

**International Rescue Committee**

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**Statement for the Record**

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and International Relations**

**Hearing: Humanitarian Assistance Following Military  
Operations: Overcoming Barriers**

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The International Rescue Committee and other humanitarian agencies are dedicated to improving individual lives and the collective welfare of communities in the wake of conflict. One of the greatest challenges facing the humanitarian community is sustaining that improvement and building on it in unstable and long-term post-conflict environments.

Afghanistan and Iraq are different societies at different stages of development, yet the human needs in both countries are great and the barriers to humanitarian response and reconstruction are similar. In Afghanistan, some of these barriers were or are being directly addressed, while others still require serious attention. In Iraq, the major barriers all require immediate attention.

Rather than focusing on the barriers to delivery of humanitarian assistance, I would like to highlight the critical actions that should be taken to best ensure that humanitarian activities in Iraq and Afghanistan will be carried out successfully and effectively. They include:

1. Obtaining the greatest level of international legitimacy and support by defining a clear role for the United Nations.
2. Protecting civilian populations.
3. Separating military and humanitarian efforts.

Delaying or not carrying out these actions can have profound consequences for the delivery of humanitarian assistance after military operations.

If we look at Iraq and Afghanistan, we see two countries and civilian populations that have endured a litany of hardships over the past two decades. The Afghans have suffered through the Soviet invasion, a brutal civil war, the Taliban, the U.S.-led bombing and a longstanding drought. As a result, life expectancy in Afghanistan is only 43 years, the literacy rate for women is a shocking 16 percent, and maternal mortality is one of the highest in the world.

Although the humanitarian crisis in Iraq in the aftermath of the war is thankfully not as dire as many had feared, sadly, Iraq has braved no less than Afghanistan over the last twenty years. The people of Iraq have endured the tyrannical rule of Saddam Hussein, his brutal repression of ethnic minorities and political opponents, a long war with Iran, the first Gulf war, twelve years of sanctions and the Coalition's military action to oust Saddam. According to the UN, one million children under age five are chronically malnourished, five million Iraqis lack access to safe water and sanitation, and 60 percent of the population, or an estimated 16 million Iraqis, are dependent on the UN Oil-for-Food Program for food.

In the context of what we have learned in Afghanistan and what we are experiencing in Iraq, I will explore the benefits of addressing the three critical actions I have outlined as well as the consequences of ignoring them.

Obtaining the greatest level of international legitimacy and support by defining a clear role for the UN

Since the fall of the Taliban, the UN has been an integral leader in providing humanitarian assistance as well as developing a transitional administration in Afghanistan. At the Bonn Conference to decide the transitional administration and loya jirga process in Afghanistan, the UN effectively facilitated the overall post-conflict effort to ensure peace and improve the welfare of Afghans.

Once the Afghan Interim Administration took office, the UN Assistance Mission in Afghanistan (UNAMA) was established in Kabul to support and provide technical assistance to the Interim Administration in meeting humanitarian and protection needs. Another critical UN role is to rally the donor community to meet Afghanistan's needs. Following the Bonn Conference, the Tokyo donor conference raised over \$1.8 billion for 2002. A follow up conference in Oslo earlier this year yielded additional pledges for 2003.

In Iraq, the Coalition continues to go it alone and has just indicated its support for a UN role. The International Rescue Committee together with other humanitarian NGOs has called on President Bush to turn to the UN to lead humanitarian efforts in Iraq. The World Food Program and UNICEF have worked in Iraq for the last decade and the UN has managed the Oil-for-Food program (the largest single relief effort in the world) for the past twelve years. UN involvement will help to coordinate agencies, international donors, and local and international NGOs and will encourage burden sharing by the international community in meeting the needs of the Iraqi populace. A UN role will also ensure the independence and impartiality of humanitarian assistance in a way that no occupying power can.

As an occupying power, the Coalition must protect the lives and rights of Iraqi civilians - law and order must be restored, due process and basic judicial guarantees must be provided, the rule of law must prevail. Basic civilian protections are not yet restored in Iraq or in Afghanistan. As local structures reconfigure, their legitimacy to govern is dependent on a transparent process that represents the interests and voices of its diverse populations. Ultimately, legitimacy is recognized by international acceptance. The only place to get such international acceptance is at the United Nations.

Our field director in Iraq recently reported that he was very concerned about the ramifications of the absence of the UN for the development of civil society. Local communities and leaders become suspicious of the intentions of those providing assistance if it is directed by one or two governments, not to mention the military, as opposed to an international body.

A clearly defined and leading UN role in the relief and reconstruction of Iraq is necessary for the development of civil society.

