the military support in multiple ways because the risky environment of Afghanistan meant that security was needed, especially as humanitarians were increasingly targeted. Such targeting led to the UNSC adopting resolution 1502 in 2003 to establish that killing aid workers is a war crime.[398] Yet, this offered little real protection and violence against aid workers did not stop.[399] At times, this pushed the UN to "become more risk averse and loath to rethink [its] modus operandi…[its] universe of responsibility [became] defined by political and security considerations rather than by acuteness of need and the humanitarian imperative."[400] In December of 2001, for example, the UNSC established the International Security Assistance Force (ISAF) to help the new government in Afghanistan maintain security.[401] With this focus on security, the UN's humanitarian branches were allocated less money and often did not meet their funding goals. By the end of 2001, only $358 million of the $662 million needed for UN emergency relief programs in Afghanistan was secured.[402]

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[396] Ibid.
[397] Rieff.
[398] United Nations. *Resolution 1502*. (2003).
[399] Hoffman and Weiss.
[400] Donini 2012, 85-86.
[401] "Afghanistan and the United Nations."
[402] Ibid.

As security concerns grew larger, the UN became increasingly dependent on the US, which reduced any negotiating power for depoliticizing aid. The WFP and UNHCR's "programs in Afghanistan had long been disproportionately dependent on US government funding," creating reliance on US cooperation.[403] At times the UN relied upon the coalition forces greater capacity than humanitarians to get things done. For instance, the US military reopened a bridge from Uzbekistan to the northern Afghan city of Mazar-e Sharif to deliver food aid. Prior to this, the WFP was unable to use this efficient channel to transport resources, but US support helped it achieve its goals.[404] This combination of reliance upon the US for security, funding, and general support reduced the UN's ability to negotiate regarding its general concerns. This impasse meant overall, the UN did not cohesively respond to the various pressures faced in Afghanistan. As the UN experienced both benefits and detriments from the politicization and militarization of aid after 9/11, it was unable to fully adhere to its humanitarian mandate and deliver necessary assistance.

MSF Response

MSF adhered closely to its principles and goals from the outset of its involvement in Afghanistan after 9/11, until it eventually decided to withdraw due to high security threats. Kenny Gluck, MSF Director of Operations at the time, described their goals in Afghanistan as "want[ing] to be relevant medically and

[403] Rieff, 239.
[404] Ibid.

irrelevant militarily and politically."[405] MSF rejected the politicization of humanitarian aid. It saw the US's drops of bombs and food as "after-sales service," that cheapened the true meaning of humanitarianism.[406] It did not think that humanitarian assistance could achieve the lofty diplomatic, economic, and political goals that donors had in mind. Instead, it insisted that "modest parameters had to be drawn around what the humanitarian enterprise could accomplish."[407] For MSF, humanitarianism served victims, not regimes. Regarding its relationships with local actors, MSF repeatedly announced its impartial stance and continued to manage local projects on-site when possible.[408] This set it apart from traditional agencies, as only the ICRC and MSF maintained a high level of local community access across Afghanistan. Also, MSF publicly rejected the expansion of security forces, such as the US and NATO coalition, and the establishment of ISAF by the UN. MSF condemned the use of humanitarian aid for military objectives.[409] In this way, MSF resisted many of the political pressures in Afghanistan and asserted its autonomy against partisan agendas.

However, these attempts were not enough, and MSF staff were caught up in the violence against humanitarian workers in Afghanistan. In June of 2004, five MSF staff members were killed in a northwestern province.[410] Following the killing, a Taliban spokesperson took responsibility for the murders and said that

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[405] Lischer.
[406] Rieff, 234.
[407] Ibid, 260.
[408] Donini 2012.
[409] Lischer.
[410] "Afghanistan: MSF Leaves Country Following Staff Killings and Threats." http://www.msf.org/en/afghanistan-msf-leaves-country-following-staff-killings-and-threats.

MSF works for American interests thus would remain targets for violence.[411] For MSF, this killing was unprecedented and it argued that the political/security conditions of Afghanistan made it impossible to continue operations. As a result, MSF decided to close all its programs by the end of August 2004. In a press conference following this event, MSF reiterated its condemnation of the use of humanitarian aid for political conditions and emphasized, "humanitarian assistance is only possible when armed actors respect the safety of humanitarian workers."[412] MSF had already publicly condemned actions such as the US-led coalition's distribution of leaflets conditioning aid upon information sharing and other such actions to no avail.[413] With little hope that conditions would change, MSF withdrew from Afghanistan and would not resume operations in the country until 2009. Thus, despite its bold attempts to remain neutral within Afghanistan, MSF was unable to maintain an impartial image because it was caught up with other aid organizations and the US military. MSF deliberately wanted to avoid being seen as complicit with less-principled humanitarian actors, but it was impossible to do so and thus it could not avoid the deaths of its personnel.

