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*Saudi Arabia leads global humanitarian aid: UN data. Digital Image. May 29, 2018. Arab News. Retrieved from <http://www.arabnews.com/node/1311441/saudi-arabia>.*

Humanitarian aid under stress: Assessing the role  
of NGOs

2019



# Humanitarian Aid under Stress: Assessing the Role of NGOs

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## Abbreviations

DART – Disaster Action Response Team

ICC – International Criminal Court

ICRC – International Committee of the Red Cross

IRC – International Rescue Committee

ISAF – International Security Assistance Force

ISIS – Islamic State of Iraq and Syria

MSF - Médecins Sans Frontières

NGO – Non-Governmental Organization

NRC – Norwegian Refugee Council

OFDA – Office of Foreign Disaster Assistance

PAT – Program Assistance Team

PRT – Provincial Reconstruction Team

R2P – Responsibility to Protect

SARC – Syrian Arab Red Crescent

SPLM – Sudan People’s Liberation Movement

SYLI – Somalia Youth Learners Initiative

UN – United Nations

UNHCR – United Nations High Commissioner for Refugees

UNITAF – United Task Force

UNOCHA – United Nations Office for the Coordination of Humanitarian Affairs

UNOSOM – United Nations Operation in Somalia

UNRWA – United Nations Relief and Works Agency for Palestine Refugees in the Near East

UNSC – United Nations Security Council

USAID – United States Agency for International Development

WFP – World Food Program

WHO – World Health Organization



## Executive Summary

Humanitarian NGOs currently face many challenges that inhibit their ability to deliver aid and place the humanitarian principles under stress. The politicization of aid by both donor and host governments has influenced the direction of aid delivery. Likewise, the ability of sovereign states to deny aid hampers NGO mobility within crisis zones. Within crisis zones, hostile state-backed, or non-state backed armed groups create difficulties for NGOs attempting to deliver aid, such as coercing goods for access. However, successful cooperation with armed groups and the local community can also lead to greater effectiveness in the delivery of humanitarian aid. Another concern for NGOs working on the ground is the physical risk to the safety of humanitarian aid workers. Remote working and technological innovation have emerged as methods to address this issue. Yet, problems persist. It is suggested that humanitarian NGOs consider the following recommendations to improve the state of humanitarian aid:

- NGOs should collectively use their leverage in response to unwanted or harmful pressures from donors, sovereign states, and armed groups. NGOs possess an advantage in their position as the primary organizations implementing humanitarian aid. NGOs should use that status to negotiate an alternative to what is forced on them.
- NGOs should employ and integrate technology where possible to increase accountability, efficiency, and safety of humanitarian aid delivery. Further implementation of technology can reduce the physical risk of humanitarian aid workers, increase ease of aid delivery by using e-payments, and a wider range of accountability measures using smartphones and networked devices.

# Introduction

By Maya Sullivan

On February 13<sup>th</sup>, 2019, President Nicolás Maduro erected a blockade on the border of Venezuela and Colombia to halt humanitarian aid coming into the country.<sup>1</sup> For the same reason, President Maduro closed the border of Venezuela and Brazil a week later, effectively cutting off access to people in need.<sup>2</sup> Since 2015, many have fled Venezuela due to starvation, poverty and medical emergency.<sup>3</sup> Political tensions escalated during and after the 2018 presidential elections, leading to the present conflict between President Maduro, former Venezuelan President Hugo Chavez's handpicked successor, and the self-declared president, Juan Guaidó, the opposition-party leader.<sup>4</sup> Guaidó is backed by 65 countries internationally, including the US.<sup>5</sup> The US began delivering aid to a staging point in Cúcuta, Colombia using military aircraft and personnel, but Maduro has refused to allow access for fear of a "Trojan horse invasion."<sup>6</sup> Maduro added another layer to the crisis by mobilizing the Venezuelan military to prevent interventions. Venezuela has cut diplomatic ties with Colombia, the people are marching, humanitarian aid is waiting at the border, and tensions are mounting.

The complexity of delivering humanitarian aid in Venezuela today is not unusual. The current conflicts of Yemen and Syria are further evidence of this. Both conflicts exemplify the risk of violence endangering humanitarian aid workers and the importance of weighing sovereignty and armed actors on all sides. Neither conflict can be defined merely by two-parties with traditional fronts of war; they are far more complex than that.

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<sup>1</sup> Rahima Nasa. "Timeline: How the Crisis in Venezuela Unfolded." FRONTLINE, February 22, 2019. <https://www.pbs.org/wgbh/frontline/article/timeline-how-the-crisis-in-venezuela-unfolded/>.

<sup>2</sup> Ibid.

<sup>3</sup> Scott Smith. "AP Explains: Venezuela's Humanitarian Aid Standoff." AP News, February 8, 2019. <https://www.apnews.com/6c66de0a22944b58b276d43eef91c093>.

<sup>4</sup> Christina Maxouris, "Venezuela's Opposition Leader Says He Will Begin Exercising His 'Duties as President,'" CNN, February 27, 2019. <https://www.cnn.com/2019/02/27/us/venezuela-guaido-presidential-duties/index.html>

<sup>5</sup> Gabriel Elizondo. "Venezuela: 65 Countries Support Guaido, While UN Backs Maduro," Aljazeera, February 15, 2019. <https://www.aljazeera.com/news/2019/02/venezuela-65-countries-support-guaido-backs-maduro-190215134801090.html>.

<sup>6</sup> "Venezuela's Maduro Threatens Military Force to Block U.S. Food Aid," NPR.org, accessed February 24, 2019, <https://www.npr.org/2019/02/17/695593542/venezuelas-maduro-threatens-military-force-to-block-u-s-food-aid>.

Humanitarian Non-Governmental Organizations (NGOs) are non-profit organizations that provide relief to humanitarian aid crises. NGOs are aware of the humanitarian disasters that persist daily in both countries, but barriers to access and political implications can create complications. Humanitarian aid is now just as often in the middle of a non-traditional war zone as it is a natural disaster.<sup>7</sup> The need is real, but a conflict can also be exacerbated or prolonged because of how or to whom humanitarian aid is given.<sup>8</sup> The challenge for NGOs is how best to reach the people who need immediate relief, without further complicating a situation, supporting a third party's agenda, and/or suffering casualties along the way. Given the precautions necessary to consider before sending humanitarian aid workers into a potentially violent region where violating state sovereignty may be backed by political incentives, the decision is not simple.

Imagine yourself as an NGO embroiled in the complex humanitarian aid crisis in Venezuela. How does your NGO balance the needs of the people with the risks of delivering humanitarian aid? You have to consider the politicization of aid, decide whether or not to violate Venezuela's sovereignty, determine how to engage with state-backed armed groups, all the while keeping the safety and security of your workers paramount. Furthermore, your NGO is navigating the crisis while trying to adhere to the UN humanitarian principles of *humanity, neutrality, impartiality, and independence*. Your NGO is contending with the humanitarian dilemma of abandoning operations or staying to provide relief for another day. The scales are weighed with lives and the answer is not black and white.

#### Defining the Scope of the Report

The key players in humanitarian aid include its recipients, humanitarian aid workers, NGOs, donors, involved states, and witnessing civilians. This report will focus on NGOs because NGOs are the primary organizations implementing humanitarian aid. This leaves NGOs in the unique position to balance the challenges of delivering humanitarian aid with the needs on the

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<sup>7</sup> A. Cooper Drury, Richard Stuart Olson, and Douglas A. Van Belle, "The Politics of Humanitarian Aid: U.S. Foreign Disaster Assistance, 1964–1995," *The Journal of Politics* 67, no. 2 (May 2005): 454–73, <https://doi.org/10.1111/j.1468-2508.2005.00324.x>.

<sup>8</sup> Ibid.

ground. Therefore, NGOs possess the leverage to address the complexities of humanitarian aid because it would be difficult for the industry to function without them.

There are different kinds of aid within the wider world of “aid.” From emergency aid, as defined by immediate relief focused on saving lives, to development aid which centers on preventing conflict and treating the “root” of problems.<sup>9</sup> We acknowledge that this spectrum exists, but the scope of this paper extends only to “emergency aid”, also known as humanitarian aid. For transparency, we note that the majority of the research and sources are focused on the West. The UN humanitarian principles themselves are Western in nature. We acknowledge that other non-Western cultural conceptions of aid exist, but due to length and time constraints, we cannot invest enough depth that the topic of cross-cultural aid requires. However, much of humanitarian aid work is done by Western actors and the humanitarian principles are acknowledged as standard worldwide.

Our report focuses on humanitarian aid post 9/11, given the increased challenges and risks that humanitarian NGOs face in the post 9/11 world. Four stand out as particularly relevant in 2019: 1) the politicization of humanitarian aid, 2) state sovereignty, 3) armed groups, and 4) the security and safety of humanitarian aid workers. This report is written from the NGO perspective; examining how NGOs have responded to or interacted with each challenge. The policy recommendations derived from our research are also directed to humanitarian NGOs for the improvement of humanitarian aid.

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<sup>9</sup> Michael N. Barnett, *Empire of Humanity: A History of Humanitarianism* (Ithaca, N.Y: Cornell University Press, 2011).

# History of Humanitarian Aid

By Maya Sullivan

On June 24, 1859, the Swiss industrialist Henri Dunant published reflections from his experiences in the Battle of Solferino.<sup>10</sup> His writings were the “real starting point for modern institutionalized aid agencies” and would “conceive an international humanitarian movement...to govern assistance to and protection of wounded soldiers”.<sup>11</sup> Three years later, in 1862, the first international humanitarian organization - the International Committee of the Red Cross (ICRC) - was established.<sup>12</sup> Through the First and Second World Wars, humanitarian aid was primarily conducted on the battlefield. At the height of the Cold War, the US employed and expanded humanitarian aid to further its national interests, such as its efforts in Cambodia to respond to the rise of the Khmer Rouge under the pretense of supporting refugees.<sup>13</sup> At the same time, international media coverage resulted in an influx in private funding, but also the potential for “considerable waste and duplication” and “[prolonged] suffering” due to superfluous NGO response.<sup>14</sup> With the end of the Cold War, a new age of warfare began where the inability of states to provide basic needs led to the spread of conflicts with “no fronts.”<sup>15</sup> Civilians became the targets of war. As atrocities cropped up around the world, they were covered by the media and humanitarian aid became a “*cause celebre*”.<sup>16</sup>

In 1991, the UN General Assembly established the humanitarian principles: *humanity*, *neutrality*, and *impartiality*, with the fourth principle of *independence* added in 2004.<sup>17</sup> Humanity addresses suffering, protecting life and health, and respecting all human beings. Neutrality means refusing to take sides in any conflict.<sup>18</sup> Impartiality refers to responding to

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<sup>10</sup> David P. Forsythe and Barbara Ann Rieffer-Flanagan, *The International Committee of the Red Cross: A Neutral Humanitarian Actor*, 1st ed., 2007.

<sup>11</sup> Forsythe and Rieffer-Flanagan, *The International Committee of the Red Cross*.

<sup>12</sup> Dorothea Hilhorst and Bram J. Jansen, “Humanitarian Space as Arena: A Perspective on the Everyday Politics of Aid: Humanitarian Space as Arena,” *Development and Change* 41, no. 6 (November 2010): 1117–39, <https://doi.org/10.1111/j.1467-7660.2010.01673.x>.

<sup>13</sup> D. J. B. Trim and Brendan Simm, “Humanitarian Intervention: A History,” in Cambridge University Press, 2011, 1–9.

<sup>14</sup> Barnett, *Empire of Humanity*, 156.

<sup>15</sup> *Ibid.*, 162.

<sup>16</sup> *Ibid.*, 156.

<sup>17</sup> “Protection,” OCHA, September 17, 2016, <https://www.unocha.org/es/themes/protection>.

<sup>18</sup> *Ibid.*

action “on the basis of need” with no distinction for those with certain “nationality, race, gender, religious belief, class or political opinions.”<sup>19</sup> Finally, independence is defined as remaining autonomous from any third-party influencers. Where tension can arise between these principles, they function jointly to guide the intention behind humanitarian aid, its boundaries, and its limitations. It is internationally understood that adherence to these principles enhances the coordination and effectiveness of humanitarian aid.<sup>20</sup> These principles have symbolic and practical importance: they help distinguish the role of humanitarian aid from that of the military, politicians, or other actors.

#### Humanitarian Aid Post 9/11

The most immediate impact of the attack on the Twin Towers on September 11, 2001, was the fervor with which terrorism became the priority of international security concerns.<sup>21</sup> The psychological impact of terrorism on state security saturated the international stage, including the allocation of humanitarian aid funding.<sup>22</sup> Prior to 9/11, most humanitarian aid focused on natural disasters.<sup>23</sup> The war on terror resulted in an increase of *complex emergencies*, or manmade disasters. Humanitarian aid funding between 2007 and 2016 increased by 8%, “mainly driven by a set of large-scale [complex emergencies] with humanitarian funding requirements over a billion dollars per year”.<sup>24</sup> According to the 2018 UN Office for the Coordination of Humanitarian Affairs’ (UNOCHA) Global Humanitarian Review, nineteen out of the twenty-one of the current humanitarian response plans are for crises that have lasted five years or more.<sup>25</sup> Natural disasters are having “less of a humanitarian impact” in

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<sup>19</sup> Ibid.

<sup>20</sup> Heather Rysaback-Smith, “History and Principles of Humanitarian Action,” *Turkish Journal of Emergency Medicine* 15 (October 1, 2015): 5–7, <https://doi.org/10.5505/1304.7361.2015.52207>.

<sup>21</sup> Linda Polman, “Afghaniscam,” in *The Crisis Caravan: What’s Wrong with Humanitarian Aid?*, trans. Liz Waters, 1st U.S. ed (New York: Metropolitan Books, 2010), 139–56.

<sup>22</sup> Seung-Whan Choi and Idean Salehyan, “No Good Deed Goes Unpunished: Refugees, Humanitarian Aid, and Terrorism,” *Conflict Management and Peace Science* 30, no. 1 (February 1, 2013): 53–75, <https://doi.org/10.1177/0738894212456951>.

<sup>23</sup> “Global Humanitarian Assistance 2000.” Inter-Agency Standing Committee: Office for the Coordination of Humanitarian Affairs, May 2000. <http://devinit.org/wp-content/uploads/2017/06/2000-GHA-report.pdf>.

<sup>24</sup> Ibid.

<sup>25</sup> Ibid.

terms of people “adversely affected”.<sup>26</sup> This shift in humanitarian aid funding allocation from natural disasters to complex emergencies is due to the increase in conflicts post 9/11, as evident in the 2001 Afghanistan invasion, and the ongoing conflicts in Syria, Yemen, and Somalia to name a few.<sup>27</sup>

Four unique challenges arise when humanitarian aid is delivered in complex emergencies, unlike the more straightforward nature of humanitarian aid during a natural disaster. They include the politicization of aid, dealing with state sovereignty, engaging with armed groups, and the safety and security of humanitarian aid workers. These issues are a major concern for humanitarian NGOs. Despite the dangerous locations where humanitarian aid is implemented today, humanitarian aid workers “still help wherever, whenever, whoever they can...but by doing so they are at the mercy of belligerents”.<sup>28</sup> The image of humanitarian NGOs as “life-savers is considerably more complicated today than it was in previous eras”.<sup>29</sup> Yet, humanitarian NGOs continue their work. The complicated nature of conflicts today will have “host governments, the UN, and the ever-present superpowers [looking] to NGOs for help”.<sup>30</sup> NGOs will shape the future of humanitarian aid as they decide how to address the following four challenges.

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<sup>26</sup> Ibid.

<sup>27</sup> Seung-Whan Choi and Idean Salehyan, “No Good Deed Goes Unpunished: Refugees, Humanitarian Aid, and Terrorism,” *Conflict Management and Peace Science* 30, no. 1 (February 1, 2013): 53–75, <https://doi.org/10.1177/0738894212456951>.

<sup>28</sup> Linda Polman. *The Crisis Caravan: What's Wrong With Humanitarian Aid?*, translated by Liz Waters, 1st U.S. ed., 139–56. New York: Metropolitan Books, 2010.

<sup>29</sup> Peter Walker and Daniel Maxwell, “Shaping the Humanitarian World” (Routledge Global Institutions, 2009).

<sup>30</sup> Helga Baitenmann, “NGOs and the Afghan War: The Politicisation of Humanitarian Aid,” *Third World Quarterly* 12, no. 1 (January 1, 1990): 62–85, <https://doi.org/10.1080/01436599008420215>.



## Challenge 1: The Politicization of Aid

By Gretchen Price, Riley Wigen, and Tommy Zech

NGOs transitioned from small community organizations into a major player in the delivery of humanitarian aid, with organizations such as Médecins Sans Frontières (MSF), Mercy Corps, and the International Rescue Committee (IRC), assisting humanitarian efforts across the world. NGOs are guided by the principles of humanity, neutrality, impartiality, and independence which can contrast with the government agendas of both sovereign states and donors. This disconnect can allow for the politicization of aid, which occurs when humanitarian aid is used as a political tool rather than a means for providing assistance to those in need. The obstacles brought by the politicization of aid complicates the mission of NGOs and has implications for the humanitarian principles that upholds their credibility. Examining the relationship between governments and NGOs reveals that domestic politics as well as donor and host government manipulation are key elements to the politicization of humanitarian aid.

### The Evolution of Humanitarian Aid and Donor Government Manipulation

In 1994, 800,000 civilians were killed in Rwanda over the course of approximately one hundred days.<sup>31</sup> In an acknowledgement of failure, the international community proclaimed that never again would the world stand idly by while humanitarian aid was required.<sup>32</sup> Since the Cold War, humanitarian aid increasingly became “an integral part of Western governments’ strategy to transform conflicts, decrease violence and set the stage for liberal development.”<sup>33</sup> Political disengagement of major powers after the Cold War meant humanitarian aid was expected to fill the gap, which led to a blurring of lines between politics and humanitarian aid.<sup>34</sup> This evolution of humanitarian aid resulted in new mechanisms facilitating interagency and departmental discussions regarding the emergency response to humanitarian crises.<sup>35</sup>

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<sup>31</sup> David Bryer. "Never Again?: Ten Years after the Rwanda Genocide." *The New York Times*. April 03, 2004. Accessed February 02, 2019. <https://www.nytimes.com/2004/04/03/opinion/never-again-ten-years-after-the-rwanda-genocide.html>.

<sup>32</sup> Ibid.

<sup>33</sup> Mark Duffield, Joanna Macrae, and Devon Curtis. "Editorial: Politics and Humanitarian Aid." *Disasters* 25, no. 4 (December 2001): 269–74. <https://doi.org/10.1111/1467-7717.00177>. p. 3

<sup>34</sup> Ibid.

<sup>35</sup> Ibid.

Consequently, government donors participate more directly in operational decision-making, earmarking funds for multilateral agencies, monitoring donor-partner grants and developing their own capacity for humanitarian aid.<sup>36</sup> This increase of donors in the decision-making process could decrease NGO autonomy concerning the direction of funds, making humanitarian aid part of a political agenda. NGOs attempt to uphold the principle of neutrality but fall short due to their dependence on donor grants that frequently make political agendas unavoidable.<sup>37</sup> It seems that despite the promise made at Rwanda, the ability to effectively carry out humanitarian aid continues to be impeded by politics.

The IRC provides an example for the politicization of aid resulting from its relationship to donors. The IRC has been referred to as one of “the most under-recognized yet influential non-governmental aid groups in the world” and its funding primarily comes from government grants.<sup>38</sup> Mark Bartolini, former Regional Director for the Middle East and Asia at IRC, expressed his experiences with the politicization of aid while working for the IRC.<sup>39</sup> For example, IRC was asked to provide protective gear and training for Kurds in northern Iraq in case of a chemical attack prior to the second Gulf War.<sup>40</sup> This was a political request by the US State Department, but it also happened to align with humanitarian motives because the need was real.<sup>41</sup> In Iraq, the US sought to bring humanitarian aid efforts under its control and intertwined military, political, and humanitarian rhetoric; claiming all kinds of assistance supported the US’ cause.<sup>42</sup>

Similarly, an interview with Dan O’Neill, the founder of Mercy Corps, revealed instances when Mercy Corps faced politicization of aid from a governmental donor.<sup>43</sup> In recent years, the line between business models and humanitarian models increasingly blurred and government

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<sup>36</sup> Ibid.

<sup>37</sup> Fiona Bare. “Competition, Compromises, and Complicity: An Analysis of the Humanitarian Aid Sector,” Claremont McKenna College, 2017.

<sup>38</sup> Matthew Shaer. “Inside The IRC: How A Visionary Aid Organization Is Using Technology To Help Refugees.” Fast Company, November 21, 2016. <https://www.fastcompany.com/3065447/how-a-visionary-aid-organization-is-using-technology-to-help-refugees>.

<sup>39</sup> Mark Bartolini. Interview: Politicization of Humanitarian Aid, January 16, 2019.

<sup>40</sup> Ibid.

<sup>41</sup> Ibid.

<sup>42</sup> Ibid.

