

Military Support to Civilian Authorities

by

MG (ret) Kees Homan RNLMC

Introduction

As we all have witnessed during the last decade, there is a trend for armed forces around the world to go beyond traditional war-fighting and take on civil humanitarian tasks. The military support of civilian authorities has become a well-known phenomenon, nationally as well as internationally. I just have to mention operations like the US military missions to Mississippi and Louisiana after Hurricane Katrina in 2005, and international military relief operations such as those in response to the 2004 Indian Ocean tsunami and the 2005 Kashmir earthquake, which included the first uses of the fast-reaction NATO Response Force.

Four distinct models can be identified in which military forces are deployed in a humanitarian role and which can affect overall success and performance:

1. Detached deployment of military assets: this the most common model – the military establishment simply donates commodities or lends equipment and the necessary personnel to operate them. Civilian control over deployment is inherent in this model and the most successful applications of military assets usually follow.
2. Use of military units to augment civil manpower: in this model military units are used to provide additional manpower usually and occurs during or immediately after a disaster. Popular roles are flood and fire-fighting, debris clearance, post-disaster security and control.
3. Use of military units as a substitute for civilian workers: in this model it is often proposed in crises that the military take over certain functions from civil authorities, ranging from operating municipal water systems to deliver mail. As a general rule, this is an unsuitable role for the military, especially for foreign forces.
4. Use of the military in security and police roles: this is perhaps the most common role for national military units in civil emergencies is an extension of local police forces. With proper training and subordination to civilian authority, this is an effective role for the military.

Focusing now on military capabilities in natural disasters, the foreign military and defence assets which were worldwide provided during the period 1997-2006 were: communications, engineering, medical support, power supply and distribution, search and rescue, transport, logistics and coordination, sea and inland water, and water and sanitation. Among those assets, air transport, logistics and coordination, medical support and expert personnel were mostly deployed.

NATO's role

Although not a primary task for the alliance, NATO's role in civil emergencies (responding to natural and manmade disasters) has been progressively defined and

developed. However, we have to keep in mind, that the primary responsibility with regard to civil emergencies lies with national authorities. NATO's role in this area is only secondary and subsidiary and rests primarily on national assets. NATO's intervention is driven by the needs of its members and partners. In this sense, NATO's role in civil emergencies is generally said to be needs-driven and stems from the 'added value' that the Alliance can bring to the management of crisis situations.

It's NATO's opinion that when the scale of the disaster is so great that first responders – local authority and/or interior ministry forces – are simply overwhelmed, the military can and should become involved. But this assistance should be delivered according to the principle of subsidiarity. Civil responders in the lead must formally request military support. Preferably, the United Nations, specifically the United Nations' Office for the Coordination of Humanitarian Affairs (UN OCHA), should be in the lead together with the authorities of the stricken country, in any international disaster-relief operation.

According to the deputy assistant secretary general in NATO's Operations Division, responsible for the Alliance's work in the field of civil-emergency planning, Mr. Maurits Jochems, NATO's added value is that

1. Only very few Allies, such as the United States are capable of transporting significant relief capabilities rapidly over great distances to stricken areas and to sustain the effort.
2. NATO's primary contribution is the coordinating, liaising and facilitating function that the EADRCC and the Alliance's military structure provide.
3. These enable smaller Allies to contribute capabilities, such as military hospital or water purification unit, that they would not be able to contribute on their own.
4. This coordination role that characterises NATO-led operations has proven useful both to the authorities of the receiving countries and to the United Nations, who were thereby able to deal with a single actor rather than many.

However, a recent study published by the well respected Stockholm International Peace Research Institute (SIPRI), questions what value was added to the response by the involvement of NATO as an organization – as opposed to that of individual NATO member countries. Although the NATO assets were ostensibly under a unified command, some of them still required that all tasks be cleared by their national commands. This created problems of coordination and delays. However, such 'multi-bilateralism' can be considered as a common feature of NATO operations.