[411] "After 24 Years of Independent Aid to the Afghan People Doctors without Borders Withdraws from Afghanistan Following Killings, Threats, and Insecurity." http://www.doctorswithoutborders.org/news-stories/press-release/after-24-years-independent-aid-afghan-people-doctors-without-borders.
[412] "After 24 Years of Independent Aid to the Afghan People Doctors without Borders Withdraws from Afghanistan Following Killings, Threats, and Insecurity."
[413] "Afghanistan: MSF Leaves Country Following Staff Killings and Threats."

Analysis of Responses

The actions of the ICRC, UN, and MSF in Afghanistan throughout the early 2000s vividly illustrate the challenges of the politicization and militarization of aid. It became nearly impossible for humanitarians to adhere to principles of neutrality, impartiality, and independence. Even though the ICRC and MSF arguably had the most power to do so, humanitarianism was not effectively distinguished from politics and even their staff became targets of violence. Despite the best attempts of the ICRC and MSF to operate in a principled manner, other humanitarians that did not share the same values, which irreparably tarnished them. MSF and ICRC personnel were targeted because the UN and the US-led military coalition provided humanitarian assistance without principles of impartiality and independence in place, using aid as a political tool and conflating it with security operations. A few humanitarian actors with different priorities can spoil the field for the rest.

Afghanistan demonstrates that principles do matter for humanitarianism, despite the challenge in maintaining them against political forces. In the short run, communities may not care whether the ICRC or US military provides aid supplies, but they do value "the importance of a clinic that is able to function in the midst of a war zone and appreciate policies that reduce rather than increase the risks they face."[414] Attaching conditions to life-saving assistance or linking it to political strategies puts aid at risks and reduced humanitarians' access to needy communities. As one anti-governmental tribal leader in Afghanistan said to an

[414] Donini 2012, 87.

NGO worker, "just as we do not expect you to support our religious, social, political views and actions, so we expect you not to support - in any way - our enemies. Know when so-called humanitarianism becomes a sword, or a poison, and stop there."[415] Violence against humanitarians in Afghanistan is a salient example of what occurs when principles are broken and aid becomes a sword. Even providing aid to all regardless of affiliation could have negative effects alluded to in this leader's comments. Core humanitarian principles are not a guarantee of outcomes, rather a prerequisite to negotiate conflict space that still contains the possibility of negative consequences.

The growth in number of humanitarian organizations in Afghanistan seemed to worsen the problems of politicization. By December 2004, there were 335 international NGOs and 2300 national NGOs in Afghanistan.[416] Improvements in technological capabilities and coordination standards since the 1990s did not protect humanitarianism against dilemmas of competition.[417] As a result, "humanitarian operations in Afghanistan and Iraq represent the most visible and contentious course of operations to date."[418] There were not enough total resources available to provide assistance in an ideal manner, meaning that money was spread thin across many organizations.[419] Furthermore, the proliferation of organizations made it even more challenging for non-state actors

[415] Terry, Fiona. "The International Committee of the Red Cross in Afghanistan: Reasserting the Neutrality of Humanitarian Action." *International Review of the Red Cross* 93, no. 881 (Mar 1, 2011): 173-88, http://journals.cambridge.org/abstract_S1816383111000026.
[416] Hoffman and Weiss, 179.
[417] Donini 2012, 245.
[418] Hoffman and Weiss, 181.
[419] Helton.

and the Karzai government in Afghanistan to determine the impartial, effective organizations from the partisan, inefficient ones. Also, the large number of organizations in an active conflict zone made it easier for humanitarian assistance to be used as a political and military resource.[420] If one organization refused to cooperate with a donor, there were many other organizations willing to comply with certain restrictions. The large number of organizations made it more difficult for MSF or the ICRC to distinguish themselves. This made it almost impossible for aid personnel to stay on the edges of the conflict so misuse of aid was prevalent and coordination low. As Arthur Helton, a research fellow for the Council of Foreign Relations, killed while researching in Baghdad asked in 2003, "how coordinated can the effort be when donors will give money through both multilateral and bilateral channels, international organizations and NGOs will jockey for roles and money...?"[421] This competitive spirit between organizations reduced the space for agencies to negotiate with donors and de-politicize aid. When resources were scarce and risks high, humanitarian agencies could not jeopardize losing support. This meant that organizations could not effectively distinguish themselves from military humanitarianism and the UN could not secure the capacity and autonomy to adhere to the humanitarian imperative in Afghanistan.[422]