<sup>43</sup> Dan O’Neill. Interview: Mercy Corps and Humanitarian Aid, February 20, 2019.

donors have become more forward in driving their agendas.<sup>44</sup> There were times that Mercy Corps would refuse to accept funding that was politicized, but other NGOs would accept this money, carrying out the political agenda within humanitarian aid.<sup>45</sup> Bartolini also explained that there were times when the IRC would refuse a government grant because they felt that it was politically motivated and/or violated the humanitarian principles, but other NGOs would still accept these grants because of their need for funding.<sup>46</sup> As the main party delivering humanitarian aid, NGOs have the potential to exert leverage over political actors. However, the lack of solidarity among NGOs can hinder their ability to use their collective leverage against government donors to mitigate the politicization of humanitarian aid.

#### Host Government Manipulation

Mercy Corps is a humanitarian NGO that delivers humanitarian aid to many places across the globe and receives both private funding and government grants in order to carry out its efforts.<sup>47</sup> O'Neill revealed multiple events in Syria during 2014 that exemplify the politicization of humanitarian aid.<sup>48</sup> In the capital Damascus, Mercy Corps used unmarked vehicles and wore unmarked clothes in order to best deliver humanitarian aid with minimum backlash from the government.<sup>49</sup> At the same time, Mercy Corps was delivering aid to rebel-held areas in Syria. The Syrian government delivered an ultimatum to Mercy Corps: either cease cross-border operations or stay in Damascus with the risk of being arrested should they refuse.<sup>50</sup> The Syrian government would ask Mercy Corps to pay a head tax or a bribe in order to deliver humanitarian aid to those in need, but Mercy Corps would not comply citing that it was against their humanitarian principles as an NGO.<sup>51</sup> This ultimately led to Mercy Corps stopping their operations and pull out of Damascus.<sup>52</sup> It was reported that ISIS forces demanded to

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<sup>44</sup> Ibid.

<sup>45</sup> Ibid.

<sup>46</sup> Bartolini, Interview: Politicization of Humanitarian Aid

<sup>47</sup> O'Neill, Interview: Mercy Corps

<sup>48</sup> Ibid

<sup>49</sup> Ibid.

<sup>50</sup> O'Neill, Interview: Mercy Corps

<sup>51</sup> Ibid.

<sup>52</sup> Ibid.

supervise the distribution of Mercy Corps' humanitarian aid and requested 30% share of their aid to deliver as they wished.<sup>53</sup> This tactic allowed ISIS to distribute the humanitarian aid in its own name, therefore giving ISIS the ability to position itself between NGOs and the local community so as to influence the relationship in its favor.<sup>54</sup> This serves as an example of how rebel groups also have the capacity to politicize humanitarian aid within complex emergencies.

Bartolini referenced multiple countries where he experienced the host government attempting to manipulate the distribution of humanitarian aid for political purposes.<sup>55</sup> In Syria, the government has been known to seize aid from NGOs and manipulate it in order to make profit off of it or gain favor with non-state actors in the region.<sup>56</sup> Previous administrations in Ethiopia have manipulated data provided by NGOs to meet their political objectives.<sup>57</sup> These former Ethiopian governments would deny aid workers access to deliver aid and impose taxes or unreasonable laws in order to extract aid.<sup>58</sup> Some authors believe that NGOs failed to recognize, or did their best to ignore, the extent to which they were being manipulated by the Ethiopian government.<sup>59</sup>

Moreover, it is important to note that while the humanitarian aid community has evolved to ensure that programs are driven by the needs of local communities, it is not always the case on the ground.<sup>60</sup> In practice, the humanitarian system has recognized the need for host governments to take the lead role in coordinating many humanitarian activities. In more volatile crises such as Syria, where the host government is in conflict with part of the country, NGOs will likely take the lead.<sup>61</sup> Therefore, not only do host governments have the potential to manipulate aid, they can play a crucial role in the delivery of humanitarian aid. The examples from Syria and Ethiopia showcase the extent to which host governments could influence the

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<sup>53</sup> José Ciro Martínez and Brent Eng, "The Unintended Consequences of Emergency Food Aid: Neutrality, Sovereignty and Politics in the Syrian Civil War, 2012–15," *International Affairs* 92, no. 1 (January 1, 2016): 153–73, <https://doi.org/10.1111/1468-2346.12502>.

<sup>54</sup> Martínez and Eng, "The Unintended Consequences of Emergency Food Aid."

<sup>55</sup> Bartolini, Interview: Politicization of Humanitarian Aid

<sup>56</sup> Ibid.

<sup>57</sup> Ibid.

<sup>58</sup> Ibid.

<sup>59</sup> Barnett, *Empire of Humanity*, 156-7

<sup>60</sup> Bartolini, Interview: Politicization of Humanitarian Aid

<sup>61</sup> Ibid.

delivery of humanitarian aid to align with their own political motives. Both Bartolini and O'Neill's anecdotes allude to the importance of creating solidarity amongst NGOs and collectively using their leverage against host governments which may be able to lessen the presence of politicization within humanitarian aid.

### Domestic Politics

Factors such as elections, social and mainstream media, and public perception each play a part in determining the flow and direction of humanitarian aid. A poll from 2016 shows that citizens in the US wrongfully believed 31% of the national budget went to aid, when in reality, the expenditure is a little over 1%.<sup>62</sup> Citizens who have a strong attachment to their national identity are less likely to support international humanitarian assistance due to sacrifices required of themselves.<sup>63</sup> NGOs are particularly vulnerable after receiving negative media attention or poor public perception because they depend on the goodwill of donors for funding.<sup>64</sup> The success of these organizations relies on the public's ability to trust in their competency, which is connected to their ability to raise money. Although humanitarian aid should be guided by the humanitarian principles, public perception can play an influential role in determining which disasters receive more attention.

In 2018, Donald Trump praised Saudi Arabia and the United Arab Emirates (UAE) for pledging billions in humanitarian aid in an effort to pursue multiple avenues to end the horrific civil war in Yemen.<sup>65</sup> Trump failed to mention that Yemen's conflict dramatically intensified in early 2015, after Saudi Arabia began to intervene in the war.<sup>66</sup> The current war in Yemen has

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<sup>62</sup> Ian Smillie and Larry Minear. "The Quality of Money: Donor Behavior in Humanitarian Financing." Tufts University, April 2003. <http://fic.tufts.edu/publication-item/the-quality-of-money-donor-behavior-in-humanitarian-financing/>.

<sup>63</sup> Linda Alvarez, Constantine Boussalis, Jennifer L. Merolla, and Caryn A. Peiffer. "Love Thy Neighbour: Social Identity and Public Support for Humanitarian Aid." *Development Policy Review* 36 (July 24, 2018): O935–53. <https://doi.org/10.1111/dpr.12329>.

<sup>64</sup> Simon Cottle and David Nolan. "How the Media's Codes and Rules Influence the Ways NGOs Work." Nieman Lab, November 16, 2009. [www.niemanlab.org/2009/11/simon-cottle-and-david-nolan-how-the-medias-codes-and-rules-influence-the-ways-ngos-work/](http://www.niemanlab.org/2009/11/simon-cottle-and-david-nolan-how-the-medias-codes-and-rules-influence-the-ways-ngos-work/).

<sup>65</sup> Mohamad Bazzi. "The United States Could End the War in Yemen If It Wanted To." *The Atlantic*, Atlantic Media Company, 1 Oct. 2018, [www.theatlantic.com/international/archive/2018/09/iran-yemen-saudi-arabia/571465/](http://www.theatlantic.com/international/archive/2018/09/iran-yemen-saudi-arabia/571465/).

<sup>66</sup> *Ibid.*

left more than 22 million people in need of humanitarian aid.<sup>67</sup> Members of the Arab coalition, supporting the legitimate government in Yemen, have so far donated \$18 billion in humanitarian aid over the past three years and pledged \$500 million more in the coming months.<sup>68</sup> In 2018, Secretary of State Mike Pompeo assured congress that the Saudi-UAE coalition was trying to minimize civilian casualties and enable deliveries of humanitarian aid to Yemen. Despite his assessment of the war, United Nations experts and several Human Rights Watch investigations have alleged the coalition had committed war crimes.<sup>69</sup> For three and a half years there has been “little evidence of any attempt by parties to the conflict to minimize civilian casualties.”<sup>70</sup>

Trump’s recent endorsement of Saudi Arabia’s involvement shows the success of the coalition’s attempts to use humanitarian aid to mask the thousands of civilian deaths caused from airstrikes by American-supplied bombs.<sup>71</sup> The Trump administration has shown little interest in leveraging arms deals to force the Saudis into taking concerns about civilian deaths more seriously.<sup>72</sup> Politicization of aid can be identified in the shift of attitude towards humanitarian action as a moral equalizer for other injustices, and also exemplifies the potential impact of domestic politics on humanitarian assistance.

In 2014, the militant Islamist group Boko Haram kidnapped 276 girls in Nigeria.<sup>73</sup> National media in the US was captivated by the hashtag #BringBackOurGirls, which was tweeted nearly 1.3 million times on Twitter.<sup>74</sup> #BringBackOurGirls was adopted by organizations such as Amnesty International and UNICEF in their own campaigns to bring attention to

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<sup>67</sup> Ibid.

<sup>68</sup> Sarah Glubb. “Saudi Arabia’s KSRelief: ‘Humanitarian Aid to Yemen Is Arab Coalition’s Top Priority’.” *Arab News*, Arabnews, December 2, 2018. [www.arabnews.com/node/1414531/saudi-arabia](http://www.arabnews.com/node/1414531/saudi-arabia).

<sup>69</sup> Bazzi, “The United States Could End the War in Yemen If It Wanted To.”

<sup>70</sup> Merrit Kennedy. “U.S. Stands By Saudi Arabia, Despite Criticism Over Civilian Casualties In Yemen.” *NPR*, NPR, September 12, 2018. [www.npr.org/2018/09/12/647044729/u-s-stands-by-saudi-despite-criticism-over-civilian-casualties-in-yemen](http://www.npr.org/2018/09/12/647044729/u-s-stands-by-saudi-despite-criticism-over-civilian-casualties-in-yemen).

<sup>71</sup> Bazzi, “The United States Could End the War in Yemen If It Wanted To.”

<sup>72</sup> Kennedy, “U.S. Stands By Saudi Arabia.”

<sup>73</sup> Hilary Matfess. “Three Years Later, A Look at the #BringBackOurGirls Catch-22,” April 14, 2017, sec. undefined. <https://www.thedailybeast.com/articles/2017/04/14/three-years-later-a-look-at-the-bringbackourgirls-catch-22>.

<sup>74</sup> “Hashtag Wars: Who’s Behind the Nigeria #BringBackOurGirls Movement?” *NBCNews.com*, NBCUniversal News Group, May 8, 2014. [www.nbcnews.com/tech/social-media/hashtag-wars-whos-behind-nigeria-bringbackourgirls-movement-n100771](http://www.nbcnews.com/tech/social-media/hashtag-wars-whos-behind-nigeria-bringbackourgirls-movement-n100771).

Nigeria's ongoing human rights crisis.<sup>75</sup> The movement attracted support from prominent international figures such as Michelle Obama, the Pope, and Malala Yousafazi.<sup>76</sup> Abductions of school children by Boko Haram was nothing new to the Nigerian government, however, the Chibok girls were transformed into a symbol for the global struggle of women.<sup>77</sup> The media attention resulted in the US government providing trauma counseling to the survivors and a small number of families of the Chibok abduction. A fact sheet released by the White House's Office of the Press Secretary in 2014 reveals the support program billed at \$4.5 million.<sup>78</sup> This personalized psycho-social support may stem from the politicization of aid through the influence of social and mainstream media and the consequent government response. The flow of public campaigns, mobilization of press, and mass e-mailings played a role in weaving the contemporary network of humanitarian aid. While the media or the White House might force overdue humanitarian action into mainstream consciousness, they can also engender a disproportionate humanitarian response.

Following the 2010 earthquake in Haiti, the US response was influenced by Haiti's geographical proximity to the US.<sup>79</sup> An unprecedented \$13.5 billion in donations flowed into Haiti, with \$3 billion coming from USAID.<sup>80</sup> If the US did not respond effectively, it risked hurting its international image and influence close to home.<sup>81</sup> Therefore, we can see the politicization of aid during responses to natural disasters as well. In the post 9/11 world, there is no shortage of populations in need of humanitarian assistance. Government donors, UN agencies, and NGOs are affected by, if not contributors to, the politicization of aid. A case study of South Sudan shows the extent of the politicization of aid in the country and the consequent harm that it caused to the communities it intended to help.

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<sup>75</sup> Ibid.

<sup>76</sup> Matfess, "Three Years Later."

<sup>77</sup> Ibid.

<sup>78</sup> Office of the Press Secretary, "FACT SHEET: U.S. Efforts to Assist the Nigerian Government in Its Fight against Boko Haram." [whitehouse.gov](https://obamawhitehouse.archives.gov/the-press-office/2014/10/14/fact-sheet-us-efforts-assist-nigerian-government-its-fight-against-boko-), October 14, 2014. <https://obamawhitehouse.archives.gov/the-press-office/2014/10/14/fact-sheet-us-efforts-assist-nigerian-government-its-fight-against-boko->

<sup>79</sup> Mark Ward. Interview, February 19, 2019.

<sup>80</sup> Young Professionals in Foreign Policy. "Haiti's Multi-Billion Dollar Humanitarian Aid Problem." *The Huffington Post*, The Huffington Post, 28 Sept. 2016, [www.huffingtonpost.com/young-professionals-in-foreign-policy/haitis-multi-billion-doll\\_b\\_8207494.html](http://www.huffingtonpost.com/young-professionals-in-foreign-policy/haitis-multi-billion-doll_b_8207494.html).

<sup>81</sup> Ward, Interview.

## Case Study: Politicization of Aid in South Sudan

More than 300 million euros in humanitarian aid from the European Civil Protection and Humanitarian Aid Operations since 2017<sup>82</sup> and nearly \$4 billion in humanitarian aid from the United States' Office of Foreign Disaster Assistance (OFDA) since 2014 has poured into South Sudan to combat the crisis and support South Sudanese refugees in neighboring countries.<sup>83</sup> From the perspective of the Americans, South Sudan was founded in 2011 on the premise of hope and a better future.<sup>84</sup> Co-founder of the Sudan Caucus, Donald Payne, a Democratic Congressman from New Jersey, described its secession as "a great day" and as "a victory for the oppressed."<sup>85</sup> However, the continuation of the crisis, coupled with the apparent worsening of the situation, has left donors both disillusioned and pessimistic about South Sudan's future. As such, donor governments like the US have felt political pressure to either show signs of improvement or reevaluate how their aid is used. Although the crisis is ongoing, the Trump administration signaled a shift in its humanitarian aid practices in South Sudan in May 2018 when it began a comprehensive review of its humanitarian aid programs.<sup>86</sup> In October 2018, South Sudanese Vice President, Taban Deng Gai, came to Washington to plead for American support for a new peace deal but his speech fell largely on deaf ears.<sup>87</sup> His inability to win US support reflects how US domestic politics, and their shifting position regarding South Sudan, were prioritized despite the humanitarian need.

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<sup>82</sup> "South Sudan - Fact Sheet," European Civil Protection and Humanitarian Aid Operations. 2019. [https://ec.europa.eu/echo/where/africa/south-sudan\\_en](https://ec.europa.eu/echo/where/africa/south-sudan_en)

<sup>83</sup> "South Sudan - Crisis." USAID. February 8, 2019. Accessed February 23, 2019.

[https://www.usaid.gov/sites/default/files/documents/1866/south\\_sudan\\_ce\\_fs03\\_02-08-2019.pdf](https://www.usaid.gov/sites/default/files/documents/1866/south_sudan_ce_fs03_02-08-2019.pdf).

<sup>84</sup> Rebecca Hamilton. "U.S. Played Key Role in Southern Sudan's Long Journey to Independence." *The Atlantic*. July 09, 2011. Accessed February 14, 2019. <https://www.theatlantic.com/international/archive/2011/07/us-played-key-role-in-southern-sudans-long-journey-to-independence/241660/>.

<sup>85</sup> *Ibid.*

<sup>86</sup> "2019 Humanitarian Needs Overview | South Sudan." United Nations Office for the Coordination of Humanitarian Affairs, November 2018.

[https://reliefweb.int/sites/reliefweb.int/files/resources/South\\_Sudan\\_2019\\_Humanitarian\\_Needs\\_Overview.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/South_Sudan_2019_Humanitarian_Needs_Overview.pdf).

<sup>87</sup> Robbie Gramer. "Remember South Sudan? Washington Would Prefer Not to." *Foreign Policy*. October 04, 2018. Accessed February 02, 2019. <https://foreignpolicy.com/2018/10/04/quietly-angrily-washington-confronts-its-wayward-offspring-south-sudan-africa-diplomacy-foreign-aid-war-conflict-peace-deal-salva-kiir/>.

A 2017 UN report found that the South Sudanese government deliberately prevented food assistance from reaching certain groups with the “intent to inflict suffering on civilians the government viewed as opponents to its agenda.”<sup>88</sup> Among the regions hardest hit by government interference, Greater Baggari was found to experience persistent and systematic access denials by the government.<sup>89</sup> Manipulating humanitarian aid has enabled the government to promote its own agenda while suppressing its opponents. This kind of behavior contributed to the United States’ decision to review their aid to South Sudan. Press secretary Sarah Sanders explained that the US government “will not continue in a partnership with leaders who are only interested in perpetuating an endless war characterized by ethnically-motivated atrocities.”<sup>90</sup> In addition to aggravating donors, the politicization of aid by the South Sudanese government has produced barriers for NGOs attempting to deliver aid, which in the case of Greater Baggari, has helped to promote the government’s political agenda.

The Center for Strategic and International Studies points out that bureaucratic approval processes at local, county, state, and national levels are ever-changing, forcing NGOs to sometimes spend months working to receive the necessary authorizations to carry out their humanitarian aid mission.<sup>91</sup> For example, one NGO estimated that it spent \$350,000 per year in South Sudan on administrative taxes and fees,<sup>92</sup> and in early 2017, South Sudan increased the cost of an aid worker permit from \$100 to \$10,000.<sup>93</sup> The exorbitant costs could detract from the capacity of NGOs to operate. The South Sudanese government has made humanitarian aid coming into the country increasingly difficult and has systematically created an environment inhospitable to humanitarian aid workers. The bureaucratic obstacles prevent NGOs from

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<sup>88</sup> Michelle Nichols. "Exclusive: South Sudan's Government Using Food as Weapon of War - U.N. report" Reuters. November 10, 2017. Accessed February 24, 2019. <https://www.reuters.com/article/us-southsudan-security-un-exclusive/exclusive-south-sudans-government-using-food-as-weapon-of-war-u-n-report-idUSKBN1DA2OX>.

<sup>89</sup> Ibid.

<sup>90</sup> Sarah Sanders. "Statement from the Press Secretary on the Civil War in South Sudan." The White House. May 08, 2018. Accessed February 02, 2019. <https://www.whitehouse.gov/briefings-statements/statement-press-secretary-civil-war-south-sudan/>. "Statement from the Press Secretary on the Civil War in South Sudan."

<sup>91</sup> "Accessing South Sudan: Humanitarian Aid in a Time of Crisis." Accessed January 30, 2019. <https://www.csis.org/analysis/accessing-south-sudan-humanitarian-aid-time-crisis>

<sup>92</sup> Ibid.

<sup>93</sup> Diane Cole. "South Sudan Will Now Charge \$10,000 For an Aid Worker Permit. Why?" NPR. March 07, 2017. Accessed February 02, 2019.

effectively delivering aid, particularly to areas and groups that may not align with government interests. In this way, the South Sudanese government's corruption and inhospitable bureaucracy can be explained by their intent to politicize aid and promote their own agenda.

A 2018 report from the London School of Economics notes that humanitarian aid is channeled through the South Sudan capital of Juba and the state has influence over where support is given.<sup>94</sup> Additionally, the government can take credit when aid is delivered to communities, benefitting from not having to provide the services themselves as well as not having to pay for their delivery.<sup>95</sup> As a result, the South Sudanese government relies on NGOs to provide a service that would otherwise be their responsibility. NGOs are cognizant of how their work can enable the crisis in South Sudan but when they attempt to address the issue, their actions can have consequences. Some NGOs elected to evacuate South Sudan to protect both their workers and their supplies from looting and hostile armed groups.<sup>96</sup> However, this has caused stalled projects and mismanagement of ongoing projects due to the absence of personnel on the ground.<sup>97</sup> Yet, if NGOs do nothing in response to the politicization of aid, then they could risk rewarding poor governance by enabling the South Sudanese government to use humanitarian aid as a political tool without holding them accountable.

The politicization of aid in South Sudan can have severe consequences for South Sudanese citizens. For example, humanitarian aid given by the United States alone assists 1.4 million people per month.<sup>98</sup> If the US were to withdraw or reduce its assistance as President Trump has called to do, the potential effects could be life threatening to the population in need of humanitarian aid. The government of South Sudan has proven to be inhospitable to

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<sup>94</sup> Majak D'Agoot, Angelina Daniel, Luka Biong Koul Deng, David Deng, Julia Duany, Jok Madut Jok, Kuyang Harriet Logo, et al. "The Politics of Humanitarianism: Perspectives from South Sudan." Conflict Research Programme - The London School of Economics and Political Science, 2018. <http://www.lse.ac.uk/international-development/Assets/Documents/ccs-research-unit/Conflict-Research-Programme/policy-reports/The-Politics-of-Humanitarianism-Perspectives-from-South-Sudan.pdf>.