In its report on the response, the UK Department for International Development (DfID) observed that some of the common benefits of using foreign military assets – rapid deployment, flexibility, strong organization and leadership – were lost when assets were deployed under NATO, but not when they were deployed bilaterally. I think, this is an issue which should be discussed at this seminar.

The SIPRI-study also mentions that although the mission of the EADRCC is 'to coordinate the response of NATO and partner countries to natural or man-made disasters within the Euro-Atlantic area', not all NATO members accept that the organization should be involved in disaster responses or other humanitarian activities in third countries. Consequently, requests for military disaster relief assistance from NATO outside the Euro-Atlantic zone are referred to the NAC for consideration.

One of the key variables that influence contributing countries' policies on sending military assets for international disaster relief assistance is their national strategic culture, which relates to the perceived and actual role of the military in the society and the world. In some countries, it is considered normal for the armed forces to play a central part in response to natural or man-made disasters. In others, disaster relief is considered as an inappropriate role for armed forces.

Oslo Guidelines

It has also to be mentioned, that civilian humanitarian actors are often concerned about being too closely associated with a military force, even in peace time. However there is a growing acceptance in the humanitarian community that military assets can play an appropriate role in supporting natural disaster responses. While humanitarian relief is and should remain a predominantly civilian function, military assets can play a valuable role in natural disaster relief.

The Oslo Guidelines, which were formulated in 1994, are intended to address the need for principles and standards and to provide improved coordination in the use of military and civil defence assets in response to natural, technological and environmental emergencies in peacetime. The Oslo Guidelines stipulate that all humanitarian assistance must be provided in accordance with the core principles of humanity, neutrality and impartiality and with full respect for the sovereignty of states.

It has been recommended that steps should be taken to improve the capacity of military commanders and forces in potential contributing countries to take part in natural disaster relief alongside humanitarian actors. Examples are military training and ensuring that military doctrines, standard operating procedures and field manuals adequately reference humanitarian principles and elements of the Oslo Guidelines. In addition, it has been recommended that humanitarian actors should be involved in the design of military training on humanitarian assistance and disaster response.

However, as I mentioned before, the Oslo Guidelines are designed to be applied to operations that take place in peacetime. However, many of the major natural disasters that provoked an international humanitarian response in recent years occurred in areas with pre-existing conflicts, such as Aceh province in Indonesia, Haiti, Kashmir and Sri Lanka. The question arises how relevant the guidelines are when a natural disaster takes place in the context of a complex emergency situation. Foreign troops can run the risk of becoming associated with one of the conflict parties.

In Sri Lanka for instance, the Liberation Tigers of Tamil Eelam (LTTE) were very suspicious of Indian and US troops as they were believed to collaborate with the government. Only in the initial shock after the tsunami hit, the conflict was pushed to the background. As soon as politics crept in, this brief period was over. This affected the aid operation seriously. The considerations of the conflict parties took over and the logic-of-conflict started to predominate. In such a situation, military humanitarian aid providers lose their neutrality and face serious limitations. Aid itself becomes securitized and forms a subject of struggle.

Climate change

I'll now discuss the topic of climate change. Climate change is considered recently as one of the critical forces shaping the 21st century. Together with globalization, population growth and technological change, climate change will fundamentally alter the way we live, but also the risks we face and how we shall interact in an increasingly interdependent world. Global warming is a grave and growing threat. Floods, droughts and hurricanes will undoubtedly lead to an increase in humanitarian crises. Armed forces will face increased demands to deploy as part of crisis management efforts as a result of the increase in frequency and severity of extreme weather events like hurricanes and earthquakes, aggravated by sea-level rise.

The UN Security Council held its first ever debate on the impact of climate change on international peace and security on 17 April 2007. Two-third of the Security Council membership, and three-quarters of the speakers, agreed that climate change had a significant security dimension.