There seemed to exist a negative correlation between superpower (namely the US in this case) involvement and the ability of humanitarian actors to

[420] Lischer.
[421] Helton.
[422] Ibid.

principled in their response to the complex emergency.[423] US strategic interests directly clashed with humanitarian principles of impartiality and deliverance of aid to those in most urgent need. The US-coalition did not have the same goals as MSF, nor did they adhere to the same standards regarding quality of assistance. Military humanitarianism was often in terms of COIN objectives, linked to outputs rather than outcomes.[424] For example, military aid counted the number of children who were vaccinated (output) rather than the reduction in child mortality (outcome). Much of the military humanitarianism did not meet actual civilian needs and deserving recipients did not gain access to aid, as strategy was more important than urgency of need.[425] A lack of effective evaluation made this problem worse, as the military provision of aid was largely unevaluated. There was insufficient monitoring of humanitarian programs, with a trend of "spending too much too quickly, with too little oversight in [an] insecure environment."[426] Without effective evaluation and a connected feedback loop, it was impossible to improve these systems and improve aid provision overall.

Divergence from principles, challenges negotiating access, donor pressures, and a lack of effective evaluation exacerbated the problems faced by humanitarian actors in Afghanistan during the early 2000s. As a study by the Feinstein Center at Tufts described the situation:

> terrorism and efforts to counteract it had specific, discernable, recurring - and largely negative - impacts on the humanitarian

[423] Donini 2012.
[424] Blankenship.
[425] Lischer.
[426] Lindner.

> enterprise. These included increased unwillingness on the part of belligerents to allow organizations to carry out their assistance and protection mandates, stepped up efforts at manipulation and control of aid institutions and personnel, and reduced space for advocacy.[427]

These issues led to an increase in politicization and militarization of humanitarianism that made Afghanistan extremely unsafe for aid workers and reduced the effectiveness of assistance programs as a whole.

Conclusion

Afghanistan continues to be plagued by instability and a lack of development without a clear end in sight. Instrumentalization of humanitarian aid for political and military purposes does not work over the long-run, as such manipulation has existed in Afghanistan since the 1980s with little positive effect. Too many actors with competing and contradictory principles attempted to provide relief, but all were tarnished by the US-led military provision of aid and UN complicity. It is worth noting that in 2008, after much lobbying, the UN, various NGOs, the NATO-led troops, and Afghan government forces agreed to a set of "Civil-Military Guidelines" to reiterate international humanitarian principles.[428] These terms included prevention of the PRTs from providing aid and methods to differentiate between combatants and noncombatants. Yet, without effective mechanisms to enforce and monitor such guidelines, there has been little improvement. As a result, targeting of humanitarians continues - for

[427] Donini, Antonio, Larissa Fast, Greg Hansen, Simon Harris, Larry Minear, Tasneem Mowjee, and Andrew Wilder. *The State of the Humanitarian Enterprise* 2008.
[428] Lindner.

example, in 2015 alone, 101 aid workers in Afghanistan were the targets of major attacks, including assault, murder, and kidnapping[429] Humanitarian assistance remains vulnerable in Afghanistan, with reduced effectiveness and continued dwindling interest in the West to provide necessary resources. Meanwhile, Afghans continue to suffer from conflict and a lack of social services. Ultimately, humanitarian assistance in Afghanistan inadvertently contributed to the conflict and principles did not prove resilient against political forces.

[429] Aid Worker Security Database. *Aid Worker Security Report;* 2016.

Conclusion

At this "critical point of history," with complex emergencies in countries across the world and global displacement at a record high, it is necessary to ask how dilemmas of competition and politicization in the humanitarian sector will affect the outcomes of aid. As demonstrated through the case studies of post-genocide Rwanda and Afghanistan after 9/11, manipulation of humanitarian assistance is hard to avoid and principles are often not enough to prevent cooption or compromise. Humanitarians are constrained by their relationships with donors, local actors, and aid recipients. This raises issues of moral hazard through principal-agent relations, a broken feedback loop, challenges of evaluation, and increasing competition for contracts, funds, and media attention. When organizations are dependent on others for the funding and access that determines their survival, compromise and complicity in behavior contrary to humanitarian principles result. In the Great Lakes Region, humanitarians fed into regional instability by providing aid to génocidaires in an incredibly unsafe environment. Humanitarian principles of neutrality meant that war criminals received food alongside innocent children and even once this was recognized, most organizations felt unable to leave the crisis. In Afghanistan, humanitarian assistance was coopted for military and political goals, as independence was impossible to maintain in the midst of donor pressure and a proliferation of agencies. How will humanitarian principles hold up against the dilemmas of today's emergencies? Is aid fanning the flames of crisis or helping to dampen the fire?