<sup>95</sup> Ibid.

<sup>96</sup> Jenny Lei Ravelo. "Top 3 Challenges for Aid Work in Volatile South Sudan." Safety & Security Manager | Devex. January 09, 2014. Accessed February 16, 2019. <https://www.devex.com/news/top-3-challenges-for-aid-work-in-volatile-south-sudan-82623>.

<sup>97</sup> Ibid.

<sup>98</sup> Camille Wilson. "How the U.S. Benefits from Foreign Aid to South Sudan." The Borgen Project. August 22, 2018. Accessed February 02, 2019. <https://borgenproject.org/u-s-benefits-from-foreign-aid-to-south-sudan/>.

humanitarian aid workers and has purposefully made it difficult for NGOs to operate effectively within its borders. In addition to harming South Sudanese citizens, these actions contribute to the waste of money that could otherwise be used for direct humanitarian assistance. The NGOs responsible for the implementation and delivery of aid suffer from an inability to leverage their position which may present a solution to the politicization of aid in South Sudan. NGOs not only face the political agendas embroiled in humanitarian aid, they have to contend with the political actors behind it, which can include sovereign states.





## Challenge 2: Sovereignty

By Emily Laskowski, India Miller, and Molly Steindorf

The decisions NGOs make to either respect or break sovereignty are complicated, and issues are likely to emerge when aid is being delivered in complex emergencies. NGOs providing humanitarian aid must decide if the benefits outweigh the risks posed to aid workers as well as the organization's reputation and viability. This decision of whether to violate state sovereignty is influenced by many factors including, potential political consequences, ambiguities of international law, and the feasibility of carrying out operations through other means. Ethics, need, and the security of humanitarian aid workers all come into play regarding these decisions. The consequences of these decisions can range from delegitimizing the sovereignty of a nation, to prolonging humanitarian crises which NGOs aim to help. While cross-border humanitarian aid operations provide a short-term solution to these challenges, ultimately, change will have to come from an institutional level.

### Overview of Sovereignty and Humanitarian Intervention

There are numerous challenges NGOs face when it comes to the effective distribution of humanitarian aid, not least of which is the delicate decision of whether to respect or reject state sovereignty when a leader disallows NGO access. The origins of sovereignty can be traced back to the Peace of Westphalia in 1648.<sup>99</sup> The concept of sovereignty as an organizing principle of the nation-state system was further consolidated in 1945 at the close of World War II with the drafting of the UN Charter.<sup>100</sup> Article 2(7) of the charter strictly prohibits UN intervention into "matters which are essentially within the domestic jurisdiction of any state."<sup>101</sup> Nonetheless, NGOs decide to violate sovereignty with the aim of alleviating suffering.

Foreign humanitarian aid however, is not without its special interests, which shapes the way NGOs interact with sovereigns. Western powers, most prominently the US, have a history

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<sup>99</sup> Derek Croxton. "The Peace of Westphalia of 1648 and the Origins of Sovereignty." *The International History Review* 21, no. 3 (September 1999): 569-91. Accessed March 3, 2019.

[https://www.jstor.org/stable/40109077?seq=2#metadata\\_info\\_tab\\_contents](https://www.jstor.org/stable/40109077?seq=2#metadata_info_tab_contents).

<sup>100</sup> "UN Charter of the United Nations, § Article 2." The United Nations, June 26, 1945.

<http://www.un.org/en/sections/un-charter/chapter-i/index.html>.

<sup>101</sup> Ibid.

of interventionism in Latin America, and it is because of this historical relationship and the presence of US backed opposition that President Maduro of Venezuela is suspicious of humanitarian aid entering the country.<sup>102</sup> One need only look as far as the Reagan administration and the Iran-Contra Affair to see that this fear is not entirely unfounded.<sup>103</sup> Yet, this policy has a negative effect on millions of starving Venezuelans, as was demonstrated by the violent clash at the border on February 23rd, 2019, in which at least four were killed when several trucks of material aid attempted to enter the country.<sup>104</sup> In this situation, the decision by NGOs of whether or not to breach sovereignty by delivering aid despite Maduro's objections has implications for the future of Venezuela. If NGOs do decide to deliver aid, not only are the humanitarian workers on the ground put in danger, but the political tension between the US and Venezuela is likely to intensify, as evidenced by President Trump's repeated threats.<sup>105</sup>

The denial of humanitarian assistance in Venezuela justified by the state's claims to sovereignty highlights the contradiction between the UN Charter's commitment to sovereignty and the UN Declaration of Human Rights, which focuses on the welfare of the individual. UN Secretary General Perez de Cuellar addressed this issue in his 1991 retirement speech by stating that it was the "collective obligation of States to bring relief and redress in human rights emergencies."<sup>106</sup> This statement was picked up by the press, and directly addressed the possibility of violating state sovereignty if certain conditions were met. Today, popular sovereignty is the principal interpretation which dominates international law as reflected in the Universal Declaration of Human Rights, which explicitly states, "The will of the people shall be the basis of

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<sup>102</sup> Joseph J. Gonzalez. "Venezuela Crisis: Trump Threats to Maduro Evoke Bloody History of US Intervention in Latin America." *The Conversation*. February 25, 2019. Accessed February 26, 2019. <http://theconversation.com/venezuela-crisis-trump-threats-to-maduro-evokes-bloody-history-of-us-intervention-in-latin-america-111169>.

<sup>103</sup> Sara Chimene-Weiss, Sol Eppel, Jeremy Feigenbaum, Seth Motel, Ingrid Pangandoyon, and Michael D'Ortenzio. "Understanding the Iran-Contra Affairs." Accessed February 26, 2019. [https://www.brown.edu/Research/Understanding\\_the\\_Iran\\_Contra\\_Affair/n-contrasus.php](https://www.brown.edu/Research/Understanding_the_Iran_Contra_Affair/n-contrasus.php).

<sup>104</sup> Mariana Zuñiga, Anthony Faiola, and Dylan Baddour. "Amid Chaos and Defiance, Venezuelan Opposition Faces off against Security Forces as Maduro Digs in." *The Washington Post*. February 23, 2019. Accessed February 26, 2019.

<sup>105</sup> Alex Ward. "Trump's Venezuela Military Ultimatum: Abandon Maduro or Else." *Vox.com*. February 18, 2019. Accessed February 26, 2019. <https://www.vox.com/world/2019/2/18/18229695/venezuela-trump-military-guaido-maduro>.

<sup>106</sup> Barnett, *Empire of Humanity*, 163.

the authority of government.”<sup>107</sup> This conceptualization of sovereignty prevents governments from abusing their absolute power to isolate themselves from criticism. Michael Weissman, a Yale University law professor, asserts that “no serious scholar still supports the contention that internal human rights are ‘essentially within the domestic jurisdiction of any state’ and hence insulated from international law.”<sup>108</sup> Under popular sovereignty, when human rights are being violated, it is considered a breach of the social contract between state and citizen.<sup>109</sup> This has led to the idea of “humanitarian intervention” and with it the “responsibility to protect”, or R2P.

First established at the 2005 World Summit, R2P refers to the responsibility of a sovereign power “to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity.”<sup>110</sup> As accessibility to information spread with the rise of the world-wide-web, “ignorance was no longer an excuse.”<sup>111</sup> Called “the CNN Effect”, this new accessibility instigated an era of unparalleled international compassion towards the humanitarian cause.<sup>112</sup> Public access to information also had impacts on how sovereignty was viewed when it came to humanitarian aid. Western states, as the main patrons of humanitarian aid, leveraged the narrative of “the world is watching” to let other nations know that their sovereignty was “not a right but a privilege that depended on how it treated its citizens.”<sup>113</sup> If a sovereign fails to offer this protection, it is up to the international community to decide whether or not the state is violating the popular will of its people in doing so. However, it is sometimes difficult to discern the popular will of a divided populace due to factors such as fraudulent voting systems or the suppression of the free press.<sup>114</sup> If it is determined that the sovereign is contravening the will of the people, the UN Security Council (UNSC) has the ability

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<sup>107</sup> “Universal Declaration of Human Rights.” The United Nations, December 10, 1948.

<sup>108</sup> Michael W. Reisman. “Sovereignty and Human Rights in Contemporary International Law.” *The American Journal of International Law* 84, no. 4 (1990): 866–76. <https://doi.org/10.2307/2202838>.

<sup>109</sup> “The Responsibility to Protect.” Outreach Programme on the Rwandan Genocide and the United Nations. March 2012. Accessed February 23, 2019. <http://www.un.org/en/preventgenocide/rwanda/pdf/bgresponsibility.pdf>.

<sup>110</sup> UN General Assembly, *2005 World Summit Outcome : resolution / adopted by the General Assembly, 24 October 2005, A/RES/60/1*, available at: <https://www.refworld.org/docid/44168a910.html> [accessed 2 February 2019]

<sup>111</sup> Barnett, *Empire of Humanity*, 166.

<sup>112</sup> Piers Robinson, “The CNN Effect: Can the News Media Drive Foreign Policy?,” *Cambridge University Press* 25, no. 2 (April 1999): 301–9.

<sup>113</sup> Barnett, *Empire of Humanity*, 166.

<sup>114</sup> Reisman, “Sovereignty and Human Rights in Contemporary International Law.”

to override sovereignty and give states permission to intervene, as was the case during the Syrian War with the passage of UNSC Resolution 2139.<sup>115</sup> This resolution was justified by UN Charter Article 39(7) which states that the Security Council may determine “any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken.”<sup>116</sup> However, using a Security Council Resolution to bypass sovereignty is a rare occurrence as two of the permanent members of the Security Council, Russia and China, typically reject motions to override sovereignty due to a strict belief in non-interference.<sup>117</sup>

Nevertheless, sovereigns have other means of exerting influence without express permission from the UN, namely through the manipulation of NGOs.<sup>118</sup> The US-driven humanitarian effort taking place on the border of Columbia and Venezuela is one example of this. NGOs have to make the difficult choice of either respecting sovereignty by not accepting aid paid for by the US or its allies, or breaking sovereignty in the face of possible retaliation or broader political implications. Global powers who have aligned themselves with Maduro, such as Russia and China, have criticized the recent international support by the US and its allies for Juan Guáido’s opposition government as another case of Western powers utilizing the humanitarian narrative as a means to political ends.<sup>119</sup> Vassily Nebenzia, Russia’s Permanent Representative to the United Nations said, “his delegation cannot support attempts by the United States to introduce an agenda item on the situation in Venezuela, which constitutes a gross abuse of the prerogatives of the Council’s permanent members.”<sup>120</sup> Comments such as

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<sup>115</sup> Ibid.

<sup>116</sup> “UN Charter of the United Nations, § Article 7.” The United Nations, June 26, 1945. <http://www.un.org/en/sections/un-charter/chapter-i/index.html>.

<sup>117</sup> Mordechai Chaziza, and Ogen S. Goldman. "Revisiting China’s Non-Interference Policy towards Intrastate Wars." *The Chinese Journal of International Politics* 7, no. 1 (January 17, 2014): 89-115. Accessed February 23, 2019. doi: <https://doi.org/10.1093/cjip/pot016>.

<sup>118</sup> Abdallah I. A. Yagub. “Collaboration between Government and Non-Governmental Organizations (NGOs) in Delivering Curative Health Services in North Darfur State, Sudan- a National Report.” *Iranian Journal of Public Health*; Tehran 43, no. 5 (May 2014): 561–71.

<sup>119</sup> Paul Spiegel. "The Politics of Humanitarian Aid." Interview by Michel Martin. *National Public Radio*. All Things Considered. February 23, 2019.

<sup>120</sup> The United Nations. Security Council. "With Venezuela Buckling under Severe Shortages, Security Council Emergency Session Calls for Political Solution to End Crisis, as Divisions Emerge over Path Forward." News release, January 26, 2019. The United Nations. Accessed February 23, 2019.

this illustrate the ethical implications NGOs also consider when making decisions regarding sovereignty.

#### Ethical Considerations of Sovereignty and Humanitarian Aid

Ethics often play a prominent role in the decisions of NGOs to respect or break sovereignty, particularly when NGOs take on traditionally sovereign roles. For example, humanitarian organizations in Syria hold the power of life and death in their hands when they choose between providing much needed aid to Syrians under government-controlled areas versus those under rebel-held territory; decisions often left to sovereign institutions.<sup>121</sup> Prolonged humanitarian aid could corrode the political contract between a government and its people. Humanitarian NGOs begin to take de facto responsibility for the needs of the people, and in return the government relinquishes its social responsibilities.<sup>122</sup> Subsequently, the people begin to make demands on NGOs rather than the government.<sup>123</sup> As the politicization of aid has shown, when host governments can use humanitarian NGOs to meet their sovereign responsibilities, the state can focus its resources on violence instead.<sup>124</sup> NGOs have to take into account how cooperating with the state to deliver aid could make them complicit in state actions and prolong suffering. An example of this is when corrupt governments or rebel groups demand protection fees from NGOs which are then diverted to fund war-making.<sup>125</sup> Additionally, as is the case in Venezuela, NGOs have to consider the political significance of their actions to not inadvertently cause more violence.

Another ethical consideration is how paternalism affects NGO behavior when it comes to their forays into sovereign domains. The theory of paternalism embodies the idea that NGOs are acting in what they believe to be the best interest of the “paternalized” population despite

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<sup>121</sup> Martínez and Eng, “The Unintended Consequences of Emergency Food Aid.”

<sup>122</sup> Hugo Slim, *Humanitarian Ethics: A Guide to the Morality of Aid in War and Disaster* (Oxford, UNITED STATES: Oxford University Press, Incorporated, 2015), <http://ebookcentral.proquest.com/lib/washington/detail.action?docID=4454177>.

<sup>123</sup> Ibid.

<sup>124</sup> Reinoud Leenders and Kholoud Mansour, “Humanitarianism, State Sovereignty, and Authoritarian Regime Maintenance in the Syrian War,” *Political Science Quarterly* 133, no. 2 (2018): 225–57, <https://doi.org/10.1002/polq.12773>.

<sup>125</sup> Nadge Sheehan. *Economics of Un Peacekeeping*. Routledge, 2014.

the cost to their personal autonomy. “Implicit in the designation of “victims” [in humanitarian aid] is that they are in their situation not only because of circumstance but also because they lack the ability to make good decisions.”<sup>126</sup> This assumption is predicated on the same type of ethnocentrism which is at the core of humanitarianism.<sup>127</sup> However, if humanitarian aid workers are out of touch with the community they are trying to serve, possibly due to language barriers or lack of regional knowledge, they may not know how to best deliver aid.<sup>128</sup>

The Syrian conflict brought an influx of humanitarian NGOs into the region,<sup>129</sup> who then faced the ethical dilemma of whether to break Syrian sovereignty in order to satisfy humanitarian need, but at the expense of maintaining a positive relationship with the Syrian government. Juxtaposing NGO and UN actions in Syria reveals important tensions and implications for sovereignty in humanitarian aid. While the majority of NGOs chose to break sovereignty to deliver aid, the UN continued to respect it until the UNSC Resolution 2165 was passed, which provided a legal basis for bypassing the authority of the Syrian government.<sup>130</sup>

#### NGO Action in Syria

From the outset of the Syrian conflict, NGOs had to choose between respecting sovereignty and only delivering aid in government-held territories, or breaking it by delivering aid to rebel-held areas.<sup>131</sup> The Syrian government restricted humanitarian aid entering into rebel-held territories in spite of the need.<sup>132</sup> Many NGOs eventually decided to bypass

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<sup>126</sup> Michael Barnett. "The Humanitarian Act: How Humanitarian?" *International Social Science Journal* 65, no. 215-216 (February 10, 2017): 13-24. Accessed February 23, 2019. doi:10.1111/issj.12072.

<sup>127</sup> Barbara Harrell-Bond, *Imposing Aid: Emergency Assistance to Refugees*. Oxford: University Press, 1986.

<sup>128</sup> Barnett, *The Humanitarian Act: How Humanitarian?*

<sup>129</sup> Hugo Slim, and Lorenzo Trombetta. "Syria Crisis Common Context Analysis." United Nations Office for the Coordination of Humanitarian Affairs, May 2014. [https://interagencystandingcommittee.org/system/files/syria\\_crisis\\_common\\_context\\_analysis\\_june\\_2014.pdf](https://interagencystandingcommittee.org/system/files/syria_crisis_common_context_analysis_june_2014.pdf).

<sup>130</sup> "With Millions of Syrians in Need, Security Council Adopts Resolution 2165 (2014) Directing Relief Delivery through More Border Crossings, across Conflict Lines | Meetings Coverage and Press Releases." July 14, 2014. <https://www.un.org/press/en/2014/sc11473.doc.htm>.

<sup>131</sup> Kimberly Howe. "No End in Sight: A Case Study of Humanitarian Action and the Syrian Conflict." Feinstein International Center, Tufts University, January 2016. [http://fic.tufts.edu/assets/syria\\_case\\_study.pdf](http://fic.tufts.edu/assets/syria_case_study.pdf).

<sup>132</sup> "U.N. Urges Syrian Government to Stop Blocking Aid Deliveries," *Reuters*, May 27, 2016, <https://www.reuters.com/article/us-mideast-crisis-syria-un-idUSKCN0YI2JV>.

sovereignty because of the greater need present in rebel areas than government areas.<sup>133</sup> In rebel-held areas it is a struggle to get food, water, medicine, electricity, and other necessities even when receiving humanitarian aid. This, paired with government-led bombing campaigns, has made need much greater.<sup>134</sup> Mercy Corps was one of the few NGOs delivering aid with government consent from Damascus to other government-held regions. However, they were also delivering aid in northern rebel-held areas in violation of sovereignty.<sup>135</sup> In April 2014, the Syrian government ordered that Mercy Corps stop delivering humanitarian aid into non-government-controlled areas. Mercy Corps had to choose between shutting down operations in rebel-held areas or in Damascus and other government-held regions. Mercy Corps decided to abandon operations in Damascus in favor of supplying humanitarian aid to rebel-held areas<sup>136</sup> because humanitarian need was much greater in these regions. In 2014, Mercy Corps served around 1.7 million people in rebel-held areas versus 350,000 in government-held areas.<sup>137</sup> In this case, Mercy Corps and other NGOs chose to prioritize humanitarian need over sovereignty.

NGOs are also able to break sovereignty in Syria because the security risks of working in rebel-held territories are not so dangerous that NGOs need government cooperation. In rebel-held areas, NGOs were able to negotiate with rebel groups to secure humanitarian access.<sup>138</sup> Humanitarian NGOs operating cross-border in Turkey claimed that negotiations were possible because humanitarian aid was often how armed groups could garner support and demonstrate concern for populations under their control.<sup>139</sup> Relief Offices of Local Councils, bodies which operate in rebel-held areas, directly engage with NGOs to help identify local needs and distribute humanitarian aid.<sup>140</sup> However, the extent of coordination varies. While there are

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<sup>133</sup> “‘Death Everywhere:’ War Crimes and Human Rights Abuses in Aleppo.” Amnesty International, May 4, 2015. <https://www.amnestyusa.org/reports/death-everywhere-war-crimes-and-human-rights-abuses-in-aleppo/>.

<sup>134</sup> Ibid.

<sup>135</sup> “Closure of Mercy Corps’ Humanitarian Aid Operations in Damascus | Mercy Corps.” Mercy Corps, May 23, 2014. <https://www.mercycorps.org/articles/syria/closure-mercy-corps-humanitarian-aid-operations-damascus>.

<sup>136</sup> Ibid.

<sup>137</sup> Ibid.

<sup>138</sup> Kimberly Howe and Elizabeth Stites, “Partners under Pressure: Humanitarian Action for the Syria Crisis,” *Disasters* 43, no. 1 (2019): 3–23, <https://doi.org/10.1111/disa.12298>.

<sup>139</sup> Leenders and Mansour, “Humanitarianism, State Sovereignty, and Authoritarian Regime Maintenance in the Syrian War.”

<sup>140</sup> Howe, “No End in Sight.”

many occasions in which rebel groups may obstruct, manipulate, and seize humanitarian aid,<sup>141</sup> there has also been frequent communication with these groups which promoted aid worker security and enabled continued cross-border aid into Syria. Moreover, the ability to deliver humanitarian aid cross-border enabled NGOs to break sovereignty, particularly in the face of rising security concerns.<sup>142</sup> Mercy Corps had a base in Turkey where they were able to help refugees and send in teams to address humanitarian need in Syria.<sup>143</sup> NGOs like Mercy Corps are able to accomplish this because the neighboring states of Iraq, Turkey, and Jordan have been mostly supportive of implementing cross-border aid operations.<sup>144</sup>

Nonetheless, cross-border operations have their risks. In 2018, Syria was the most deadly place to be a humanitarian worker, with almost 42 aid workers killed since January of 2018.<sup>145</sup> The state has seen a 44% rise in violence against humanitarian aid workers compared to 2017, largely due to retaliation by the government and attacks on aid workers by armed groups.<sup>146</sup> To manage these risks, Mercy Corps found they could move supplies from Turkey into Syria using a well-implemented security plan. Portions of the security plan included using unmarked vehicles as well as codes and strategic communications to get aid in and people out.<sup>147</sup> Additionally, improvements in technology has allowed remote management of conflicts.<sup>148</sup> While remote management has some flaws, it has important benefits when engaging with armed groups and increases the safety and security of workers. It also allows NGOs to continue operating without government consent.