The impacts of climate change, particularly the growing risks of natural disasters and the damaging effects on development for already fragile states, may increase the pressure for military forces to participate in growing numbers of humanitarian assistance, disaster relief and evacuation operations. The demand for foreign interventions of all kinds – financial aid, civil support, humanitarian assistance, but also military intervention – seems likely to grow more than would be the case if there were no climate change. This will put increasing pressure on governments and international bodies, which might be hard pressed to find both resources and remedies.

The specific conflict constellations, the failure of disaster management systems after extreme weather events and increasing environmental migration will be almost impossible to manage without support from military capacities and therefore pose a challenge to classic security policy. In this context, a well-functioning cooperation between development and security policy will be crucial as civilian conflict management and reconstruction assistance are reliant on a minimum level of security.

The responsibility to protect

As mentioned before, the impacts of unabated climate change, severe environmental degradation and environmentally-induced conflicts can be regarded as a threat to international security and world peace. Presumably, therefore, the Security Council is authorized to take action in cases of widespread destruction of natural environmental goods and grave violations of international environmental law and can apply appropriate sanctions against the states responsible. The Security Council now having debated in depth the security policy implications of climate change for the first time in April last year, the question which arises is whether and how the Security Council's mandate can be appropriately adapted to meet these challenges. One option is to invoke the principle of the 'responsibility to protect' by means of which the United Nations claims high moral authority. The concept of the 'responsibility to protect' was unanimously endorsed by 150 heads of state and government at the 2005 UN World Summit, and means that when governments are not willing or able to protect their people, the UN has the right to intervene.

After the cyclone Nargis slammed into Burma on May 2nd this year, the Burmese junta did not let the international relief agencies do their work. The generals, in effectively denying relief to hundreds of thousands of people at real and immediate risk of death, can itself be characterized as a crime against humanity, where the responsibility to protect principle does cut in. However, as France suggested invoking a U.N. 'responsibility to protect' resolution in the Security Council, which authorized the delivery of aid and imposes this on the Burmese government, China, Vietnam, South Africa and Russia argued against the Security Council getting involved, while they considered this as an interference in the domestic affairs of Burma. There is still a big gap between political declarations and practice!

Effectiveness

Military assets have been an integral part of the international community's humanitarian responses to many major, rapid-onset natural disasters, and they are likely to remain so for the foreseeable future. The SIPRI study, I mentioned before, distinguishes six areas that influence the effectiveness and desirability of deploying military assets in response to a natural disaster. Those six interconnected aspects of effectiveness are:

1. *Timeliness*: seems to be the main factor affecting the effectiveness of foreign military assets in a natural disaster response, especially in the first days and weeks of the operation.
2. *Appropriateness and competence*: needs assessments are very important.
3. *Efficiency*: depends not only on the efficiency with which it carries out its assigned tasks but also on how well its capabilities are used within the larger operation.
4. *Absorptive capacity*: while individual military assets tend to be relatively self-sufficient and thus to place a small burden on absorptive capacity, the arrival of large numbers of foreign military assets from different countries and with overlapping capabilities can cause serious problems.
5. *Coordination*: between civilian humanitarian actors and military assets has been one of the greatest challenges created by the increasing deployment of foreign military assets. Differences in cultures, priorities and operating modes have an impact not least on information sharing. This role is best and most suitably carried out by the United Nations, led by OCHA.
6. *Costs*: of deploying military assets are generally higher than for civilian assets. This has caused concerns that foreign military assets are placing a disproportionate burden on humanitarian funds. However, in several countries their defence ministries cover some or all of the costs deploying military assets for overseas relief.

In conclusion

In conclusion, Jamie Shea, Director Policy Planning, Private Office of the Secretary General of NATO, remarked at a Conference at the Peace Palace in The Hague in March last year, that one of the areas to which NATO will be turning more in the years to come is consequence management. NATO should increasingly focus on the question how the military can be used in the wake of major disasters or terrorist attacks for the cleanup and decontamination, site protection for handling people, restoring roads and essential services, as well as for communications and air traffic management. The challenge, he said, will be for the military to plan effective cooperation with civilian authorities for an efficient

response. This underlines, I think, the importance of the issues we are going to discuss those two days.

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