Implications

The challenges, organizational responses, and lessons from the case studies of this paper provide a framework for understanding aid to complex humanitarian emergencies today and into the future. While this paper is by no means exhaustive of the dilemmas faced by humanitarians in Syria, Yemen, and South Sudan, it is meant to provide some context and framing through which to think about these crises. Given that they are ongoing, it is impossible to conduct a full analysis of organizations' responses to the aforementioned challenges. Understanding the current constraints faced by humanitarians is a first step to comprehending the sheer enormity of hardship faced by aid actors abroad and determining whether their responses will have ultimately good or bad impacts for those they are trying to help.

Syria

After a harsh government crackdown on protesters sparked a civil war in 2011, more than 11 million Syrians have been displaced from their homes, with 4.8 million seeking refuge abroad. Within Syria, more than 13.5 million people are desperately in need of humanitarian assistance.[430] The war's total death toll is greater than 470,000 people.[431] With dozens of rebel groups fighting, escalation from Assad (including increased chemical attacks), Russian, American, and

[430] "Quick Facts: What You Need to Know about the Syria Crisis." Mercy Corps., last modified March 9 2017,https://www.mercycorps.org/articles/iraq-jordan-lebanon-syria-turkey/quick-facts-what-you-need-know-about-syria-crisis.
[431] Barnard, Anne. "Death Toll from War in Syria Now 470,000, Group Finds." New York Times (Online). New York Times Company, last modified Feb 11 2016, http://search.proquest.com/docview/1764435825.

Iranian involvement, and the UN Security Council often stuck at an impasse, there is no clear end in sight. For 2017, the UN requested more than $8 billion to address the Syrian crisis, including aid both in the country and refugee support in the region.[432]

Despite the ongoing attempts to provide aid to Syrian civilians, humanitarian actors face dilemmas of politicization, security, and access that compromise their ability to be principled and effective. Although a lack of concrete information makes it challenging to know what is actually happening in Syria, many different narratives of aid politicization have already emerged.

Access to populations in need has been a particularly acute issue. For example, in 2015, the UN expressed frustration that Syria ignored most of its requests to deliver aid, as only 10 percent of all requested convoy approvals were granted.[433] Then, during the ceasefire in September 2016, the UN again complained that aid trucks were not granted access to besieged neighborhoods in Aleppo, despite the Syrian government's agreements to such measures prior to the ceasefire. Jan Egeland, adviser to the UN special envoy to Syria, said the UN appeal was simple: “Can well-fed, grown men please stop putting [up] political, bureaucratic and procedural roadblocks for brave humanitarian workers who are willing and able to go to serve women, children, wounded civilians in besieged

[432] Taylor, Adam. 2016. "UN Appeals for $22.2 Billion in 2017 Humanitarian Funds, its Highest Request Ever." *The Washington Post*, Dec 5,. https://www.washingtonpost.com/news/worldviews/wp/2016/12/05/u-n-appeals-for-22-2-billion-in-humanitarian-funds-its-highest-appeal-ever/?utm_term=.b380c829036f.
[433] Nichols, Michelle. 2016. "UN Says Syria Ignored most of its Requests to Deliver Aid." *Reuters*, Jan 27,. http://www.reuters.com/article/us-mideast-crisis-syria-un-idUSKCN0V52XC.

and crossfire areas?"[434] Meanwhile, the Russian Foreign Ministry has repeatedly complained that the UN only supplies aid to areas controlled by anti-government rebels.[435] Further, an investigation by *The Guardian* found that the UN has actually awarded contracts worth millions to people closely associated with Bashar al-Assad and his regime.[436] One UN official reported that every UN agency has at least "one person who is a direct relative of a Syrian official."[437] In response, the UN has insisted it is impartial, but needs to work with all parties in the conflict, and is particularly constrained by the Syrian government. Looking at aid delivery, 64 percent of WHO medical supplies have been delivered to areas held by or in support of Assad, and, overall, almost two-thirds of emergency supplies from the UN have gone to government-held areas.[438] As a result of such entanglement, 73 humanitarian NGOs signed a statement suspending information sharing with the UN due to "concern of manipulation of humanitarian relief efforts by the political interest of the Syrian government that deprives other Syrians in besieged areas from services."[439]