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<sup>141</sup> Leenders and Mansour, "Humanitarianism, State Sovereignty, and Authoritarian Regime Maintenance in the Syrian War."

<sup>142</sup> Howe and Stites, "Partners under Pressure."

<sup>143</sup> O'Neill, Interview: Mercy Corps and Humanitarian Aid.

<sup>144</sup> Slim and Trombetta, "Syria Crisis Common Context Analysis."

<sup>145</sup> "Syria Tops the List of Deadliest Places for Aid Workers for the Second Consecutive Year | Care International," accessed March 5, 2019, <https://www.care-international.org/news/press-releases/syria-tops-the-list-of-deadliest-places-for-aid-workers-for-the-second-consecutive-year>.

<sup>146</sup> Ibid.

<sup>147</sup> O'Neill, Interview: Mercy Corps and Humanitarian Aid.

<sup>148</sup> Howe and Stites, "Partners under Pressure."

## UN (in)Action in Syria

Though NGOs have provided more aid via cross-border operations into rebel-held areas than the UN has, UN agencies have been the largest source of humanitarian aid for the ten million Syrians still living in areas under government control.<sup>149</sup> While many NGOs in Syria have disregarded sovereignty in the name of humanitarian imperatives, the UN has chosen to abide by the sovereign's wishes in implementing humanitarian aid. Although the amount of aid the UN has provided might not be small, UN actions in Syria are an example of the risks of continuing to abide by the Syrian government's authority.<sup>150</sup>

In 2012 the Syrian government and the UN agreed that the Syrian Arab Red Crescent (SARC), a Syrian NGO whose leadership is appointed by Bashar al-Assad, would coordinate humanitarian aid in Syria.<sup>151</sup> Under SARC, the Syrian government forbid UN agencies from operating in rebel-held territories without permission. The UN is beholden to its charter which prevents it from breaking state sovereignty without a UNSC Resolution which has the potential to override it.<sup>152</sup> Thus, they complied with Syria's demands.<sup>153</sup> After the war began, vaccination campaigns ceased in rebel-held areas because the Assad regime prohibited the World Health Organization (WHO) from implementing programs in these areas. Elizabeth Hoff, head of WHO Syria claimed that, "WHO within a sovereign country has to accept the government's position."<sup>154</sup> In October 2013 when polio broke out in rebel-held territories, containment of these outbreaks was carried out by NGOs rather than the WHO.<sup>155</sup> The UN consistently abided by Syrian sovereignty and did not provide humanitarian aid to rebel-held territories until UNSC Resolution 2165 was passed in 2014.<sup>156</sup> This provided the legal basis for the UN to disregard

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<sup>149</sup> "Top UN Officials Urge Stronger Support for Syrians and Host Communities amid Escalating Violence," UN News, February 23, 2018, <https://news.un.org/en/story/2018/02/1003361>.

<sup>150</sup> Annie Sparrow, "Aiding Disaster," *Foreign Affairs*, February 1, 2016, <https://www.foreignaffairs.com/articles/syria/2016-02-01/aiding-disaster>.

<sup>151</sup> Yagub, "Collaboration between Government and Non-Governmental Organizations (NGOs)".

<sup>152</sup> "The Dilemma of Humanitarian Intervention," Council on Foreign Relations, accessed February 23, 2019, <https://www.cfr.org/backgroundunder/dilemma-humanitarian-intervention>.

<sup>153</sup> Slim and Trombetta, "Syria Crisis Common Context Analysis."

<sup>154</sup> Yagub, "Collaboration between Government and Non-Governmental Organizations (NGOs)".

<sup>155</sup> Ibid.

<sup>156</sup> "With Millions of Syrians in Need, Security Council Adopts Resolution 2165 (2014) Directing Relief Delivery through More Border Crossings, across Conflict Lines | Meetings Coverage and Press Releases."

Syrian sovereignty and begin implementing aid in rebel-held areas while also administering aid in government territories. However, this is a rare case because Russia and China often veto any measure that threatens state sovereignty.<sup>157</sup>

While UNSC Resolution 2165 enabled the UN to implement cross-border aid operations, it failed to increase UN aid to rebel-held areas from inside Syria itself.<sup>158</sup> UN agencies including the WHO, World Food Program (WFP), and United Nations High Commissioner for Refugees (UNHCR) have resisted calls from the US and other key powers to increase aid into rebel-held areas from Damascus. Some UN officials have expressed concern that doing this could undermine their ability to cooperate with the Syrian government and maintain access to populations under the government's control.<sup>159</sup> Despite having a legal basis to bypass sovereignty, UN agencies operating from Damascus have continued to respect the Syrian government. Even though the UN has more resources, its compliance with government authority limits its humanitarian aid operations.<sup>160</sup> From July to December of 2014, Mercy Corps sent 688 trucks with more than 17,000 metric tons of food, shelter, and winter supplies into Syria.<sup>161</sup> This was more than the total aid sent by all the UN's relief agencies combined.<sup>162</sup>

Continued UN cooperation with the Syrian government has allowed the regime to exercise significant control over the relief effort.<sup>163</sup> By quoting the UN General Assembly Resolution 46/182 in negotiations with the UN, the Syrian government was able to ensure that the state would be fully in control of humanitarian aid, and that the success of relief efforts would be contingent on respect for Syria's sovereignty.<sup>164</sup> The necessity of coordinating with

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<sup>157</sup> Slim and Trombetta, "The Dilemma of Humanitarian Intervention."

<sup>158</sup> Leenders and Mansour, "Humanitarianism, State Sovereignty, and Authoritarian Regime Maintenance in the Syrian War."

<sup>159</sup> Colum Lynch. "U.N.'s Fear of Angering Assad Leaves Gap in Syria Aid Effort." Foreign Policy (blog). Accessed February 24, 2019. <https://foreignpolicy.com/2014/12/30/u-n-s-fear-of-angering-assad-leaves-gap-in-syria-aid-effort/>.

<sup>160</sup> Ibid.

<sup>161</sup> Ibid.

<sup>162</sup> Ibid.

<sup>163</sup> Emma Beals and Nick Hopkins. "Aid Groups Suspend Cooperation with UN in Syria Because of Assad 'Influence.'" *The Guardian*, September 8, 2016, sec. World news.

<https://www.theguardian.com/world/2016/sep/08/aid-groups-un-syria-concern-assad-united-nations>.

<sup>164</sup> Leenders and Mansour, "Humanitarianism, State Sovereignty, and Authoritarian Regime Maintenance in the Syrian War."

SARC ensured UN humanitarian aid operations would have to be administered through government-accredited NGOs, which often had ties to pro-regime incumbents.<sup>165</sup> If local NGOs were thought to be operating against the agenda of the government in any way, the organization's management could be immediately dismissed by the Ministry of Social Affairs and replaced with those who would uphold the regime's interests.<sup>166</sup> Even with Syria's insistence that all relief be funneled through state apparatus,<sup>167</sup> UNOCHA continued to prioritize relationships with the government which was fueled by its desire to maintain operations in Damascus.<sup>168</sup> The UN's respect for sovereignty enabled the Syrian Regime's deprivation strategies and contributes to the ongoing humanitarian crisis.<sup>169</sup>

Moreover, the decision to comply with sovereignty can cost lives.<sup>170</sup> Of the \$1.7 billion allocated for UN operations based in Damascus, all was under government control and the majority was used to provide aid almost exclusively in government-held territory.<sup>171</sup> However, OFDA estimated that there were approximately 422,000 people trapped in besieged areas,<sup>172</sup> but only 27 percent of these populations received aid in 2017.<sup>173</sup> Working from Damascus, the UN was only able to reach 4% of civilians in besieged areas each month with health assistance, 0.6% with food assistance, and less than 0.1% with non-food aid.<sup>174</sup> In areas such as the Yarmouk Palestinian camp in Damascus and the old city of Homs which are rebel-held,<sup>175</sup> Syria was able employ its leverage over the UN to restrict access and use starvation and a lack of

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<sup>165</sup> Ibid.

<sup>166</sup> Ibid.

<sup>167</sup> Martin Chulov and Emma Beals. "Aid Group Mercy Corps Forced to Close Damascus Operations." *The Guardian*, May 23, 2014, sec. World news. <https://www.theguardian.com/world/2014/may/23/aid-group-mercy-corps-forced-to-close-damascus-operations-syria>.

<sup>168</sup> Annie Sparrow. "Aiding Disaster." *Foreign Affairs*, February 1, 2016.

<https://www.foreignaffairs.com/articles/syria/2016-02-01/aiding-disaster>.

<sup>169</sup> Leenders and Mansour, "Humanitarianism, State Sovereignty, and Authoritarian Regime Maintenance in the Syrian War."

<sup>170</sup> Sparrow, "Aiding Disaster."

<sup>171</sup> Ibid.

<sup>172</sup> "Annual Report for Fiscal Year 2015." Office of U.S. Foreign Disaster Assistance, 2015.

[https://scms.usaid.gov/sites/default/files/documents/1866/USAIDOFDA\\_AnnualReportFY15.pdf](https://scms.usaid.gov/sites/default/files/documents/1866/USAIDOFDA_AnnualReportFY15.pdf).

<sup>173</sup> Robert Ford and Mark Ward, "Assad's Syria Plays Dirty with US Humanitarian Aid," Text, *The Hill*, February 12, 2018, <https://thehill.com/opinion/national-security/373449-assads-syria-plays-dirty-with-us-humanitarian-aid>.

<sup>174</sup> Sparrow, "Aiding Disaster."

<sup>175</sup> Chulov and Beals, "Aid Group Mercy Corps Forced to Close Damascus Operations."

humanitarian assistance as a strategy to force rebel submission.<sup>176</sup> As long as the UN and NGOs choose to comply with Syria's sovereignty, there will be a prolonged or even worsened humanitarian crisis.

In addition to restricting access to rebel-held areas, compliance with Syria's claims of authority has allowed the government to set aside humanitarian obligations to its citizens, and instead use those funds to support other government activities.<sup>177</sup> Syria's ability to control the distribution of humanitarian aid has given the state access to leverage and resources that have been critical to the regime's resilience.<sup>178</sup> The UN may have participated in perpetuating the humanitarian crisis in Syria by taking over humanitarian operations in government-held territory. In doing so, it freed the Syrian government's own resources to fund politicians, troops, security forces, and allies, as well as pursue its military strategy of targeting attacks at civilians in rebel-held territories.<sup>179</sup>

The necessity for the UN and NGOs to restrict or doctor communications is another consequence of choosing to respect Syria's sovereignty. UN agencies such as UNOCHA have been unable to conduct needs assessments in both government-held and rebel-held territories due to lack of access, and mandatory chaperoning by the regime.<sup>180</sup> Additionally, local humanitarian NGOs and community-based organizations that could potentially gather necessary information are required by the regime to tone down reports, or refuse to share findings altogether for fear of being shut down.<sup>181</sup> When UN agencies and NGOs were permitted to publish reports, they were forced by the regime to limit the scope and urgency of humanitarian needs to project the image that the state was in control of the crisis.<sup>182</sup> UNOCHA

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<sup>176</sup> Françoise Bouchet-Saulnier. "Consent to Humanitarian Access: An Obligation Triggered by Territorial Control, Not States' Rights." *International Review of the Red Cross* 96, no. 893 (March 2014): 207–17. <https://doi.org/10.1017/S1816383115000041>.

<sup>177</sup> Sparrow, "Aiding Disaster."

<sup>178</sup> Leenders and Mansour, "Humanitarianism, State Sovereignty, and Authoritarian Regime Maintenance in the Syrian War."

<sup>179</sup> Sparrow, "Aiding Disaster."

<sup>180</sup> Leenders and Mansour, "Humanitarianism, State Sovereignty, and Authoritarian Regime Maintenance in the Syrian War."

<sup>181</sup> Beals and Hopkins, "Aid Groups Suspend Cooperation with UN in Syria Because of Assad 'Influence.'"

<sup>182</sup> Leenders and Mansour, "Humanitarianism, State Sovereignty, and Authoritarian Regime Maintenance in the Syrian War."

has also been complicit in doctoring data for publication, reporting in 2015 that in Syria there were 11 besieged areas with a combined affected population of 212,000.<sup>183</sup> However, the Syrian American Medical Society was able to conduct its own needs assessment without the consent of the government and identified an additional 38 besieged communities with an estimated 640,000 people affected.<sup>184</sup> Similarly, the Syrian government would not allow any discussion of Syria's tendency to restrict humanitarian access or other human rights violations in reports.<sup>185</sup> This has implications for the humanitarian principles of neutrality and humanity. The UN should consider this when deciding between violating sovereignty or respecting sovereignty as they could potentially be acting against humanitarian principles.

Continued UN and NGO compliance with Syrian national sovereignty may also have the consequence of reinforcing state claims to sovereignty both in Syria and in other conflicts. The regime can set a precedent that claims to sovereignty trump international intervention in humanitarian crises by asserting sovereignty as defined in UN Resolution 46/182 and forcing compliance of UN agencies and NGOs.<sup>186</sup> The situation in Syria demonstrated that control and appropriation of UN humanitarian relief flows allowed the regime to toughen its broader strategy to defend and even magnify its claims to sovereignty.<sup>187</sup> This is apparent in Syria's relative ease in ignoring UN resolutions 2139 and 2165 within its territory. Though Resolution 2139 was hailed as one of the first meaningful decisions made during the conflict, the Syrian government was not deterred and continued to hinder humanitarian access.<sup>188</sup> Due to Syria's lack of compliance with Resolution 2139, the UN passed Resolution 2165 which stipulated that formal approval for cross-border operations into Syria would no longer be necessary.<sup>189</sup> In spite of this, Resolution 2165 has done little to give NGOs and UN agencies working in areas under government control improved humanitarian access to rebel-held areas. The state viewed unauthorized operations into besieged areas as a breach of sovereignty and continued to take

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<sup>183</sup> Ibid.

<sup>184</sup> Ibid.

<sup>185</sup> Sparrow, "Aiding Disaster."

<sup>186</sup> Leenders and Mansour, "Humanitarianism, State Sovereignty, and Authoritarian Regime Maintenance in the Syrian War."

<sup>187</sup> Ibid.

<sup>188</sup> Chulov and Beals, "Aid Group Mercy Corps Forced to Close Damascus Operations."

<sup>189</sup> "Resolution 2165," accessed February 28, 2019, <http://unscr.com/en/resolutions/doc/2165>.

measures to obstruct deliveries from inside Syria to areas under opposition control.<sup>190</sup> For example, the Syrian government only permitted 55 UN-led convoys to cross lines into rebel-held areas in 2017, and was able to confiscate all medical supplies from 54 of them.<sup>191</sup> When measures to restrict aid flows were not enough to deter humanitarian aid operations, the regime resorted to intimidation and violent retaliation toward humanitarian NGOs.<sup>192</sup> As is clear from the Syrian government's ability to hinder the provision of humanitarian aid despite Resolutions 2139 and 2165, there was no enforcement mechanism in those resolutions. In fact, continued UN and NGO compliance with the state, even after these violations, set the precedent that not even Security Council resolutions can detract from a state's ability to claim sovereignty in order to restrict humanitarian access.<sup>193</sup>

The humanitarian crisis in Syria demonstrated the varying ways NGOs and the UN handle dilemmas raised by sovereignty. By examining another case in Darfur, more complications to the sovereignty issue become clear. In contrast to Syria, many NGOs operating in Sudan chose to abide by state sovereignty<sup>194</sup> because it was often the most effective way to provide humanitarian aid.<sup>195</sup> Furthermore, safety concerns for workers and the difficulty of carrying out cross-border operations often prompted humanitarian NGOs to follow government regulations.

### The Case of Darfur

NGOs in Darfur were limited in their ability to break sovereignty due to the difficulty of conducting cross-border aid operations and the incapacity of local NGOs to facilitate the distribution of humanitarian aid. Unlike the situation in Syria, the geographic, security, and

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<sup>190</sup> Leenders and Mansour, "Humanitarianism, State Sovereignty, and Authoritarian Regime Maintenance in the Syrian War."

<sup>191</sup> Ford and Ward, "Assad's Syria Plays Dirty with US Humanitarian Aid."

<sup>192</sup> Leenders and Mansour, "Humanitarianism, State Sovereignty, and Authoritarian Regime Maintenance in the Syrian War."

<sup>193</sup> Ibid.

<sup>194</sup> Yagub, "Collaboration between Government and Non-Governmental Organizations (NGOs)."

<sup>195</sup> "Darfur: Humanitarian Aid under Siege." Human Rights Watch, May 2006.  
<https://www.hrw.org/legacy/backgrounder/africa/sudan0506/darfur0506.pdf>.

political situations in Sudan and neighboring countries tended to complicate the provision of humanitarian aid into the country through cross-border operations.<sup>196</sup>

Before the secession of South Sudan in 2011, Sudan was the largest country in Africa, covering 2,505,813 square kilometers and represented more than 8% of Africa's total area.<sup>197</sup> Even after 2011, Sudan covers 1,861,484 square kilometers<sup>198</sup> which is more than 10 times the size of Syria.<sup>199</sup> While the relatively small size of Syria contributed to NGOs' ability to conduct cross-border operations, NGOs operating in Sudan had to consider the necessity of travelling greater distances through likely dangerous territory to reach populations in need.<sup>200</sup> Many regions in Sudan were only accessible by airdrop during the rainy season due to impassable roads and poor infrastructure, making cross-border operations even more difficult.<sup>201</sup>

Additionally, Sudan shares a border with Chad to the West, Libya to the North East, Egypt to the North, Eritrea and Ethiopia to the East, and South Sudan to the South, and the Central African Republic to the South West.<sup>202</sup> In order to conduct cross-border operations, NGOs often had to contend with difficult political and security situations in these neighboring countries.<sup>203</sup> For example, in 2005 many NGOs were forced to suspend operations into Darfur from the Sudan-Chad border due to increased violence.<sup>204</sup> The government-backed Janjaweed and other militias frequently raided these areas and were known to attack humanitarian aid convoys.<sup>205</sup> Some NGOs had suggested cross-border aid operations from South Sudan to Sudan

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<sup>196</sup> Irina Mosel and Ashley Jackson, *Talking to the Other Side: Humanitarian Negotiations in Southern Kordofan and Blue Nile, Sudan* (Humanitarian Policy Group, 2013), <https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/8591.pdf>.

<sup>197</sup> "Sudan | History - Geography," Encyclopedia Britannica, accessed March 3, 2019, <https://www.britannica.com/place/Sudan>.

<sup>198</sup> "Africa :: Sudan — The World Factbook - Central Intelligence Agency," accessed March 4, 2019, <https://www.cia.gov/library/publications/the-world-factbook/geos/su.html>.

<sup>199</sup> "Middle East :: Syria — The World Factbook - Central Intelligence Agency," accessed March 3, 2019, <https://www.cia.gov/library/publications/the-world-factbook/geos/sy.html>.

<sup>200</sup> S. D. Taylor-Robinson, "Operation Lifeline Sudan," *Journal of Medical Ethics* 28, no. 1 (February 1, 2002): 49–51, <https://doi.org/10.1136/jme.28.1.49>.

<sup>201</sup> Ibid.

<sup>202</sup> "Sudan Humanitarian Work Plan 2012 Final Monitoring Report - Sudan | ReliefWeb," accessed March 3, 2019, <https://reliefweb.int/report/sudan/sudan-humanitarian-work-plan-2012-final-monitoring-report>.

<sup>203</sup> "Country of Origin Information Report Sudan April 2010," 2010, 231.

<sup>204</sup> "Darfur Bleeds: Recent Cross-Border Violence in Chad : Humanitarian Consequences in Chad of Cross-Border Violence," accessed February 23, 2019, <https://www.hrw.org/legacy/backgrounder/africa/chad0206/5.htm>.