In many cities and towns, Iraqis are beginning to form city councils and reinvigorate civic organizations. To date, it has been the Coalition forces, specifically the Civil Military Operations Centers (CMOC), that have encouraged and at times even co-located with fledgling city councils as they begin to address key issues such as water, sanitation, power, education and health services. Yet for all the good intentions and even early progress, the city councils' military association may have a divisive and discrediting long-term effect in the eyes of many Iraqi civilians wary of occupation.

According to an IRC senior staff member just back from six weeks in the region, a sustained military role in the development of Iraqi civil society, to the exclusion of the UN, may well be self defeating. In An Nasiriyah, for example, some key community groups, such as a women's volunteer association composed of education and health professionals, are intentionally staying away from relief and reconstruction efforts perceived to be military led.

This is a critical time for Iraq and its nascent civil society. It is imperative that structures be put in place that encourage maximum civilian participation. A clear and robust role for the UN can help bring Iraqis together to develop the practices and institutions necessary to ensure a free and democratic society.

Beyond the practical aspects of impartially assessing needs and delivering assistance to the most vulnerable, the UN confers legitimacy on the transitional process as it relates to both humanitarian assistance and transitional governance. This enhances the trust of national and international actors and encourages burden sharing, two critical aspects of a successful humanitarian effort.

To summarize, defining a UN role and making it clear that the UN is the coordinator for humanitarian assistance in Iraq will help to achieve a number of important objectives:

- Conferring greater international legitimacy on the reconstruction and transition process, thus enhancing stability and the long-term participation of the international community.
- Independence and impartiality in the assessment and delivery of assistance.
- Burden sharing and international cooperation in covering the costs of relief and reconstruction.
- Building a trusting relationship with local communities, which facilitates the development of civil society.

### Protecting Civilians

If you ask the United Nations and the humanitarian and human rights non-governmental organizations in Afghanistan what the greatest obstacle to Afghanistan's rehabilitation is, they all give the same answer - lack of security. The UN Security Council supported establishment of the International Security Assistance Force (ISAF) in Afghanistan following the war. To date, the 5,000 member force has deployed in and around Kabul but not to the other regions of Afghanistan. The need to enhance security because of the multitude of threats is critical to the ability of aid organizations and the UN as well as the

government of Afghanistan to deliver assistance to communities in need. An excerpt from a recent report to the Security Council from Lakhdar Brahimi, the Secretary-General's Special Representative in Afghanistan, clearly illustrates the acute problem.

Security - which casts a long shadow over the whole peace process and, indeed, the whole future of Afghanistan - is the central issue. The security situation has been a constant theme in my briefing to the Council, and unfortunately, as I said earlier, I must inform members that it remains unstable and insufficient in much of Afghanistan. Rivalries among factions and local commanders, impunity with regard to human rights violations and daily harassment of ordinary Afghan citizens by both commanders and local security forces are all too common.

In addition, there are now almost daily attacks by elements hostile to the central Government and to those who support it. Forces believed to be associated with the Taliban, with Al Qaeda and with Hekmatyar have been stepping up operations against the coalition as well as against Afghan military and non-military targets in the south, the south-east and the east of the country. As these attacks on non-government and international organizations become more and more threatening, the pressure to suspend or withdraw operations increases. Already, the ICRC and a number of non-governmental organizations are reducing their operations in the south, with immediate consequences for key programmes that provide support to local populations.<sup>1</sup>

We are all aware of the threat that security poses to not only the delivery of humanitarian and reconstruction assistance in Afghanistan, but to the transition process itself. There are a number of efforts underway to address the security crisis, including demobilization of combatants and decommissioning of weapons, the creation of an inter-ethnic Afghan National Army and establishment of a national civilian police force. All of these should be increased and accelerated. In addition, the U.S. government has created provincial reconstruction teams (PRTs) comprised of combat troops, civil affairs officers and civilian U.S. government officials to extend security and assistance into ten Afghan cities and towns around the country. From a security perspective, this is a welcome development. From an assistance standpoint, the humanitarian community believes the military should leave relief and reconstruction activities to civilians with expertise.

The real issue at hand is the critical need to extend the International Security Assistance Force beyond Kabul to assist the government, the international community and local and international NGOs to meet the real needs of Afghan citizens. NATO is due to take the lead in ISAF this summer, and we hope that NATO's involvement will be more robust and more effective in disarming the warlords, securing the borders from drug traffickers and creating an environment for the central government to develop and govern. NATO can aid the Afghan National Army in securing the countryside and protecting the Afghan people. A firm NATO mandate in Afghanistan is critical to that country's future.