While such decisions by the UN are questionable from a standpoint of impartiality and ethics, many UN officials argue that they are necessary. For

[434] Serhan, Yasmeen. 2016. "The Syrian Ceasefire's Humanitarian Crisis." *The Atlantic*, September 15.
[435] Kiselyova, Maria. "Russia Says most U.N. Aid in Syria Going to Rebel-Held Areas." Reuters., last modified Nov 30 2016, http://www.reuters.com/article/us-mideast-crisis-syria-russia-aid-idUSKBN13P0V9?il=0.
[436] Beals, Emma and Nick Hopkins. 2016. "UN Hires Assad's Friends and Relatives for Syria Relief Operation." *The Guardian*, Oct 28,. https://www.theguardian.com/world/2016/oct/28/un-hires-assads-friends-and-relatives-for-syria-relief-operation.
[437] Ibid.
[438] Ibid.
[439] Syrian American Medical Society. 2016. *Joint Statement from 73 Syrian NGOs on Suspension of Coordination with UN Whole of Syria (WoS) Response Mechanism*.

example, the UN broke an EU sanction against Makhlouf, which runs Syriatel, by negotiating a telecommunications deal, but how was this avoidable when communication is needed within the country?[440] One UN spokesman said that "when faced with having to decide whether to procure good or services from businesses that may be affiliated with the government or let civilians go without life-saving assistance, the choice is clear: our duty is to the civilians in need."[441] Yet, Reinoud Leenders, an expert in war studies, argues that the UN may be worsening the situation by paying "lucrative procurement contracts to Syrian regime cronies who are known to bankroll the very repression and brutality that caused much of the country's humanitarian needs."[442] Such responses to the crisis in Syria demonstrate how the humanitarian principles of impartiality and neutrality can clash against systemic pressures.

The major constraint for humanitarians in Syria is gaining access to needy populations and negotiating among the various players, including the Syrian government and rebel groups. MSF explained that it is incredibly challenging to provide consistent, effective aid when negotiating with many actors and navigating the various security threats.[443] MSF is significantly constrained in Syria, due to security challenges and a lack of official authorization from the

[440] Hopkins, Nick and Emma Beal. 2016. "UN Pays Tens of Millions to Assad Regime Under Syria Aid Programme." *The Guardian*, Aug 29,. https://www.theguardian.com/world/2016/aug/29/un-pays-tens-of-millions-to-assad-regime-syria-aid-programme-contracts.
[441] Ibid.
[442] Ibid.
[443] Tung, Nicole. "Syria Two Years on: The Failure of International Aid." MSF., http://www.doctorswithoutborders.org/news-stories/special-report/syria-two-years-failure-international-aid.

Syrian government.[444] Similarly, the ICRC has also struggled to get the "immediate green light" for its operations in Syria.[445] Many criticize the Syrian government for its prevention of aid through bureaucratic measures, and others still criticize the UN for not challenging the requirement of Assad's approval for humanitarians. Yet, Peter Maurer, president of the ICRC, defended the system as a component of IHL despite the barriers it creates.[446]

Overall, with such difficulties of access and security, levels of assistance across Syria remain inadequate. The crisis in Syria shows little sign of ending in the near future, with every indicator that humanitarianism will continue to face challenges of politicization, access, and security. Clearly a political solution is required in Syria and humanitarian assistance cannot fill that need. Although it is challenging to make a judgment on whether complicity with Assad's government is necessary and/or justified, if Rwanda and Afghanistan yield any lessons, it is that "humanitarian, military, and political solutions should not - they cannot - be dependent on one another."[447] It is likely that the more tangled these spheres become in Syria and the more violations of humanitarian principles that ensue, the more the Syrian people will continue to suffer. Humanitarian assistance will not only fail to address their needs but also potentially worsen the situation.

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[444] "Syria." MSF., http://www.doctorswithoutborders.org/country-region/syria.
[445] Solomon, Erika. 2016. "ICRC Warns on Access to Aid and War Profiteering in Syria." *FT.Com*, Mar 1,. http://search.proquest.com/docview/1777355806.
[446] Ibid.
[447] Maurer, Peter. "The Four Things we must do to Reduce Suffering in Syria." ICRC., last modified April 4 2017, https://www.icrc.org/en/document/brussels-conference-syria.