<sup>205</sup> Ibid.

instead, but until very recently, the inability for the government of Sudan and the Sudan People's Liberation Movement (SPLM) to come to an agreement on humanitarian access made operations from this border dangerous and often impossible.<sup>206</sup> Further complicating matters, donors viewed cross-border operations in Sudan as unfavorable compared to those in Syria or Libya because they were hesitant to fund cross-border operations without support from the UN.<sup>207</sup> Cash transfers and other forms of technologically-supported remote humanitarian aid operations have been identified as potential solutions, but even these methods have limitations in reaching besieged areas of Sudan.<sup>208</sup>

Though some NGOs managed to conduct small-scale cross-border operations,<sup>209</sup> they also had to account for the issue that Sudanese humanitarian NGOs operating within government-held and opposition-held territories alike lacked the capacity to facilitate the distribution of aid.<sup>210</sup> Before being expelled from Sudan, NGOs such as the IRC, Oxfam, and MSF were necessary to supplement the ability of local NGOs to administer humanitarian aid. International humanitarian NGOs provided more than 70% of humanitarian aid in the country, and were major actors in coordinating aid efforts.<sup>211</sup> Most local NGOs were unable to take on the large, diverse, and technical projects left behind by these NGOs, and UN agencies were only able to cover 20-30% of the gap.<sup>212</sup> A small number of local NGOs did have the capacity to assist in cross-border operations into rebel-held territory but were fearful to do so because of the regime threatening to shut down their other operations.<sup>213</sup> The result of this was a worsened humanitarian crisis in which NGOs had little access to the estimated 790,000 people trapped in the Blue Nile and Kordofan regions alone, and were also unable to provide support to affected

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<sup>206</sup> Mosel and Jackson, *Talking to the Other Side*.

<sup>207</sup> Ibid.

<sup>208</sup> "The State of the World's Cash Report: Cash Transfer Programming in Humanitarian Aid - World," ReliefWeb, accessed February 15, 2019, <https://reliefweb.int/report/world/state-world-s-cash-report-cash-transfer-programming-humanitarian-aid>.

<sup>209</sup> Martin Plaut, "1m Sudanese Trapped in Dire Need beyond Reach of Aid Agencies," *The Guardian*, February 11, 2013, sec. Global development, <https://www.theguardian.com/global-development/2013/feb/11/sudanese-trapped-beyond-aid-agencies>.

<sup>210</sup> Sara Pantuliano, Susanne Jaspars, and Deepayan Basu Ray, "Where to Now? Agency Expulsions in Sudan: Consequences and Next Steps" (Overseas Development Institute, March 2009).

<sup>211</sup> Ibid.

<sup>212</sup> Ibid.

<sup>213</sup> Mosel and Jackson, *Talking to the Other Side*.

populations in government-held territory.<sup>214</sup> The dilemma demonstrates the difficult decision NGOs operating in Sudan had to make. They could either choose to operate under the authority of the government at risk of forfeiting the principle of impartiality or choose to break sovereignty and face the difficulty of operating through other means.

NGOs administering aid in Darfur were restricted in their options<sup>215</sup> and were pressured to respect the sovereignty of the Sudanese government in order to continue their aid operations. The government of Sudan was a major party to the violence in Darfur, and generally viewed humanitarian aid as a threat.<sup>216</sup> The government controlled and regulated most of the aid brought into Darfur.<sup>217</sup> For example, at the beginning of the conflict in 2003, two million people were pushed into overcrowded aid camps, and NGOs were only permitted to supply aid on terms laid down by the regime.<sup>218</sup> Similar to the government in South Sudan discussed in the previous chapter, the Sudanese government had a number of strategies it used to inhibit the abilities of NGOs to administer aid. These included flight bans or denials, delays in the processing of travel permits, unnecessary and often arbitrary procedures for importing and transporting relief materials, and limitations on numbers of staff. Moreover, international and Sudanese NGO staff were frequently detained by Sudanese security officials on specious grounds.<sup>219</sup> Often these incidents targeted at NGOs that provided aid to and/or advocated for civilians displaced by the Darfur conflict and ethnic cleansing,<sup>220</sup> showing one of the overlapping dilemmas of sovereignty and the politicization of aid.

The Sudanese government was also described by various humanitarian workers as rigorous in its surveillance of NGO activities.<sup>221</sup> The government employed these restrictive tactics because they were both wary of NGOs potentially enabling the opposition and, in the

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<sup>214</sup> Ibid.

<sup>215</sup> K. M. Bridges. "Between Aid and Politics: Diagnosing the Challenge of Humanitarian Advocacy in Politically Complex Environments—the Case of Darfur, Sudan." *Third World Quarterly* 31, no. 8 (December 2010): 1251–69. <https://doi.org/10.1080/01436597.2010.541084>.

<sup>216</sup> Ibid.

<sup>217</sup> Polman, *The Crisis Caravan*.

<sup>218</sup> Ibid.

<sup>219</sup> "Darfur: Humanitarian Aid under Siege: Background."

<sup>220</sup> Ibid.

<sup>221</sup> Bridges, "Between Aid and Politics."

case of Western NGOs, feared they were following an agenda which served their country of origin.<sup>222</sup> Many NGOs were forced to coordinate with the government in order to more effectively administer aid.<sup>223</sup> Failure to comply with government regulations meant ceasing of operations. The Norwegian Refugee Council (NRC), was forced to close down their operations in 2006 after a two-month suspension by the Sudanese government.<sup>224</sup> The NRC was one of the major organizations working in Kalma Camp, a prominent internally displaced persons (IDP) camp within Darfur and a main source of contention between the government and NGOs.<sup>225</sup> In Sudan, the decision was not whether to break or respect sovereignty, but whether to compromise with the government by restricting operations, or suspending operations entirely.<sup>226</sup>

The safety and security risks in Sudan similarly pushed NGOs into abiding by the wishes of the government. Safety concerns often prevented NGOs from reaching rebel-held areas. Since the start of the conflict in 2003, rebel groups have splintered, leading to a myriad of new and undisciplined groups, which greatly threatened the security of staff.<sup>227</sup> Safety issues combined with the threat of being expelled often limited NGOs to working within government-held territories. However, the situation in government-held regions was also dangerous. In 2009, the International Criminal Court (ICC) indicted Sudan's president Omar al-Bashir for war crimes and crimes against humanity. Immediately afterwards, Bashir expelled thirteen NGOs from Sudan, which collectively employed around 40% of all humanitarian staff in Darfur.<sup>228</sup> Before these events, no foreign humanitarian aid workers had been kidnapped, but afterwards

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<sup>222</sup> Ibid.

<sup>223</sup> Yagub, "Collaboration between Government and Non-Governmental Organizations".

<sup>224</sup> "Sudan: Norwegian Refugee Council Closing down - Deep Regrets for Leaving Darfur - Sudan," ReliefWeb, accessed February 15, 2019, <https://reliefweb.int/report/sudan/sudan-norwegian-refugee-council-closing-down-deep-regrets-leaving-darfur>.

<sup>225</sup> Karoline R. Eckroth, "Humanitarian Principles and Protection Dilemmas: Addressing the Security Situation of Aid Workers in Darfur," *Journal of International Peacekeeping* 14, no. 1–2 (March 25, 2010): 86–116, <https://doi.org/10.1163/187541110X12592205205694>.

<sup>226</sup> Slim, *Humanitarian Ethics*.

<sup>227</sup> Yagub and Mtshali, "The Role of Non-Governmental Organizations in Providing Curative Health Services in North Darfur State, Sudan."

<sup>228</sup> Ibid.

several kidnappings took place,<sup>229</sup> including that of five MSF Belgium staff by militia.<sup>230</sup> While the government of Sudan ensured the release of the staff, the Sudanese militia were often government-backed.<sup>231</sup> Moreover, the government used anti-foreigner rhetoric, claiming that NGOs were complicit in the ICC's actions.<sup>232</sup> The numerous instances of negative propaganda surrounding humanitarian organizations could have affected local perceptions of NGOs.<sup>233</sup> These factors created an antagonistic situation in Sudan. One NGO stated that they would not feel comfortable in that situation even if they were allowed back.<sup>234</sup> Due in part to these raised security concerns, the expelled NGOs suspended their operations entirely rather than breaking sovereignty and delivering aid using alternative methods.

The UN in Darfur

Consistent with the situation in Syria, the UN continued to comply with the government of Sudan and its tactics to control and divert humanitarian aid. Originally, UN agencies such as the WPF remained adamant that they would not provide aid to areas under the government's control until humanitarian access was granted to regions controlled by the opposition. Ultimately, they decided to meet needs in government territory.<sup>235</sup> The UN and NGOs operating in Sudan complied with government demands, but were unable to verify needs or areas where assistance should be provided at the risk of being shut down.<sup>236</sup> Due to this, the UN was seen as an unneutral party to the conflict by the SPLM, and was considered irrelevant and incapable of responding to the crisis in besieged areas.<sup>237</sup> This perception affected the ability for NGOs to gain access to rebel-held territories, since the UN was unwilling and unable to effectively

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<sup>229</sup> Melissa T. Labonte and Anne C Edgerton, "Towards a Typology of Humanitarian Access Denial," *Third World Quarterly* 34, no. 1 (February 2013): 39–57, <https://doi.org/10.1080/01436597.2012.755015>.

<sup>230</sup> Wairagala Wakabi. "Aid Expulsions Leave Huge Gap in Darfur's Health Services." *The Lancet*, March 29, 2009. [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(09\)60633-4/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(09)60633-4/fulltext).

<sup>231</sup> "Darfur in Flames: Atrocities in Western Sudan: ABUSES IN DARFUR BY GOVERNMENT FORCES," accessed February 15, 2019, [https://www.hrw.org/reports/2004/sudan0404/4.htm#\\_ftn40](https://www.hrw.org/reports/2004/sudan0404/4.htm#_ftn40).

<sup>232</sup> Eckroth, "Humanitarian Principles and Protection Dilemmas."

<sup>233</sup> Ibid.

<sup>234</sup> Wakabi, "Aid Expulsions Leave Huge Gap."

<sup>235</sup> Mosel and Jackson, *Talking to the Other Side*.

<sup>236</sup> Ibid.

<sup>237</sup> Ibid.

negotiate with the Sudanese government and the SPLM.<sup>238</sup> For this reason, NGOs accused the UN of prioritizing agency access while neglecting NGOs and the humanitarian principle of impartiality.<sup>239</sup> As NGOs find the precarious balance between need and risk when navigating the dilemma of sovereignty, they must give further consideration to another important factor in the decision to stay or leave: armed groups.

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<sup>238</sup> Ibid.

<sup>239</sup> Ibid.



## Challenge 3: Engaging with Armed Groups

By Azelle Bahadory, Mia Bodell, and Aaron Long

Armed groups and humanitarian NGOs have a complicated relationship when interacting in complex emergencies. Sometimes, NGOs must pay an armed group to enter the region in which humanitarian aid must be conducted. Additionally, while military capabilities can lend logistical assistance to humanitarian NGOs during natural disasters, military presence can endanger aid workers on the ground in combat zones by blurring perceptions of impartiality. The dangers incurred by this will be assessed more closely in the following chapter. The complex relationships of armed groups and their integration with local communities is also important. An understanding of the power networks within these groups is often necessary for humanitarian NGOs to negotiate access to territory. Different outcomes can occur when NGOs take on operations with the backing of friendly militaries. Case studies from Somalia, Afghanistan, Haiti, and Indonesia demonstrates the spectrum of NGO engagement with state and non-state armed groups.

### Introducing Armed Groups

Non-state and state-backed armed groups are an obstacle to NGOs' ability to deliver humanitarian aid effectively. In 2007, UNOCHA provided an updated definition of an armed group, designating them as "groups that have the potential to employ arms in the use of force to achieve political, ideological or economic armed groups."<sup>240</sup> Non-state groups fall under this criteria, but are "not within the formal military structure of States, State alliances or intergovernmental organizations and are not under control of the State(s) in which they operate."<sup>241</sup> The updated definition provides further clarity on the increasingly active quasi-state functions of non-state armed groups such as the Taliban in Afghanistan and the Islamic State of Iraq and Syria (ISIS).

From the perspective of armed groups, many feel that humanitarian aid and workers have a political agenda. A 2017 NPR study spoke to various members of armed groups –

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<sup>240</sup> Gerard McHugh and Manuel Bessler. *Humanitarian Negotiations With Armed Groups - A Manual for Practitioners*. UNOCHA, 2006. p. 87.

<sup>241</sup> Ibid.

including those from Al-Shabaab and the Taliban—and their quotes offer important insights. Their opinions are consistent with the belief that NGOs use compassion as a disguise for the purpose of “spying, measuring the land and reconnaissance.”<sup>242</sup> This alleged veil of benevolence goes further, for some armed groups deem humanitarian aid a way to humiliate and suppress the people in the crisis country. “...They bring is expired food and they bring sack of maize from America to undercut the Somali production, to cheat and humiliate our people. The purpose is to make the Somalis people who can do nothing for themselves,” said a member of Al-Shabaab—a jihadist fundamentalist group based in East Africa.<sup>243</sup>

These armed groups are also convinced that humanitarian aid provided by NGOs is used as a way to enforce Western ideology while undermining Islam, making it an ideological debate that must be counteracted through further force.<sup>244</sup> As such, armed groups believe that it is “legitimate to use force against the groups if they are non-Muslims and doing things against Islam, against our culture, against our people, against our religion..., in fact this is our duty to use it.”<sup>245</sup> As their views become clear, so do the rising statistics of in-region violence performed by armed groups when a humanitarian crisis occurs. The NPR study notes that between the years 2011 and 2016 alone, armed groups were responsible for 73% of the 1,083 aid worker attacks recorded.<sup>246</sup> They frequently instigate conflict, form cross-border coalitions, and seize and control wide swaths of territory.<sup>247</sup> Humanitarian NGOs engage with armed groups because armed groups often have the power to block or facilitate humanitarian action and can choose to target or tolerate the work of humanitarian actors.

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<sup>242</sup>Malaka Gharib. “In Their Own Words: Why Armed Fighters Attack Aid Workers.” *NPR*, NPR, 14 Sept. 2017, [www.npr.org/sections/goatsandsoda/2017/09/14/550944946/in-their-own-words-why-armed-fighters-attack-aid-workers](http://www.npr.org/sections/goatsandsoda/2017/09/14/550944946/in-their-own-words-why-armed-fighters-attack-aid-workers).

<sup>243</sup> Ibid.

<sup>244</sup> Ibid.

<sup>245</sup> Ibid.

<sup>246</sup> Ibid.

<sup>247</sup> Kenneth R. Rosen. “There's Been a Global Increase in Armed Groups. Can They Be Restrained?” *The New York Times*, The New York Times, 18 June 2018, [www.nytimes.com/2018/06/18/magazine/armed-groups-increase-sudan-icrc.html](http://www.nytimes.com/2018/06/18/magazine/armed-groups-increase-sudan-icrc.html).

## How Armed Groups Affect Delivery of Humanitarian Aid

When the UN provided humanitarian aid to citizens during the Bosnian War in 1992, they were ridiculed by both Bosnians and humanitarian aid workers alike.<sup>248</sup> One Bosnian account states, “We need arms to defend ourselves. Your food aid and medicines only allow us to die in good health.”<sup>249</sup> NGO staff echoed the sentiment, referring to their work as “passing out sandwiches at the gates of Auschwitz.”<sup>250</sup> State and non-state armed groups can inhibit the administration of humanitarian aid by inflicting violence on the community to counteract the distribution of humanitarian aid due to competing ideals, as discussed previously.<sup>251</sup> Their in-region influence on humanitarian assistance takes many forms, and can prolong in-region conflict, which is counterproductive to NGOs’ humanitarian missions. In cases where there is a risk of armed groups perpetuating the conditions that gave cause for aid to be provided in the first place, NGOs have the opportunity to use their leverage as the primary providers of humanitarian aid to limit the influence of armed groups as it pertains to aid.

Developments in recent decades have compounded the difficulty of decision-making for humanitarian NGOs facing armed groups. The material support legislation of 1996 made it a felony to provide any aid or support to terrorists and in 2004 experienced large overhauls which expanded its definitions of terrorists, and therefore its influence.<sup>252</sup> This impairs the ability of NGOs to negotiate with armed groups when they need access in non-permissible environments to deliver aid.<sup>253</sup> Moreover, after 9/11, NGOs did not seem to realize that they were made into quasi representatives of the US to further relations abroad.<sup>254</sup> In 2012, the USAID enacted a partner vetting system that obligates NGOs to provide information on their staff and affiliates for risk-based assessments.<sup>255</sup> The purpose is to increase accountability and ensure that aid is

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<sup>248</sup> Polman, *The Crisis Caravan*, 96.

<sup>249</sup> Ibid.

<sup>250</sup> Ibid.

<sup>251</sup> Laia Balcells. *Rivalry and Revenge: the Politics of Violence during Civil War*. Cambridge University Press, 2017, p. 30.

<sup>252</sup> Elizabeth Ferris, “9/11 and Humanitarian Assistance: A Disturbing Legacy,” Brookings (blog), September 1, 2011, <https://www.brookings.edu/blog/up-front/2011/09/01/911-and-humanitarian-assistance-a-disturbing-legacy/>.

<sup>253</sup> Ibid.

<sup>254</sup> Polman, “Afghaniscam,” 140.

<sup>255</sup> “USAID/State Partner Vetting System Pilot Program,” March 17, 2016, <https://www.usaid.gov/work-usaid/partner-vetting-system>.

not redirected to unintended recipients. However, it also place risk on local staff and affiliates who might not so easily disclose their identities. This USAID system might further compromise the ability of NGOs to work independently from their donor's agenda.<sup>256</sup>

In addition to these issues, the rivalry between NGOs over funding creates a competition that can further complicate NGO roles in complex emergencies. The steady rise in competition between NGOs in regions where humanitarian aid is needed creates a "free market" of aid that can lessen the ability of humanitarian NGOs to maintain solidarity and leverage.<sup>257</sup> For example, the 1994 humanitarian crisis with Rwandan refugees in Goma drew a response of eight UN agencies, three branches of the Red Cross, military troops from eight countries, and over 250 international humanitarian NGOs.<sup>258</sup> The humanitarian crisis led to greater competition for funding and access to recipients in need, further worsening accountability for misdirected or misused aid.<sup>259</sup> If armed groups have the ability to ignore the demands of one NGO and turn to other NGOs competing for access to a region, individual NGOs lose most of their leverage and run the risk of pandering to armed groups. Linda Polman asserts that preventive policies against the excessive siphoning of aid could be enforced "if one NGO held a monopoly in a given district, village or country."<sup>260</sup> Put simply, maintaining the leverage to threaten to walk away from violated agreements, if armed groups abuse the aid or prevent aid objectives from being reached, is at the core of a successful negotiation strategy.

One way that humanitarian NGOs may inadvertently contribute to armed group influence is by trading a portion of aid supplies for access to the areas in need. Polman describes her experience observing humanitarian NGOs operating in territories controlled by armed groups: "No access to war zones without payment, whatever form it may take. Especially if you're a humanitarian."<sup>261</sup> Polman notes that the areas lie outside of the realm of accountability, and the authorities who control them have no regard for international law.<sup>262</sup>

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<sup>256</sup> Ferris, "9/11 and Humanitarian Assistance."

<sup>257</sup> Polman, *The Crisis Caravan*, 103.

<sup>258</sup> Fiona Terry. *Condemned to Repeat?: The Paradox of Humanitarian Action*. ITHACA; LONDON: Cornell University Press, 2002, p. 15.

<sup>259</sup> Polman, *The Crisis Caravan*, 104.

<sup>260</sup> *Ibid.*, 103.

<sup>261</sup> *Ibid.*

<sup>262</sup> *Ibid.*

Various tactics used by armed groups include taxes on roads and airports, exorbitant fees, or requiring permits for cars and trucks.<sup>263</sup> Often, armed groups in such regions are comprised of “local war elites” and their relatives. The case of Somalia help illustrate the interactions NGOs have with armed groups, local war elites, and the bribery that has become a part of delivering aid.

The Somali Civil War initially grew out of resistance to the military junta led by Said Barre during the 1990s and continues to this day as differing clan-based armed groups emerge and struggle for regional dominance.<sup>264</sup> Of particular importance are the profits Mogadishu, the capital, was generating from the presence of the United Task Force (UNITAF) and United Nations Operation in Somalia II (UNOSOM II). “In the UNOSOM period, rented houses cost \$10-\$12,000 a month, an additional \$2,000 were paid per month for each security guard. An armed car, a so-called ‘technical’ cost \$300 per day.”<sup>265</sup> At least 100 houses were rented by the UN and approximately 380 ‘technical’ were used by UN agencies and NGOs every day during their stay in Mogadishu.<sup>266</sup> At this rate, Somali warlords were making copious amounts of money. On top of that, humanitarian NGOs were subjected to additional duties and fees on planes and cargo because Somali militia leaders and warlords needed more money and resources to enhance their regional power.<sup>267</sup> The more money they had, the more they could pay their personal militia, recruit more soldiers, and bribe local clan leaders into loyalty. Therefore, NGOs and other humanitarian agencies risked prolonging conflict in the region because their presence generated profits used to continue violence. Local Somali services were also harmed because the population found it harder to create their own monetary earnings as Somali warlords were receiving revenue from NGOs, leading to further economic problems in the region.<sup>268</sup>

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<sup>263</sup> Ibid., 100.

<sup>264</sup> Stig J Hansen. “Warlords and Peace Strategies: The Case of Somalia.” *Journal of Conflict Studies*, 2003, journals.lib.unb.ca/index.php/jcs/article/view/217/375.

<sup>265</sup> Ibid.

<sup>266</sup> Ibid.

<sup>267</sup> Ibid.

<sup>268</sup> Ibid.