The threats to security in Afghanistan and Iraq are eerily similar. They include insecurity in the aftermath of war, desire for revenge and retribution, ethnic and sectarian divisions, displaced populations, factional competition, including leaders from the former regime,

and interference by neighboring countries. There are currently over 200,000 U.S. troops deployed for Iraq; at present they are unable to maintain effective order and there is no administration of justice. The Coalition must move quickly to internationalize the peacekeeping effort to maintain law and order. Under the Geneva conventions, the Coalition is legally responsible as the occupying power to protect civilians including basic due process and judicial guarantees. The Coalition should bring in an international constabulary force as it develops and trains a new civilian police force. The looting of hospitals and the recent violence in Falujah speaks to the urgency of this critical issue.

Coalition forces must comply with international humanitarian law and do more to protect Iraqis from the looting, lawlessness and frontier justice developing in the center and southern regions of Iraq. Civilians are asking Coalition forces for more security and protection measures. Shadow security networks are emerging – tribes, villages, ethnic groups, mosques, communities are banding together or around leaders to man armed neighborhood watches that administer on-the-spot justice. This will only develop and spread in the absence of legitimate security authorities.

Not only is protection of civilians a duty of the Coalition but so is the restoration of the emergency public health system. For weeks the International Committee of the Red Cross has urged the Coalition to focus immediate reconstruction and administrative efforts on the Ministry of Health and the networks of thousands of health clinics throughout the nation. Last week, after months of no salaries, doctors protested the Coalition's plan to pay them \$20 per month. International journalists are paying translators \$100 per day. Attention must be given now to the health system to prevent the outbreak of disease. For the first time in more 25 years, polio has been reported in southern Iraq and there are confirmed cases of cholera. Current humanitarian efforts should focus on security and health issues.

### Separation of Military and Humanitarian Efforts

The blurring of the lines between military and humanitarian operations is of the utmost concern to the humanitarian community. It is important to understand the humanitarian community's perspective on the reasons why UN authority and civilian oversight of humanitarian activities are so important.

First, the military should do what it does best - fight wars and provide security - and humanitarian organizations should do what we do best - care for civilians and deliver assistance to those in need.

Second, humanitarian assistance must be provided on an impartial basis to ensure that all civilians in need (regardless of race, creed, nationality or political belief) have fair and equal access to aid. The UN is clearly more independent and impartial than any one party to a conflict and therefore should coordinate and direct relief efforts. Although the Pentagon's Office for Reconstruction and Humanitarian Assistance (ORHA) is currently heading the humanitarian response in Iraq, the IRC and other humanitarian organizations have been assured that our efforts and implementing partnerships remain with USAID and the State Department. This distinction, while critical to the provision of aid in this

circumstance, is a dangerous precedent and one that calls into question the motivations as to why, how and where humanitarian assistance is provided. This concern is shared by other NGOs and many in the international donor community, and will likely become a greater concern of local Iraqi communities. For non-governmental organizations such as the IRC to work effectively in a post-conflict setting, we must establish a close and trusting relationship with the communities we serve. To do so, we must be seen and known to be impartial and independent of any military.

And third, confusing humanitarian and military activities carries great security risks for those delivering assistance. Our safety often depends on local perceptions. Aid workers are obviously not armed, cannot defend themselves and must never be mistaken for members of the military. Their lives depend on it. On this point I would like to call your attention to the continued abduction of Arjan Erkel a Dutch humanitarian worker abducted nine months ago in Dagistan. We see Mr. Erkel's case as part of an increase in violence against civilian populations and against humanitarian aid workers. Please join the humanitarian community in asking the Russian authorities to give their highest political commitment to assure Arjan Erkel's release.

The humanitarian agencies respect and appreciate the critical role the military plays in establishing security after conflict and are grateful for it.

But because of our commitment to impartiality and independence, and the critical need to develop a trusting relationship with the communities we serve, we cannot accept military supervision. This is a challenge we are facing in Iraq. As a result, we have had to add conditional language to our grant agreements with USAID to ensure civilian reporting structures.

If this trend continues, the space for humanitarian agencies will shrink and fewer will be involved in responding to crises such as exist in Iraq and Afghanistan. Donors from other countries will refuse to coordinate and cooperate and the result will mean fewer people in need will receive the services they so desperately require.

### Conclusion

Recent moves by the Administration to involve the United Nations in addressing Iraq's humanitarian and reconstruction needs as well as the recent visits by Secretary Rumsfeld and Deputy Secretary Armitage to Afghanistan indicate positive steps by Washington. It is critical that the Administration support a clear role for the United Nations in Iraq in order to obtain the greatest level of international legitimacy and support for the reconstruction and transition process; that it support a robust NATO mandate to improve security throughout Afghanistan in the run-up to their 2004 elections; that it keep foremost in its mind the need to protect civilian populations in both Iraq and Afghanistan; and lastly, that it adhere to the important principle that military and humanitarian efforts be separate.

<sup>1</sup> Meeting record, United Nations Security Council, 4750<sup>th</sup> meeting, Tuesday, 6 May 2003, 10 a.m., New York