Yemen

In recent years, Yemen, one of the poorest Arab countries, has been ravaged by war between government forces and allies of the Houthi rebel movement. Foreign involvement, such as the Saudi Arabia-led coalition, has increased the ferocity of the conflict, with more than 60 percent of civilian deaths resulting from Saudi airstrikes.[448] After two years of fighting, neither side is close to a complete victory and meanwhile the humanitarian crisis is growing. Out of Yemen's population of 27 million people, 2 million are internally displaced, 17 million are food insecure, and 14.4 million lack access to clean drinking water.[449]

International attention to Yemen has mainly focused on the security aspects, though UN Security Council resolutions have been largely unable to effectively limit the conflict's impact.[450] Humanitarians struggle with securing access to populations in need, both politically and logistically. The process of gaining access to Yemen is bureaucratic and lengthy, often involving permit delays or excessive restrictions.[451] The process for humanitarian agencies becomes more challenging in the midst of shifting political solutions and ceasefire negotiations. Yet, most ceasefires are unlikely to hold, so aid agencies cannot

[448] "Yemen Crisis: Who is Fighting Whom?;" BBC., last modified Mar 28 2017, http://www.bbc.com/news/world-middle-east-29319423.
[449] Ibid.
[450] McPhun, Paul. 2015. *How the Global Humanitarian System is Failing Yemenis*. Development Policy Centre Blog.
[451] Lanusse, Candelaria. "Yemen: "The War is Taking a very High Toll on the Civilian Population"." http://www.msf.org/en/article/yemen-war-taking-very-high-toll-civilian-population.

expect them to allow time to deliver aid in peace.[452] Additionally, port control of Hodeidah is contentious and access is needed to get any supplies into Yemen. Hodeidah was first targeted by the Saudis in 2015, but the Obama administration worked to normalize the port's operations. However, with the election of Donald Trump, the port's security is unclear and it may be targeted by bombings.[453] Stephen Anderson, the country director for WFP in Yemen, expressed concern about this, saying "We just want to keep this lifeline open. If we lose access...it's a game changer."[454] Uncertainty dominates the aid sector in Yemen. Once supplies get into the country, road access to various cities is a large constraint, as many groups have set up checkpoints. This is particularly challenging in cities like Aden, where multiple groups are vying for control.[455] The city of Taizz has also suffered from blockades, as Houthis prevented UN envoys from entering. According to Stephen O'Brien, "despite repeated attempts by UN agencies and our humanitarian partners to negotiate access and reach people, trucks have remained stuck at checkpoints and only very limited assistance has been allowed in."[456] Houthis are not the only armed forces actively blocking aid; Yemeni government forces have also prevented UN agencies and NGOs from entering cities in Al Dhale, cutting off over 50,000 people from assistance.[457] Additionally,

[452] Mojalli, Amigdad and Chloe Cornish. "Fixing Yemen's Aid Problem." http://www.irinnews.org/report/102296/fixing-yemens-aid-problem.
[453] Ryan, Missy. "US Plan to Help Yemenis Obtain Humanitarian Aid Falters, Amid Growing Food Crisis." *The Washington Post*, Mar 15, 2017.
[454] Ibid.
[455] Mojalli.
[456] Ibid.
[457] Zyck, Stephen A. "Yemen's Security Crises and Transition Process: Implications for

all groups involved in the war have been documented confiscating aid supplies meant for civilians by blocking roads and preventing passage.[458] Such prevention of aid movement and the overall conflict fragmentation have made negotiation of access increasingly precarious and unpredictable.

Aid workers are operating in an incredibly unsafe environment, where intense fighting makes it hard for many international NGOs to maintain large field operations. Many health facilities have been targeted and abolished. For example, between October 2015 and August 2016, four MSF hospitals were destroyed.[459] Aid workers are targeted by violence generally. In particular, ambulance hijackings are common - in 2015, seven ambulances were hijacked in just one week, and this trend is not unusual.[460] As a result of violence against aid workers, many international NGOs and the UN have placed security restrictions on their staff. This creates the problem of remote management, where unreliable local partners carry out aid delivery.[461] Further, violence and remote management make evaluation of programs "a huge challenge," according to Julien Harneis, UNICEF's Yemen country director.[462] Thus, aid agencies do not have detailed information about the actual needs of Yemen's population and cannot effectively correct any program failures. Humanitarians are also without mechanisms to