## Armed Groups in IDP and Refugee Camps

An important strategy used by armed groups is the exploitation of humanitarian aid being provided to internally displaced persons and in-region refugees. The concept of “refugee warriors” can help convey how non-state armed groups disturb and impact the delivery of humanitarian aid and its principles within refugee and IDP camps. Refugee warriors are defined as fighters within an armed group who conceal themselves among displaced civilians in refugee camps<sup>269</sup> “for a political objective, be it to recapture the homeland, change the regime, or secure a separate state.”<sup>270</sup> The UNHCR has received blame for this issue multiple times throughout international humanitarian crises for their lack of providing physical security for the camps.<sup>271</sup> Approximately 15% - 20% of those living within refugee camps worldwide are estimated to be refugee warriors because humanitarian NGOs and UN agencies having neither the power nor the resources to prevent such abuse.<sup>272</sup>

Refugee warriors supposedly first surfaced during the Arab-Israeli War of 1948-1949 after the United Nations Relief and Works Agency (UNRWA) provided relief to hundreds of thousands of Palestinian refugees in what used to be known as Palestine.<sup>273</sup> Refugee warriors were also seen in later crises. For example, the Khmer Rouge in Cambodia was notorious for raiding the resources found in regional camps, and the Tutsis were refugees who, after years of being displaced, came back and commenced the civil war in Rwanda.<sup>274</sup> As such, the creation of refugee warriors within armed groups seem to pose a problem to international humanitarian assistance because the shelter and resources specifically offered to displaced civilians could go towards the opposition to prolong their resilience.

Armed groups utilize different strategies to take advantage of camps, including: military attacks or raids, violence and intimidation, and the breakdown of law and order within

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<sup>269</sup> Linda Polman, “Refugee Warriors.” In *The Crisis Caravan: What’s Wrong with Humanitarian Aid?*, translated by Liz Waters, 1st U.S. ed., 106–13. New York: Metropolitan Books, 2010.

<sup>270</sup> Reinoud Leenders. “Refugee Warriors or War Refugees? Iraqi Refugees’ Predicament in Syria, Jordan and Lebanon.” *Mediterranean Politics*, vol. 14, no. 3, 2007, pp. 343–363.

<sup>271</sup> Karen Jacobsen. “A ‘Safety-First’ Approach to Physical Protection in Refugee Camps.” *Massachusetts Institute of Technology*, May 1999, [www.mit.edu/~cis/migration/pubs/rrwp/4\\_safety.html](http://www.mit.edu/~cis/migration/pubs/rrwp/4_safety.html).

<sup>272</sup> Stephen John Stedman and Fred Tanner. “Refugees as Resources in War.” Brookings, 2016.

[https://www.brookings.edu/wp-content/uploads/2016/07/refugeemanipulation\\_chapter.pdf](https://www.brookings.edu/wp-content/uploads/2016/07/refugeemanipulation_chapter.pdf). p. 3

<sup>273</sup> Leenders, “Refugee Warriors or War Refugees.”

<sup>274</sup> Ibid.

camps.<sup>275</sup> However, NGOs and other humanitarian actors have evolved over time to make this less of an issue through creating a “ladder of options”: securing camps and implementing physical protection.<sup>276</sup> Examples of this include the demobilization of combatants who enter the area, the screening of all those entering the camp, maintaining a non-militarized ethic of camps, locating camps within a safe distance from the conflict zone, and establishing serious law and order within camps.<sup>277</sup> Improvements in security technology has also lessen this issue, as Mercy Corps has done in their Syrian camps using digital identity technology.<sup>278</sup> Often times, NGOs collaborate with the host country government’s military to provide physical protection, creating a beneficial relationship between NGOs and state armed groups.<sup>279</sup> In this context, the consideration and administration of humanitarian aid regarding armed groups has matured over time so that armed groups do not have as much accessibility to the material support and human capital from refugee and IDP camps.

#### How NGOs Engage with State and Non-State Armed Groups

Two major considerations arise when considering the relationship between NGOs and armed groups: 1) NGO methods of mediation with non-state armed groups, and, 2) NGO coordination with the state armed-groups, like the US Military. A practitioner’s manual published in 2014 by Switzerland’s Federal Department of Foreign Affairs offers a framework.<sup>280</sup> The suggested factors for consideration falls across various levels of the interplay of internal factors, external factors, enabling factors and constraining factors (see Appendix: Figure 1).<sup>281</sup> The case of delivering aid into Taliban territory demonstrates how this framework can apply practically to NGO operations.

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<sup>275</sup> Jacobsen, “A ‘Safety-First’ Approach.”

<sup>276</sup> Ibid.

<sup>277</sup> Ibid.

<sup>278</sup> Scott Latta. “How Can Technology Transform the Refugee Crisis?” *Mercy Corps*, 4 June 2018, [www.mercycorps.org/articles/syria/how-can-technology-transform-refugee-crisis](http://www.mercycorps.org/articles/syria/how-can-technology-transform-refugee-crisis).

<sup>279</sup> Jacobsen, “A ‘Safety-First’ Approach.”

<sup>280</sup> FDFA. “Humanitarian Access in Situations of Armed Conflict – Practitioner’s Manual.” Version 2. FDFA, 2014, p. 56.

<sup>281</sup> Ibid.

NGOs have used their understanding of structures of provincial authority in Afghanistan to deliver aid into hard-to-access areas.<sup>282</sup> NGOs like Mercy Corps employ a method called “relationship mapping” (see Appendix: Figure 2) as outlined in the 2014 Humanitarian Field Guide.<sup>283</sup> The benefits of this strategy also extend to the safety of humanitarian aid workers. In relation to engaging with armed groups, this strategy encourages NGOs to share their knowledge to develop a comprehensive understanding of local community webs of influence. Which can then be used to collectively benefit any NGOs working in the area. According to Mark Ward, the former director of OFDA, members of armed groups are often also part of the communities they threaten to bar NGO access to.<sup>284</sup> For example, in areas of Syria such as Deir Ezzour, Raga’a, and Hasakeh, local communities are key to negotiations because armed groups have acknowledged tribal politics as an important factor in maintaining their authority.<sup>285</sup> Since it is in the interest of militias to keep their local communities happy, NGOs have the option to leverage that connection rather than accepting the practice of paying access taxes or fees. NGOs may also consider that local communities have the power to enforce accountability over armed groups when aid is diverted or blocked.<sup>286</sup> Communication through local networks is key to ensuring that attempted diversion of aid by armed groups does not go unreported.<sup>287</sup>

#### NGOs and State-Backed Armed Groups

While coordination with militaries can be useful in aiding with delivering aid during natural disasters due to their expansive resources and advanced technologies, NGOs prefer to pursue their missions without interference from military groups.<sup>288</sup> Cooperation with state-backed militaries comes with added layers of complication that can hamper humanitarian efforts in complex emergencies. State-backed militaries often have ulterior motives for their

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<sup>282</sup> MercyCorps. *Guide to Community Mobilization Programming*. MercyCorps. 2009. PDF, p. 32.

<sup>283</sup> FDFA, Humanitarian Access in Situations of Armed Conflict, p. 60.

<sup>284</sup> Ward, Interview.

<sup>285</sup> Saleem Haddad and Eva Svoboda. “What’s the Magic Word? Humanitarian Access and Local Organisations in Syria.” HPG Working Paper. Humanitarian Policy Group, March 2017. <https://www.odi.org/sites/odi.org.uk/files/resource-documents/11353.pdf>.

<sup>286</sup> Ward, Interview.

<sup>287</sup> Ibid.

<sup>288</sup> Bruce A. Elleman. "Waves of Hope: The U.S. Navy's Response to the Tsunami in Northern Indonesia." 2007. doi:10.21236/ada463367.

involvement in humanitarian crises, especially in areas of the world where the state may not have much of a presence. In these situations, the military is used as an extension of the state to improve diplomatic relations with other parts of the world, with humanitarian efforts taking a backseat to foreign policy goals.<sup>289</sup>

OFDA tries to ensure that the military does not disrupt the humanitarian efforts of civilian organizations. For example, Warren Acuncius, a humanitarian assistance advisor to the military, negotiates between the US military and humanitarian NGOs to prevent the mission creep of military involvement in humanitarian aid.<sup>290</sup> He emphasized the importance of communication between NGOs and state-backed armed groups, and recommended a widespread adaptation of programs that encourage productive coordination and collaboration with state-backed armed groups and NGOs.<sup>291</sup> The fact that the US government is implementing measures to increase the efficacy and efficiency of military-NGO humanitarian missions demonstrates its importance in improving relations between NGOs and state-backed armed groups.<sup>292</sup> There are consequences for the disorganized involvement of armed groups in humanitarian aid, as the case of Haiti after the earthquake in 2010 exemplifies.

#### Case Study: The Haiti Earthquake Response

When an earthquake hit Haiti in 2010, President Barack Obama called for “a swift and aggressive effort to save lives and support the recovery.”<sup>293</sup> Operation Unified Response was launched, and although it would become the largest humanitarian mission ever conducted by the US military, it was not as unified as officials had hoped.<sup>294</sup> Standard procedure in a disaster starts with an assessment of a disaster zone, after which a report of needs is generated and then a series of tasks is designated to the appropriate organizations in accordance with the

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<sup>289</sup> Ibid.

<sup>290</sup> Warren Acuncius. Interview: Armed Groups and Humanitarian Aid, February 11, 2019.

<sup>291</sup> Ibid.

<sup>292</sup> Ibid.

<sup>293</sup> Gary Cecchine, Forrest Morgan, Michael Wermuth, Timothy Jackson, Agnes Schaefer, and Matthew Stafford. *The U.S. Military Response to the 2010 Haiti Earthquake: Considerations for Army Leaders*. Santa Monica, California: RAND, 2013. p. 32-65.

<sup>294</sup> Ibid., 32.

initial assessment.<sup>295</sup> According to a 2013 RAND report, this procedure was not followed for Operation Unified Response.<sup>296</sup> Therefore, a large-scale humanitarian operation in Haiti was launched before any formal assessment of needs had been conducted.<sup>297</sup>

The US military formed a massive Joint Task Force called JTF-Haiti, consisting of elements from the Navy, Air Force, Marines, Army, and Special Operations commands.<sup>298</sup> USAID and OFDA, as the lead federal agencies in the disaster response, were the first to respond by sending a Disaster Action Response Team (DART) to Haiti.<sup>299</sup> The mission at the outset was for the military to assist USAID in providing essential life-saving assistance. They were not supposed to return Haiti to its pre-earthquake condition. However, within the first few days of the operation, projects had been initiated focusing on the reconstruction of infrastructure and the military operations continued to grow.<sup>300</sup> At the operation's peak, more than 22,200 military personnel, 33 US Coast Guard and US Navy vessels, over 300 fixed and rotary-wing aircraft,<sup>301</sup> and at least 1000 NGOs<sup>302</sup> were operating within Haiti. An additional obstacle was the fact that, since there was no room to operate in the Embassy building, where the military commanders were directing operations, USAID and OFDA had to operate out of the UN logistics base.<sup>303</sup> The scale of the operation and the division between military and USAID leadership led to inefficiencies that may have reduced the overall effectiveness of the operation.<sup>304</sup>

Although a great deal of information was gathered during these operations, there was little done to measure their effectiveness.<sup>305</sup> By failing to assess the situation and determine mission requirements before launching the operation, the military task force in Haiti “not only lost the ability to develop objective standards for performance evaluation but had also exposed

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<sup>295</sup> Ibid.

<sup>296</sup> Ibid.

<sup>297</sup> Ibid.

<sup>298</sup> Ibid.

<sup>299</sup> Ibid.

<sup>300</sup> Ibid., 37-38.

<sup>301</sup> Ibid., 40.

<sup>302</sup> Ibid., 57.

<sup>303</sup> Ibid., 49-51.

<sup>304</sup> Ibid., 65.

<sup>305</sup> Ibid.

itself to the risk of mission creep."<sup>306</sup> If coordination between the military and USAID had been a goal from the outset, all parties involved might have benefited from greater situational awareness, a reduction in unnecessary personnel, and less duplication of effort and supplies.<sup>307</sup>

#### Case Study: US Navy Assistance in Delivering Aid in Indonesia

In 2004, an earthquake and ensuing tsunamis devastated Indonesia, killing over a hundred thousand people and leaving millions in need of humanitarian aid and assistance.<sup>308</sup> The disaster eliminated the coastal road, cutting off over 110 miles of coast from supply by land and thereby necessitating an air bound humanitarian aid strategy.<sup>309</sup> By chance, some US Navy ships were already in East Asia and were quickly diverted to assist with delivering aid in Northern Indonesia.<sup>310</sup> Led by the carrier USS Abraham Lincoln, the American military force provided what NGOs sorely needed to deliver aid quickly and efficiently: lift.<sup>311</sup> The Navy was especially well-positioned to help the humanitarian efforts, with ships providing sea bases, communications networks capable of linking the ships with shore stations and local authorities, and helicopters that could fly in almost any weather and land anywhere, not just on airfields.<sup>312</sup> With directions on where to deliver the aid coming from humanitarian NGOs who had information on the ground, US Navy helicopters provided the crucial last link in the chain of delivering humanitarian aid. Throughout the mission, the US Navy coordinated and planned the deliverance of aid with the NGOs who arrived before them or were already working in the area.<sup>313</sup> Sometimes, the cooperation between NGOs and military groups can be beneficial and even crucial to delivering humanitarian aid, especially when the military operates in support of civilian humanitarian efforts. The mission in Indonesia embodies the goal of armed group and NGO collaboration in which cooperation with the military as a support to civilian leadership was necessary to provide humanitarian assistance. In such cases, the United States sets an example

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<sup>306</sup> Ibid., 60.

<sup>307</sup> Ibid., 40.

<sup>308</sup> Elleman, "Waves of Hope."

<sup>309</sup> Ibid.

<sup>310</sup> Ibid.

<sup>311</sup> Ward, Interview.

<sup>312</sup> Ibid.

<sup>313</sup> Ibid.

of what can be accomplished when militaries and NGOs coordinate effectively. NGOs may push back against military interference, but Ward observes that the relationship between NGOs and militaries will persist as long as both parties are present where aid is needed.<sup>314</sup> By improving the plan of action between armed groups and NGOs, they can avoid inefficiencies and duplication of effort in future aid operations.

Armed groups pose several complex problems for humanitarian NGOs. When faced with the choice of being denied access to a community where aid is needed or giving up a portion of humanitarian supplies to an armed group, humanitarian NGOs might discover a third option by returning to their principled roots. NGOs are prone to compete for funding, but the case of Haiti demonstrated that there are also several incentives to cooperate. The case of Indonesia showed how cooperation can be achieved effectively. Considering the debilitating rivalry and competition between NGOs, it may be time for NGOs to collectively agree to bolster their leverage when dealing with armed groups. In some cases, NGOs may enter a region on a grant, start to build familiarity with its local population, and when the grant expires or passes to a different NGO, they are replaced with an organization that has no situational awareness of local networks and leadership. A way to reduce inefficiency resulting from such transpositions is to promote the dynamic inter-agency sharing of research and information. Mercy Corps has been demonstrating the collective benefits of sharing its relationship mapping research in combat zones for years,<sup>315</sup> and likely has improved the efficiency of humanitarian missions in doing so. Although the benefits of information sharing are applicable to a variety of armed group engagements, NGOs can benefit from the adoption of additional strategies when engagements with armed groups are hostile or present little opportunity for negotiations. A discussion on the safety and security of humanitarian aid workers is necessary in these worst-case scenarios.

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<sup>314</sup> Ward, Interview.

<sup>315</sup> MercyCorps, *Guide to Community Mobilization Programming*, p. 32.



## Challenge 4: Safety and Security of Humanitarian Aid Workers

By Katie Davis, Megan Freney, and Olivia Pingul

It has become increasingly dangerous for aid workers to operate visibly in complex emergencies. The resulting low-profile approaches create conflicts with host-states especially in volatile contexts with unstable governments. Ensuring the safety and security of humanitarian aid workers is frequently in tension with the need for delivering humanitarian aid to high-risk areas. The proliferation of humanitarian aid workers practicing remote strategies to lessen security risks comes at the price of social and physical detachment from the communities workers supply aid to. However, issues pertaining to the safety and security of humanitarian aid workers go beyond immediate threats and extend to how an insecure and dangerous environment for aid workers can be created or mitigated. Of particular importance is prioritizing preemptive security planning and training. Current approaches to high-risk environments lean towards bunkerisation, which can create tension between local communities, NGOs and donors. Technological advances stand out as an innovative force to improve the safety and security of aid workers.

### NGOs in Conflict Zones and Branding Humanitarian Aid

Humanitarian aid worker is fifth on the top-ten list of high-threat professions, and it is the only occupation on the list where casualties are a result of intentional violence.<sup>316</sup> In 2017 alone, 139 humanitarian aid workers were killed, 102 were wounded, and 72 were kidnapped across 22 countries.<sup>317</sup> The majority of these attacks occurred in Afghanistan, Central African Republic, South Sudan, and Syria, accounting for two thirds of all large scale incidents.<sup>318</sup> In South Sudan, kidnappings of aid workers have been on the rise since 2016, suggesting that armed groups have favored this tactic as a way to assert authority over humanitarian aid operations.<sup>319</sup> From 9/11 in 2001 to 2016, Afghanistan proved to be the most volatile country

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<sup>316</sup> Polman, "Afghaniscam."

<sup>317</sup> Abby Stoddard, Adele Harmer, and Monica Czwarno. "Aid Worker Security: Figures at a Glance 2018 | Humanitarian Outcomes." Humanitarian Outcomes, August 2018.  
<https://www.humanitarianoutcomes.org/publications/aid-worker-security-figures-glance-2018>.

<sup>318</sup> Ibid.

<sup>319</sup> Ibid.

for NGOs, as safety and security within the country declined throughout the war.<sup>320</sup> Despite various security measures in place to protect humanitarian aid workers, there is discontinuity between the intended implementation of policies and the reality of how they work on the ground.

The relationships between NGOs, donor states, and the host states impact key decisions made at all levels that can directly impact the safety and security of aid workers on the ground.<sup>321</sup> Security management is a multifaceted issue, decisions made at every level of humanitarian assistance affect the safety and security of aid workers.<sup>322</sup> The ties of these relationships can be seen through the debate over branding humanitarian aid.<sup>323</sup> Branding is the practice of labeling humanitarian aid commodities. For example, the US labels their humanitarian aid with the tagline “From the American People”.<sup>324</sup> Many humanitarian NGOs “used their brand visuals for ‘offensive’ and ‘defensive’ roles, for indicative purposes (from signaling their presence, to trustworthy symbols and stories for funding), and as protective devices for access, acceptance and security in the field.”<sup>325</sup> USAID view the impact from the US 2004/2005 tsunami relief as evidence of the benefits of branding.<sup>326</sup> The potential fostering of good relationships between countries became a goal in addition to delivering humanitarian aid. Branding became a means of “winning recipients’ hearts and minds.”<sup>327</sup>

However, branding also carries risks that are in tension with the interests of states and NGOs. In 2005, MSF in the Ituri Province of the Democratic Republic of the Congo made the decision to repaint the logo on their vehicles pink because there was fear “that combatants

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<sup>320</sup> John F. Mitchell. “NGO Insecurity In High-risk Conflict Zones: The Politicization Of Aid And Its Impact On ‘humanitarian Space,’” 2016., p. 353.

<sup>321</sup> Sarah Hayes. “Dismantling the Humanitarian Fortress: Presence, Access, and Risk in the ‘Syria Response.’” The Graduate Institute Geneva, 2016. [http://graduateinstitute.ch/files/live/sites/iheid/files/sites/globalmigration/shared/Publications/GMPRS\\_N16\\_Hayes.pdf](http://graduateinstitute.ch/files/live/sites/iheid/files/sites/globalmigration/shared/Publications/GMPRS_N16_Hayes.pdf).

<sup>322</sup> Ibid.

<sup>323</sup> Jeremy Farrall, and Hilary Charlesworth. *Strengthening the Rule of Law through the UN Security Council*. Routledge, 2016.

<sup>324</sup> Ibid.

<sup>325</sup> Waldemar Pfoertsch. “B2B Brand Management,” July 2007.

<sup>326</sup> “Branding.” USAID, March 31, 2017. <https://www.usaid.gov/branding>.

<sup>327</sup> W. Guyde Moore. “The Case Against Branding Development Aid in Fragile States.” Center For Global Development, June 5, 2018. <https://www.cgdev.org/blog/case-against-branding-development-aid-fragile-states>.

could mistake MSF staff and patients for armed UN soldiers.”<sup>328</sup> MSF hoped that re-branding would distinguish them from other NGOs and UN Peacekeeping operations to increase the safety of MSF’s operations and employees.<sup>329</sup> This exemplifies the different perceptions that people have in different regions. The level of risk associated with an area helps to determine the capacity for NGOs to deliver aid. The humanitarian response in violent contexts is smaller if the risk to deliver aid is too high.<sup>330</sup> The decision to what extent and whether to brand or not could have differing levels of impacts in different regions for field workers delivering humanitarian aid.