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Humanitarian Action and Access." *Humanitarian Exchange: The Humanitarian Situation in Yemen* (May, 2014), http://odihpn.org/wp-content/uploads/2014/04/HE_61_web.pdf.
[458] "Yemen: Houthis Block Vital Goods into Taizz." https://www.hrw.org/news/2016/01/31/yemen-houthis-block-vital-goods-taizz.
[459] Lanusse.
[460] *Aid Workers Face Challenges in Yemen as Humanitarian Crisis Continues,* National Public Radio, Inc. (NPR), 2015.
[461] Mojalli and Cornish.
[462] Ibid.

improve the security situation or reduce violence against aid workers, given the overall disrespect for IHL by all parties to the conflict.

Finally, Yemen suffers from a lack of international attention. The humanitarian response is significantly below what is required. The UN has only received $2 billion in donations, 7 percent of what it needs for 2017 operations.[463] Jimmy McGoldrick, the UN humanitarian coordinator for Yemen, levied accusations that the media has not adequately informed the world about the disaster, making it harder for humanitarian agencies to get funding.[464] Yet, it is impossible to know whether, if full funds were raised, the aid effort would be effective. Harneis has said, "the needs are huge, so there is no way that humanitarian organizations can cover all of them," in the midst of the war.[465] Especially with the lack of respect for IHL and humanitarian conventions, when humanitarian actors lack "unconditional access to all parts of the country," and operate in the middle of violence, it is challenging to meet the needs of Yemen's population.

South Sudan

South Sudan, the world's newest nation, broke away from Sudan in 2011, but political discord within the governing party soon turned into violence along political and ethnic lines. The UN says the humanitarian situation is

[463] "UN Receives Only 7% of Humanitarian Aid Required for Yemen." https://www.middleeastmonitor.com/20170329-un-official-only-7-of-humanitarian-aid-required-for-yemen/.
[464] Ibid.
[465] Mojalli and Cornish.

"catastrophic," with 6.1 million people (more than half the population) in need of assistance and around 4.8 million people severely food insecure.[466] The situation is more precarious due to extreme violence, including targeting of aid workers, and various political and logistical issues of access.

Since December 2013, over 57 humanitarian aid workers have been killed in South Sudan while others are missing or have suffered attacks, rape, and abduction.[467] An NGO badge does not prevent people from being attacked, and violence has made it increasingly difficult for organizations to be present in local communities. For example, the ICRC withdrew staff from the Unity State, one of the neediest areas in South Sudan, after its compound was looted and threatened.[468] ICRC staff have also been killed in the Upper Nile region when a hospital was attacked, and MSF has suffered similar violence in the same regions.[469] O'Brien has called for action to halt targeting of aid workers, emphasizing that "humanitarians are here in South Sudan to save lives and for no other reason. Our task and our demand by the UN and beyond is to impartially meet the urgent and severe humanitarian and protection needs of the millions of suffering people in this country."[470] However, such principles carry little weight

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[466] "In South Sudan, UN Humanitarian Chief Calls for End to Attacks Against Civilians, Aid Workers." United Nations-DPI/NMD - UN News Service Section. http://www.un.org/apps/news/story.asp?NewsID=54622#.WO_FdhIrKL9 (accessed Apr 13, 2017).
[467] Ibid.
[468] Nield, Richard. "South Sudan: The Many Barriers to Aid." http://www.aljazeera.com/indepth/features/2015/12/south-sudan-barriers-aid-151205114959758.html (accessed Apr 13, 2017).
[469] Ibid.
[470] "In South Sudan, UN Humanitarian Chief Calls for End to Attacks Against Civilians, Aid Workers."

in the midst of a complicated and violent conflict. Targeted attacks against aid workers are coupled with hijacking and theft of supplies. Warehouses are commonly looted, with everything from medical supplies to trucks to fuel to water pumps being stolen by government forces and rebel groups alike.[471] All sides have shown a willingness to block aid and attack humanitarians. For example, a UN helicopter containing supplies was shot down by rebels, while government troops attacked an NGO housing compound.[472] Pure logistics issues regarding aid delivery also exist, due to poor transportation infrastructure and the danger/difficulty of moving around large amounts of supplies.

As a result, organizations have reduced their operations or shifted them to remote delivery. As seen through other situations where this is done, aid delivery often deteriorates in quality and subsequently humanitarians' relationships with local communities also worsen. This same chain of events is occurring in South Sudan. Joyce Luma, South Sudan country director for WFP, reported that they "haven't been able to access central Unity in a long, long time," leaving at least 300,000 people inaccessible, "because of the intensification of the fighting."[473] In order to reach people across the country, the UN and other humanitarian actors are using helicopter drops, but these are extremely costly and at high risk for confiscation once supplies are dropped.[474] This remote delivery of aid means that

[471] Ravelo, Jenny L. "Top 3 Challenges for Aid Work in Volatile South Sudan." https://www.devex.com/news/top-3-challenges-for-aid-work-in-volatile-south-sudan-82623.
[472] Green, Andrew. "Insecurity Jeopardizes South Sudan Famine Relief." https://www.devex.com/news/insecurity-jeopardizes-south-sudan-famine-relief-89720.
[473] Nield.
[474] Ibid.

it is nearly impossible to effectively evaluate assistance and determine how many people are in critical need.

Another attempt to address the security-humanitarian issues in South Sudan was the establishment of 'Protection of Civilian' areas by the UN Mission in South Sudan (UNMISS) within peacekeeping bases. However, these are not durable solutions and the necessary civil-military coordination that results has actually caused a further breakdown in distinction between military and humanitarian forces.[475] This could have similar implications to what occurred in Afghanistan when humanitarians were perceived as part of the military force. Overall, the relations between the humanitarian community and the South Sudanese government, along with other parties to the conflict, is confrontational, and NGOs are operating in a regulatory environment that impedes operations.[476] Yet, humanitarians are unable to negotiate or influence the situation, as they are extremely fearful of losing access to people in need. These tensions also reduce the capacity for impartial data collection, as most of the information on South Sudan is incomplete, incorrect, or subject to politicization.[477] Despite calls from many UN representatives, including Serge Tissot, the Food and Agriculture Organization (FAO) representative in South Sudan, saying that "immediate intervention is absolutely imperative to save lives now...new mechanisms for

[475] Falcao, Viren and Hosanna Fox. "Better Not just Bigger: Reflections on the Humanitarian Response in South Sudan." *Humanitarian Exchange*, no. 65 (Nov, 2015), http://odihpn.org/wp-content/uploads/2015/10/HE_65_web.pdf.
[476] Ibid.
[477] Ibid.

swift clearance of humanitarian access requests must be established and fresh funding is urgently needed," there has been little progress.[478]

Final Thoughts

Humanitarian donor funding reached a record high in 2016, but only half of the world's humanitarian requirements were met.[479] The humanitarian sector is stretched to its limits, forced to cope with complex emergencies increasing in size and complicatedness. Organizations are bound to donors in a constant cycle of requesting money, while dealing with a multitude of actors to negotiate access to conflicts. The inter-woven, ineffective, wasteful institutional mechanisms of the aid sector are unable to negotiate the demands of complex humanitarian emergencies. As the case studies of Rwanda and Afghanistan demonstrate, an unwieldy system leads to competition, compromises, and complicity that ultimately moves humanitarian assistance away from its core ethical values. Resulting from this are suboptimal outcomes, prolonged conflicts, and dependent, unstable regions. It certainly seems that the international community is headed along the same path in Syria, Yemen, and South Sudan today. The incredible work of humanitarian actors in saving lives is valuable, but systemic constraints

[478] Green.
[479] McVeigh, Karen and Ben Quinn. "Famine Looms in Four Countries as Aid System Struggles to Cope, Experts Warn." *The Guardian*, -02-12, 2017. , https://www.theguardian.com/global-development/2017/feb/12/famine-looms-four-countries-aid-system-struggles-yemen-south-sudan-nigeria-somalia?CMP=share_btn_fb (accessed Feb 13, 2017).

that clash with principles of impartiality, neutrality, and independence mean that many lives are also harmed along the way.

The next step is to ask, can we do better? Certainly there have been valiant efforts to improve the humanitarian assistance sector, but these have been disjointed and often just as underfunded as other aspects of aid. This paper outlined the many challenges faced by humanitarians and the problematic outcomes that result when principles clash with real world dilemmas. Hopefully, it has provided some valuable takeaways for future research both on the deeper dynamics of aid and possibilities for a better future. Reform of humanitarian assistance must directly engage with humanitarian principles, the interconnected and complicated relationships between involved actors, and institutional dynamics. Syria, Yemen, and South Sudan are not the only countries facing crises, nor will they be the last. If the international community continues to believe in humanitarianism, then certainly it must do better.

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