#### Strategies for Securing Humanitarian Aid Relationships

The United Nations Conventions reflect the intersection of different parties involved in humanitarian aid and its importance. The UN published the Convention on the Safety of United Nations and Associated Personnel in 1994 based on growing concern over threats to aid workers and UN staff.<sup>331</sup> The convention declared that any UN associated operation, including personnel, vehicle, vessel or aircraft require distinctive identification and that nothing barring proper identification is to be attacked.<sup>332</sup> This convention also stresses collaboration with host state officials. In 2004, the General Assembly adopted Resolution 59/211 on the Safety and Security of Humanitarian Personnel and Protection of United Nations Personnel due to the deep concern of increasingly complex security risks and declining respect for international humanitarian law.<sup>333</sup> Not only does the convention illustrate the increased awareness of safety

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<sup>328</sup> James Dominic Smith. “Review of ‘In the Eyes of Others: How People in Crises Perceive Humanitarian Aid’ Caroline Abu-Sada (Ed.) and ‘Dilemmas, Challenges, and Ethics of Humanitarian Action: Reflections on Médecins Sans Frontières’ Perception Project’ Caroline Abu-Sada (Ed.)” *Journal of International Humanitarian Action* 1, no. 1 (March 1, 2016): 1. <https://doi.org/10.1186/s41018-016-0001-0>.

<sup>329</sup> Ibid.

<sup>330</sup> Abby Stoddard, Shoaib Jillani, John Caccavale, Peyton Cooke, David Guillemois, and Vassily Klimentov. “Out of Reach: How Insecurity Prevents Humanitarian Aid from Accessing the Neediest.” *Stability: International Journal of Security and Development* 6, no. 1 (March 3, 2017): 1. <https://doi.org/10.5334/sta.506>.

<sup>331</sup> General Assembly Resolution 59/211 on the safety and security of humanitarian personnel and the protection of UN personnel, A/RES/59/211 § (2005).

<sup>332</sup> Jan Egeland, Adele Harmer, Abby Stoddard, and OCHA. “To Stay and Deliver Good Practice for Humanitarians in Complex Security Environments.” United Nations, 2011.

<sup>333</sup> General Assembly Resolution 59/211, 2005.

and security in humanitarian aid, it shows the significant changes in the conduct of warfare post 9/11.

Acceptance strategies contribute to increasing accessibility in a host country. These strategies include community outreach and continuous communication with the community leaders to maintain strong partnerships.<sup>334</sup> Fostering a secure environment prior to delivery is an important mitigation strategy which can prevent unnecessary risks before humanitarian aid workers are exposed to it. "The larger established international aid agencies have long recognized the importance of understanding and managing their relations with external stakeholders."<sup>335</sup> Inclusive consultation while maintaining a strategic distance from donor governments, combined with transparency and accountability is the ideal method of building and maintaining relationships.<sup>336</sup> Acceptance strategies increase capacity to communicate and negotiate with all parties and attain access and security.<sup>337</sup> Training for aid workers that focuses on the ethics and morality set forth in the humanitarian principles can also promote safety and security of delivery.

### Ethics and Morality

The humanitarian principles themselves carry a measure of protection; adherence to these principles creates a "humanitarian space" around NGOs and their mission.<sup>338</sup> While there can often be tension within a nation that is in need of aid, working in the humanitarian space could be a buffer from violence because it carries assurance that NGOs are only present to deliver humanitarian aid.<sup>339</sup> The humanitarian principles can enable NGOs to work independently and impartially to assist populations in need. As such, Toby Lanzer, the United Nations' humanitarian coordinator in Afghanistan, urged everyone in the country to respect the

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<sup>334</sup> Sarah Collinson, Mark Duffield, Carol Berger, Diana Felix da Costa, and Karl Sandstrom. "Paradoxes of Presence: Risk Management and Aid Culture in Challenging Environments." ODI. Accessed February 1, 2019. <https://www.odi.org/publications/7514-paradoxes-presence-risk-management-and-aid-culture-challenging-environments>.

<sup>335</sup> Ibid. 19-20.

<sup>336</sup> Ibid.

<sup>337</sup> Egeland et al., "To Stay and Deliver."

<sup>338</sup> Mitchell, "NGO Insecurity In High-risk Conflict Zones."

<sup>339</sup> Ibid.

humanitarian aid workers and their mission.<sup>340</sup> Many NGOs believe in the humanitarian principles and incorporate them into training sessions for their workers. Mercy Corps discusses how their training includes leadership workshops on training and awareness but also incorporates ethical decision making.<sup>341</sup> These trainings focus on giving aid workers the ability to evaluate misconduct and other ethical issues they may face while working in the field. While important in aid worker's training, ethics and morality reach beyond just those working for humanitarian NGOs.

The Somali Youth Learners Initiative (SYLI) Program was created by Mercy Corps with the intent to promote better education and civic engagement among Somali youths to reduce the chances of supporting or joining armed groups.<sup>342</sup> The hope of the program was to promote the same ethical principles that Mercy Corps uses internally and expand them to the local youth population.<sup>343</sup> By providing a space for youth in an area of conflict to discuss regional issues, it not only brings better awareness, but allows them to find ethical ways to deal with the unrest.<sup>344</sup> Programs such as SYLI are beneficial to both those living in areas of conflict and humanitarian aid workers because they can promote peaceful networking and potentially reduce delivery barriers workers may face while delivering aid.

#### Logistical Barriers to Safety and Security

There are many logistical barriers that humanitarian aid workers face while trying to ensure that aid is received by their target population safely. Supply chain management of aid is crucial in achieving this goal as well as keeping humanitarian aid workers secure.<sup>345</sup> On an organizational level, maintaining a distinction between military based reconstruction personnel

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<sup>340</sup> Mujib Mashal. "As Fighting Escalates, U.N. Urges Protection for Aid Workers in Afghanistan." *The New York Times*, August 19, 2018. Academic OneFile.

<sup>341</sup> Mercy Corps. "'Mercy Corps' commitment to inclusion, diversity and safeguarding Our organizational culture"

<sup>342</sup> "'IF YOUTH ARE GIVEN THE CHANCE': Effects of Education and Civic on Somali Youth of Political Violence." Mercy Corps, April 2018.

[https://www.mercycorps.org/sites/default/files/If%20Youth%20Are%20Given%20the%20Chance\\_LR\\_FINAL.pdf](https://www.mercycorps.org/sites/default/files/If%20Youth%20Are%20Given%20the%20Chance_LR_FINAL.pdf).

<sup>343</sup> Ibid.

<sup>344</sup> Ibid.

<sup>345</sup> Margaret Hovhanessian. "Coordination Barriers between Humanitarian Organizations and Commercial Agencies in Times of Disaster." Jonkoping University, August 8, 2012. <http://www.diva-portal.org/smash/get/diva2:582204/FULLTEXT02.pdf>.

and neutral humanitarian aid organizations is key.<sup>346</sup> Without this separation of roles, confusion among local communities arises and can result in workers becoming targets to hostile armed groups. For example, the inability to discern between military and humanitarian intervention resulted in deadly outcomes when five staff members of MSF Holland were killed in 2004.<sup>347</sup> Furthermore, reconstruction troops in Afghanistan under the guise of humanitarian aid workers have also fueled public mistrust of the aid community.<sup>348</sup>

Due to deaths of humanitarian aid workers, NGOs brief their workers on the security threats of the conflict zone they are being sent into.<sup>349</sup> This can sometimes come in the form of completing various simulated kidnapping exercises.<sup>350</sup> However, local or national humanitarians sometimes have less access to security training due to their location within dangerous zones, despite them representing 70% of aid workers on the ground.<sup>351</sup> The lack of available training for locals can neglect the unique security challenges they face as citizens. This can also create distance between international and local staff within NGOs as their relative risk exposure and access to security protection is unevenly addressed.<sup>352</sup>

The concept of virtual security trainings has gained traction as a way to circumvent the geographical issue because it offers better protection from physical threats.<sup>353</sup> Currently, the biggest issues associated with this idea are the costs of production and poor internet connections.<sup>354</sup> However, overcoming these obstacles has proven to be possible with the Mission Ready project which utilizes gaming technology through point-of-view video simulations.<sup>355</sup> The online platform was developed by security experts from leading NGOs aiming to make training accessible to aid workers who do not have access to traditional forms

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<sup>346</sup> Polman, "Afghaniscam."

<sup>347</sup> Ibid.

<sup>348</sup> Ibid.

<sup>349</sup> Collinson et al., "Paradoxes of Presence."

<sup>350</sup> Ibid.

<sup>351</sup> Ibid.

<sup>352</sup> Ibid.

<sup>353</sup> Kalkman, "Practices and Consequences of Using Humanitarian Technologies in Volatile Aid Settings."

<sup>354</sup> Ibid.

<sup>355</sup> "Online Security Training for Aid Workers in the Field." RedR. Accessed February 24, 2019. <https://www.redr.org.uk/Our-Work/Key-Projects/Mission-Ready-Online-Security-Training>.

of security training.<sup>356</sup> Beyond this individual project, virtual training has the potential to be extremely helpful as national aid workers are already familiar with the environment which they are operating in.<sup>357</sup> Training combined with prior knowledge could better equip those on the ground with the tools to avoid and mitigate future risks.<sup>358</sup> As this example shows, technology is crucial to the advancement of security in humanitarian aid. It is necessary to analyze current mitigation tactics employed by humanitarian aid organizations and consider how these tactics will develop alongside technological advancements.

### Current Mitigation Tactics

In order to protect humanitarian aid workers against security threats, NGOs have adopted security networks and alternatives to traditional presence in-country by working remotely in adjacent countries. These security networks are responsive to individual organizations risk thresholds; or how much risk they can tolerate before opting for an alternative way of delivering aid such as working remotely or aborting operations.<sup>359</sup> In this context, working remotely has been acknowledged as a functional path to delivering aid in circumstances where access by humanitarian aid workers is restricted.<sup>360</sup>

### Security Related Networks

In response to expanding high-risk environments, NGOs have hired dedicated security officers as an essential aspect of ensuring safety for upper level aid personnel. Moreover, “the expansion of this security apparatus within agencies has been matched by the proliferation of new security related networks, inter-agency platforms, joint UN/NGO initiatives, good practice guides and security-related consultancy work.”<sup>361</sup> The mitigation of threats against humanitarian aid workers prompted the UN to establish Guidelines for Acceptable Risk in

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<sup>356</sup> Ibid.

<sup>357</sup> Kalkman, “Practices and Consequences of Using Humanitarian Technologies in Volatile Aid Settings.”

<sup>358</sup> Ibid.

<sup>359</sup> Hayes, “Dismantling the Humanitarian Fortress.”

<sup>360</sup> Ibid.

<sup>361</sup> Kalkman, “Practices and Consequences of Using Humanitarian Technologies in Volatile Aid Settings.”

2009.<sup>362</sup> Collaboration between the UN and humanitarian NGOs brought forth the “Saving Lives Together” initiative to improve cooperation between the two organizations on the field level.<sup>363</sup> However, MSF has expressed in a report that local aid personnel are largely left out of the decision making process.<sup>364</sup>

In Afghanistan and South Sudan for example, NGOs have adjusted their security strategies due to elevated levels of threats against humanitarian aid workers.<sup>365</sup> Despite an overarching strategy that is rooted in acceptance, protection, and deterrence, acceptance has become more strained.<sup>366</sup> In response to the deterioration of acceptance by locals in these two countries, various NGOs have begun operating within security networks to allow for better flow of information such as the Afghanistan NGO safety office.<sup>367</sup> Security networks have become particularly critical to the operation of NGOs, especially post 9/11, as Western countries become increasingly risk-averse and the humanitarian aid community is hesitant to involve itself in deadly situations.<sup>368</sup> Working remotely from adjacent countries is one method NGOs use to address worker security issues, as the case of Somalia demonstrates.

#### Working Remotely and the Use of Technology

High levels of risk faced by NGOs in Somalia since 2007 have led to an increase in ‘remote management’ tactics.<sup>369</sup> The militant group Al-Shabaab has severely limited the capabilities of NGOs to deliver aid despite a growing need.<sup>370</sup> The group maintains control of large portions of Somalia and imposes and enforces bans on humanitarian efforts. After the creation of the Office for the Supervision of the Affairs of Foreign Agencies (OSAFA) to monitor

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<sup>362</sup> Ibid.

<sup>363</sup> Ibid.

<sup>364</sup> Hayes, “Dismantling the Humanitarian Fortress.”

<sup>365</sup> Katrin Radtke. “Aid at Risk on Many Fronts.” Development and Cooperation, September 22, 2010. <https://www.dandc.eu/en/article/humanitarian-agencies-must-not-over-react-new-risks>.

<sup>366</sup> Ibid.

<sup>367</sup> Ibid.

<sup>368</sup> Moore, “The Case Against Branding Development Aid.”

<sup>369</sup> Laura Hammond, Hannah Vaughan-Lee, Humanitarian Policy Group, and England Overseas Development Institute, London. *Humanitarian Space in Somalia: A Scarce Commodity*. London: Humanitarian Policy Group, 2012.

<sup>370</sup> “Secretary-general Condemns Al-shabaab’s Seizure Of Property, Equipment In Somalia Belonging To Organizations, Un Agencies Providing Humanitarian Assistance.” States News Service, November 28, 2011. Academic OneFile.

the movements of all humanitarian aid organizations operating within Somalia, Al-Shabaab accused the United Nations Development Program (UNDP), the United Nations Department of Security and Safety (UNDSS), and the United Nations Political Office for Somalia (UNPOS) of activities deemed hostile to Islam. Al-Shabaab militants immediately ordered all NGOs offices to cease activity and leave, they then raided the UN offices in Baidoa and Wajid.<sup>371</sup> Many NGOs remain active in neighboring cities, geographically restricted by the violence faced in territories controlled by Al-Shabaab.

Working remotely can be an appealing approach if the risks involved are properly assessed and fully understood because it is not a final solution to safety and security concerns.<sup>372</sup> The context of the region in need varies and determines the type of presence established across different kinds of humanitarian crises.<sup>373</sup> Remote strategies have occasionally resulted in ‘bunkerisation’, wherein humanitarian aid workers withdraw into “fortified aid compounds, secure offices and residential complexes, alongside restrictive security and travel protocols.”<sup>374</sup> The distance from aid recipients require NGOs to implement and monitor programs “through national and local field workers, subcontracted intermediaries and new technology.”<sup>375</sup> The shift towards remote work has deepened the divide between host states, recipients of aid, and NGOs, which could contribute to decreasing trust in NGOs. Thus, other measures exist in conjunction with remote working to lessen this effect: “(1) highly localized operations staffed exclusively with inhabitants from the immediate area, and (2) a low-profile stance.”<sup>376</sup>

The purpose of combining the acceptance approaches is to enhance acceptance with the local community while protecting against targeting by national-level belligerents. Active acceptance refers to “cultivating and maintaining consent from beneficiaries, local authorities,

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<sup>371</sup> Katherine Zimmerman. “Al Shabaab and the Challenges of Providing Humanitarian Assistance in Somalia.” American Enterprise Institute, September 8, 2011. [https://www.criticalthreats.org/wp-content/uploads/2016/07/Zimmerman\\_Shabaab\\_Human\\_Assistance\\_Somalia\\_Testimony\\_20110908-1.pdf](https://www.criticalthreats.org/wp-content/uploads/2016/07/Zimmerman_Shabaab_Human_Assistance_Somalia_Testimony_20110908-1.pdf).

<sup>372</sup> Hayes, “Dismantling the Humanitarian Fortress.”

<sup>373</sup> Ibid.

<sup>374</sup> Collinson et al., “Paradoxes of Presence.”

<sup>375</sup> Ibid.

<sup>376</sup> Egeland et al. “To Stay and Deliver”, 17.

belligerents and other stakeholders” in order to remove potential threats.<sup>377</sup> This must be done with a level of care to ensure that one part doesn’t undermine the other. Organizational, ethical, and financial difficulties as well as the fundamental tension between ‘staying’ and ‘staying safe’ suggests that bunkerisation and remote management are persistent trends.<sup>378</sup> A 2013 study in Afghanistan found that locals had little to no exposure to humanitarian aid workers because the workers would “meet a few elders [in the district administration] and no one else [was] allowed.”<sup>379</sup> Working remotely has the potential to weaken strategic engagement and decision making, undermine acceptance by local communities and compromise the ability to effectively report on and monitor programs.<sup>380</sup> However, these concerns may be balanced with the increased safety for aid workers remote working provides.

The decision to work remotely is also dependent on the context of the region. Consider, for example, the different environments of Indonesia post-tsunami and Somalia which is characterized by prolonged conflict.<sup>381</sup> In Indonesia, the tsunami ravaged coastal towns and the outpouring of support and humanitarian response was largely well received and had a significant positive impact.<sup>382</sup> On the other hand, Somalia has experienced high rates of security incidents post 9/11. “According to the Aid Worker Security Database, [there were] 274 security incidents in Somalia between 1997 and 2010, more than half (139) took place between 2007 and 2009.”<sup>383</sup> The tsunami efforts of 2004-2005 in Indonesia had different security risks than humanitarian efforts in Somalia and therefore, the approach of humanitarian NGOs differ as well.<sup>384</sup> In order to successfully implement remote working strategies, oversight and continuing outreach programs are crucial, and provide the best outcome if working remotely is the safest

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<sup>377</sup> Collinson et al., “Paradoxes of Presence.”

<sup>378</sup> Ibid.

<sup>379</sup> Ibid.

<sup>380</sup> Ibid.

<sup>381</sup> Nancy Lindborg. “Lessons Learned a Decade after the Indian Ocean Tsunami.” Impact Blog (blog), December 26, 2014. <https://blog.usaid.gov/2014/12/lessons-learned-a-decade-after-the-indian-ocean-tsunami/>.

<sup>382</sup> Ibid.

<sup>383</sup> Hammond et al., *Humanitarian Space in Somalia*.

<sup>384</sup> Lindborg, “Lessons Learned a Decade after the Indian Ocean Tsunami.”

option.<sup>385</sup> This can be optimized through technological innovation such as drones, smart phones, and cash-transfer programs.

Drones offer the ability to oversee convoys in real time and monitor changes along routes, however, the tactic is controversial due to their association with military campaigns.<sup>386</sup> In recent years, satellites and mobile phones have also been used to triangulate where convoys would be and to gather intelligence on whether or not belligerent armed groups have put up roadblocks.<sup>387</sup> The UNHCR has utilized web-based monitoring through the development of the Project Tracking Database in order to monitor project activities by local partners in Iraq.<sup>388</sup> Through photographic and GPS evidence, deliveries can be tracked and payment is not made until verification is provided.<sup>389</sup>

The use of smartphones and social media has the capacity to replace the old model of sending people into dangerous areas to ensure that aid is being delivered and distributed.<sup>390</sup> Greater accountability can be achieved using smartphones to record transaction records and confirm supply deliveries.<sup>391</sup> Further, giving smartphones to aid workers in the field can keep them informed about potential security developments.<sup>392</sup> There is also the increasing usage of cash transfers in humanitarian aid, which allows for immediate response to crises and has been used in conflict ridden areas where traditional presence of aid personnel has been deemed unsafe.<sup>393</sup> However, cash transfers also have possible disadvantages, one being that they are

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<sup>385</sup> Collinson et al., "Paradoxes of Presence."

<sup>386</sup> O'Driscoll, Dylan. "UAVs in Humanitarian Relief and Wider Development Contexts." *University of Manchester*, August 14, 2017, 16. <https://opendocs.ids.ac.uk/opendocs/bitstream/handle/123456789/13245/185%20UAVs%20in%20Humanitarian%20Relief%20and%20Wider%20Development%20Contexts.pdf?sequence=1&isAllowed=y>.

<sup>387</sup> O'Neill, Interview: Mercy Corps and Humanitarian Aid.

<sup>388</sup> Egeland et al., "To Stay and Deliver."

<sup>389</sup> Ibid.

<sup>390</sup> Ibid.

<sup>391</sup> Ibid.

<sup>392</sup> Kalkman, "Practices and Consequences of Using Humanitarian Technologies in Volatile Aid Settings."

<sup>393</sup> "The State of the World's Cash Report: Cash Transfer Programming in Humanitarian Aid - World." ReliefWeb. Accessed February 24, 2019. <https://reliefweb.int/report/world/state-world-s-cash-report-cash-transfer-programming-humanitarian-aid>.

more prone to diversion by armed groups and in areas where there is corruption.<sup>394</sup> Additionally, delivering cash can heighten security threats faced by humanitarian staff as well as those on the receiving end.<sup>395</sup> Opting for the expansion of humanitarian technologies is not solely the choice of NGOs, but also requires acceptance by donors who are accustomed to receiving written reports.<sup>396</sup> Dan O’Neill, founder of Mercy Corps, expressed that donors are increasingly accepting of alternatives to human delivered aid.<sup>397</sup> Technology does not come without risks, such as tampering and cyberattacks, but it is balanced against the physical danger to humanitarian aid workers’ lives and potential geographic restrictions.

Third-party monitoring is another strategy that can be used.<sup>398</sup> “In Afghanistan, WFP uses three outsourced monitoring risk management systems (two Afghan companies and one based in Dubai). These companies provide non-UN personnel who work on what WFP calls Program Assistance Teams (PATs) that can go into UN ‘no-go’ areas and monitor the distribution outcomes.”<sup>399</sup> This is similar to Quality Assurance Teams and includes similar risks of relying on locals and subjecting them to risks of being targeted or ostracized.<sup>400</sup> Innovative oversight strategies can be used in conjunction with low-profile approaches. Low-profile approaches include de-branding, which is determined based on contextual analysis to ensure that branding will be useful in active acceptance strategies and not threaten the successful delivery of aid.<sup>401</sup> There are still risks associated with low-visibility, however, low visibility can be the best option to keep aid workers safe in high-risk regions such as Somalia.

Technology can be useful for supplying more accurate data allowing local staffers to work out of their own homes and allows NGOs to go virtually unnoticed when the environment

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<sup>394</sup> “General Advantages and Disadvantages of Cash-Based Approaches.” Catholic Relief Services. Accessed March 5, 2019. <https://efom.crs.org/ecsc/wp-content/uploads/sites/2/2015/08/2.2.1-Advantages-and-Disadvantages-of-cash-based-programs-CalP.pdf>.

<sup>395</sup> Ibid.

<sup>396</sup> O’Neill, Interview: Mercy Corps and Humanitarian Aid.

<sup>397</sup> Ibid.

<sup>398</sup> Egeland et al., “To Stay and Deliver.”

<sup>399</sup> O’Neill, Interview: Mercy Corps and Humanitarian Aid.

<sup>400</sup> Ibid.

<sup>401</sup> Collinson et al., “Paradoxes of Presence.”

is too dangerous.<sup>402</sup> For example, the UNHCR equip their national staff in Kandahar with laptops and modems at home.<sup>403</sup> This is done in Kabul as well as for ‘white city’ (no movement) days.<sup>404</sup> Communication remains an issue for the successful implementation of remote strategies, but those concerns are addressed by technological advancements using smart phones and satellites.<sup>405</sup> While working remotely might mitigate risk for humanitarian aid workers, the risks faced by locals must also be considered.<sup>406</sup>

### Networking with Locals

South Sudan is one of the riskiest regions in the world for humanitarian aid workers, “with 50 percent more workers killed than in Syria and 612 aid workers forced to relocate due to ongoing conflict” in 2017.<sup>407</sup> The danger can pressure NGOs to invest more in basic security measures for minimum protection of their workers. Armed groups have control over large geographical locations and cut civilians off from aid if they are deemed to be in support of the opposition.<sup>408</sup> This can force humanitarian aid workers to operate without permission and lose millions of dollars in the process to bribes, theft, capture and raids.<sup>409</sup> The case of South Sudan exemplifies how negative relations with locals can interfere with the delivery of aid, as well as impact the safety and security of those delivering it. It is the humanitarian aid worker’s job to help those who are suffering, but this becomes a difficult task if they are unable to reach those in need.

Humanitarian aid workers are always unarmed, and are usually easily spotted when transporting large shipments of humanitarian supplies.<sup>410</sup> According to research conducted by

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<sup>402</sup> Kristin Bergtora Sandvik and Kjersti Lohne. “The Rise of the Humanitarian Drone: Giving Content to an Emerging Concept.” *Millennium* 43, no. 1 (September 1, 2014): 145–64. <https://doi.org/10.1177/0305829814529470>.

<sup>403</sup> Ibid.

<sup>404</sup> Ibid.

<sup>405</sup> O’Neill, Interview: Mercy Corps and Humanitarian Aid.

<sup>406</sup> Hammond et al., *Humanitarian Space in Somalia*.

<sup>407</sup> Erol Yayboke, “Accessing South Sudan: Humanitarian Aid in a Time of Crisis.” *Nuclear Stability in a Post-Arms Control World* | Center for Strategic and International Studies. January 22, 2019. Accessed February 02, 2019. <https://www.csis.org/analysis/accessing-south-sudan-humanitarian-aid-time-crisis>

<sup>408</sup> Ibid.

<sup>409</sup> Ibid.

<sup>410</sup> Carolyn Iwicki and Soren Patterson. “Aid to Refugee Camps Brings Help — and Harm.” *AidData*, October 27, 2016. <https://www.aiddata.org/blog/aid-to-refugee-camps-brings-help-and-harm>.

the Humanitarian Policy Group in 2012, the Taliban have had trouble differentiating between NGOs, UN agencies, and state-backed parties such as International Security Assistance Force (ISAF), and Provincial Reconstruction Teams (PRTs).<sup>411</sup> Many of the Taliban witnessed aid being delivered by PRTs and NGOs alike.<sup>412</sup> Such interchangeable roles can blur the lines between the impartiality of NGOs and the state-backed interests of military actors. As discussed previously, this could lead to deathly consequences for humanitarian aid workers. To add to the Taliban's mistrust, there was little public awareness that humanitarian aid was even helping the populations it was being delivered to.<sup>413</sup>

When working in areas of unrest, it is important that humanitarian aid workers act as neutral as possible.<sup>414</sup> When threats do occur, it is often because workers have miscalculated how to appropriately integrate into local society.<sup>415</sup> Training aid workers to behave neutrally can lead to local acceptance of NGOs and build the foundation for networking. For example, in Afghanistan, elders can hold a certain amount of authority over Taliban members, making them invaluable in negotiations.<sup>416</sup> Therefore, local relationships are valuable to NGOs especially in these provinces where local armed commanders were "typically well-connected with communities and more likely to listen to appeals from elders."<sup>417</sup> Networking and using elders as buffers can also come with risks to the community. A Taliban leader in Faryab province can threaten to "punish the elders" if they believed that violations of the Taliban's laws occurred, or that NGOs were "corrupting" elders or using their community networks to spy on Taliban activity.<sup>418</sup>

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<sup>411</sup> Save the Children. *Provincial Reconstruction Teams and Humanitarian-Military Relations in Afghanistan*. Save the Children, 2004. PDF, p. 34-35.

<sup>412</sup> *Ibid.*, 19-26.

<sup>413</sup> Ashley Jackson and Antonio Giustozzi. *Talking to the Other Side: Humanitarian engagement with the Taliban in Afghanistan*. Humanitarian Policy Group, December 2012. <https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/7968.pdf>, p. 3.

<sup>414</sup> Elena Lucchi, "Moving from the 'why' to the 'how': reflections on humanitarian response in urban settings." *Disasters* 36 (June 11, 2012): S87-104. <https://doi.org/10.1111/j.1467-7717.2012.01283.x>.

<sup>415</sup> *Ibid.*

<sup>416</sup> Jackson and Giustozzi, *Talking to the Other side*, 4.

<sup>417</sup> *Ibid.*

<sup>418</sup> *Ibid.*

If aid workers do not establish positive connections with locals at the start of the conflict, it may be necessary to implement other strategies to create an understanding that the humanitarian workers' purpose is to serve the needs of the community rather than favoring one armed or political group over the others.<sup>419</sup> When there are rebel groups that oppose the government and vice versa, taking sides can be dangerous. Aid workers have to take the necessary precautions to learn about the locals in the area before jumping into creating networks. "Relationship mapping" is a networking strategy used to engage with armed groups and can also be applied to increase safety and security of aid workers.<sup>420</sup> This strategy requires coordination and collaboration among NGOs to provide complete assessments and offer more precise understandings of the dynamic of a given armed group. The increase in the probability of success and rapport-building can generate progress toward ensuring the safe delivery of aid to its intended recipients.<sup>421</sup>

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<sup>419</sup> Ibid.

<sup>420</sup> FDFA, "Humanitarian Access in Situations of Armed Conflict", p. 60.

<sup>421</sup> Emanuela-Chiara Gillard. "Humanitarian Action and Non-State Armed Groups," Chatham House, 2017. p. 60.



## Conclusion

As our report has shown, NGOs are the main organizations implementing humanitarian aid. The case study of Syria illustrates how NGOs strive to do what is right. Almost no NGO was collaborating with the Syrian government and instead, chose to violate sovereignty and deliver aid to those that need it the most in rebel-held areas. NGOs face risks to the safety and security of their aid workers by delivering aid in complex emergencies. They expose themselves to assaults, kidnappings, and even deaths. NGOs constantly judge the delicate balance between risks and needs on the ground as they negotiate with donors, host governments, and armed groups. As complex emergencies remain the driver for humanitarian aid, these issues are not likely to abate. Yet, NGOs continue their line of work because their work saves lives. Although humanitarian aid is rife with tension and complications, it is symbolic of humanity's desire to help and the determination to succeed in aiding one more person, one more day. Our task force has the utmost respect for NGOs and the courage they display when delivering humanitarian aid under pressure. It is out of this respect that we make our recommendations to humanitarian NGOs in hopes of bettering the future of humanitarian aid. NGOs are in the position to bring change to humanitarian aid without relying on aid recipients, donors, host governments, or armed groups. It is about time NGOs act on their power.

## Policy Recommendations

We recommend humanitarian NGOs to consider the following recommendations to improve the state of humanitarian aid:

- 1) NGOs should collectively use their leverage in response to unwanted or harmful pressures from donors, sovereign states, and armed groups. NGOs possess an advantage in their position as the primary organizations implementing humanitarian aid. NGOs should use that status to negotiate an alternative to what is forced on them.
- 2) NGOs should employ and integrate technology where possible to increase accountability, efficiency, and safety of humanitarian aid delivery. Further implementation of technology can reduce the physical risk of humanitarian aid workers, increase ease of aid delivery using e-payments, and a wider range of accountability measures using smartphones and networked devices.

*Recommendation 1 - NGOs should collectively use their leverage in response to unwanted or harmful pressures from donors, sovereign states, and armed groups.*

Our report illustrates that a lack of unity among humanitarian NGOs contributes to the stressful situations NGOs find themselves under. It is more difficult to negotiate access to areas in need, cope with hostile government environments, and maintaining independence from donor agendas when NGOs are splintered. Despite the valid concerns of rivalry among NGOs, they should also recognize that situations where humanitarian principles are under stress creates a crisis greater than any one NGO. If NGOs were to unite on the common ground of their humanitarian principles, this would be a step toward eliminating the vulnerabilities created by rivalry. NGOs are in a uniquely advantageous position because they are the primary organizations implementing humanitarian aid. Without their help, only UN agencies and small, local NGOs would carry out humanitarian assistance. Our research shows that government donors, sovereigns, and armed groups are, to varying degrees, invested in seeing humanitarian aid being delivered. Therefore, NGOs should take advantage of this leverage they have to counteract the various pressures donors, sovereign states, and armed groups place on them. To

do this, NGOs should collectively be willing to walk away from those in need. If NGOs only claim they will abandon operations to counteract pressure, but do not mobilize a concerted effort to do so in reality, NGOs will lose their leverage because it will not be taken seriously. Losing leverage would mean that NGOs are caught in the dilemma of staying or leaving without the means or opportunity to negotiate a better alternative.

Likewise, we recommend that the UN reexamines its humanitarian aid actions against the humanitarian aid principles it purports. Syria has illustrated the devastating consequences of prioritizing humanitarian principles second. Another practical recommendation directed at the UN is establishing programs or positions that will facilitate collaboration between UN armed groups and NGOs. When militaries and NGOs have a productive partnership, humanitarian aid is delivered more effectively and efficiently; as evidenced by the relief operation in Indonesia 2004. The UN should recognize its power as a deliverer of humanitarian aid, use legal justifications for bypassing sovereignty, and collaborate with NGOs to leverage actions that can save more lives.

One space where collective decisions to use leverage can occur or be discussed are humanitarian aid forums. NGOs are brought together around a topic or crisis, and they should take advantage of these forums to not only build solidarity but also communicate across organizations the most effective ways to lessen pressures placed on humanitarian aid. The Sphere standards are proof that NGOs can collaborate for a better future of humanitarian aid. More importantly, they can do it again.

*Recommendation 2 - NGOs should employ and integrate technology where possible to increase accountability, efficiency, and safety of humanitarian aid delivery.*

In the last decade, technology has infused itself into almost all facets of humanitarian aid. When NGOs cannot afford being on the ground due to violence, technology can achieve similar results with little to no physical risks. Drones, satellite imagery, and GPS tracking have long been used to this end. However, NGOs should capitalize on newer technological innovations such as electronic cash transfers to improve delivery of aid. Not only would this increase the efficiency of remote working, technology has proven to be highly adaptable to the

diverse risk contexts on the ground. Smartphones are ideal due to their ubiquity, varied functions, and ease of use.

We recommend NGOs to consider novel applications of technology to further communication with local communities and enable them to hold armed groups accountable. Local communities are a key player in negotiations. Even the simplest technology such as video calls and social media can increase the success of NGOs engaging with hostile parties and accessing communities in need.

NGOs should work towards a future where humanitarian aid is no longer assessed, distributed, and verified from a single source such as physical evidence from humans and paper receipts. A wider variety of methods is needed to triangulate the delivery of aid to ensure accountability. Social media, emails, SMS messages, and various other mediums such as videos or photos can be utilized where traditional methods of assistance fails. Donors themselves should not be compliant in the age of technological innovation. Greater donor acceptance of these alternative mediums can give NGOs more flexibility and power to complete their operations. Grant proposals are a way for NGOs to promote the further use of technology. If there is a case made for using technology within grant proposals and NGOs receives the means to do so, in time, it will establish a norm for the improvement of humanitarian aid.



Appendix  
Figure 1.

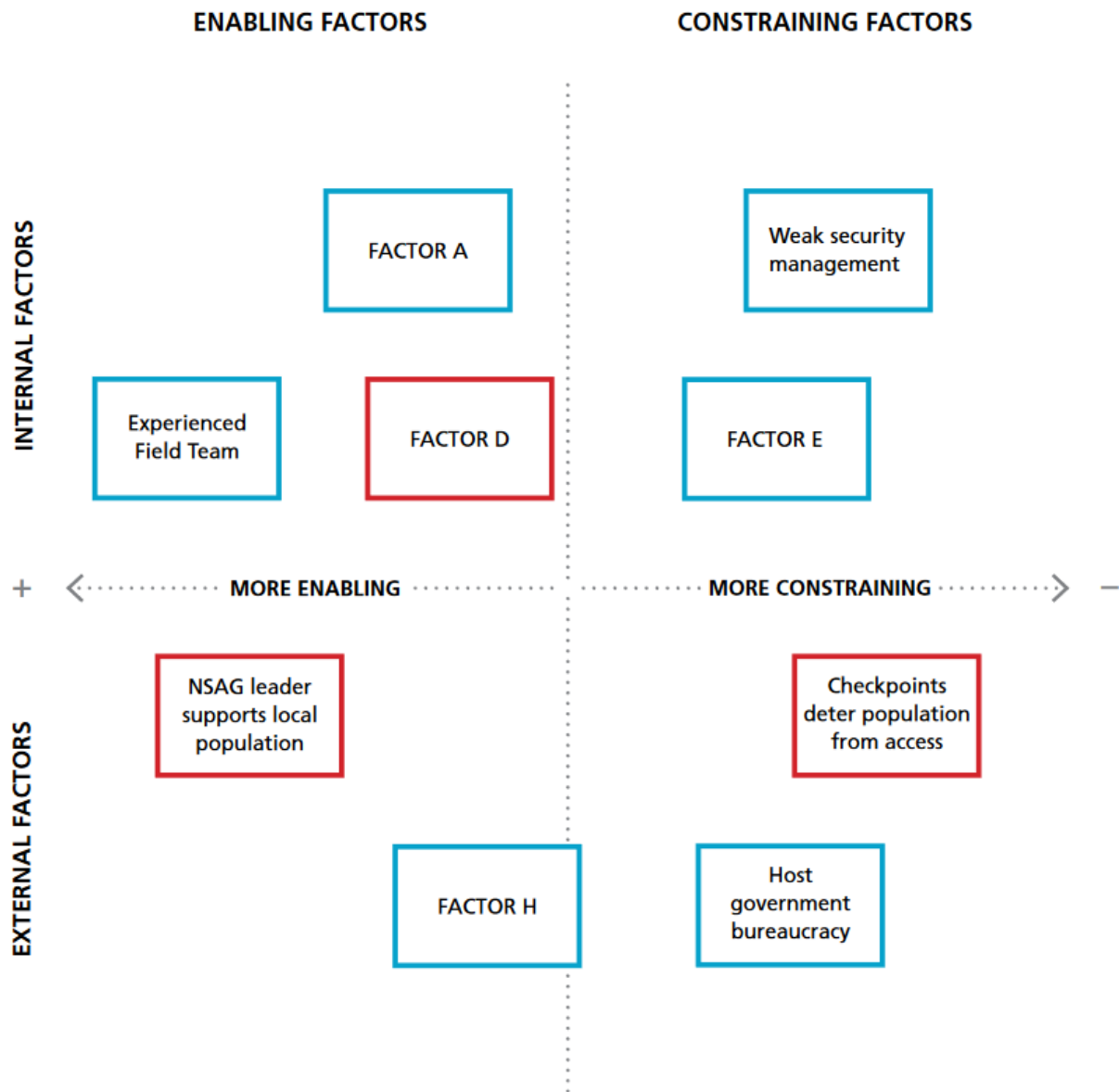


Figure 1. 2014 Switzerland Federal Department of Foreign Affairs framework for engaging with armed groups

Figure 2.

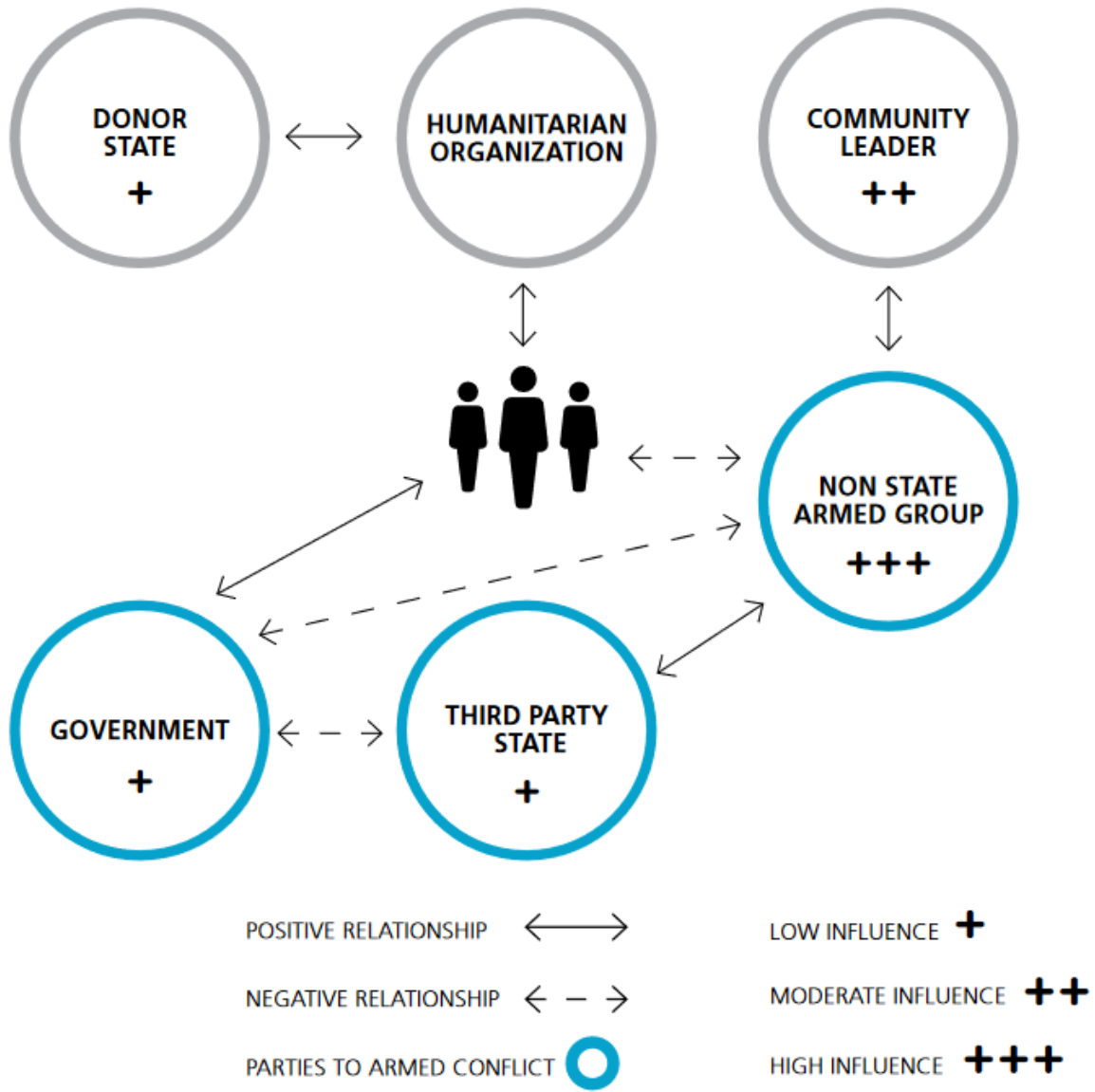


Figure 2. 2014 Switzerland Humanitarian Field Guide visual representation of the concept "relationship mapping."

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