

1.7. Armed conflicts and humanitarian work

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I am serious about making sure we have the best relationship with the NGOs, who are such a force multiplier for us, such an important part of our combat team.

Colin Powell¹

World of war

Armed conflicts continue to be a serious threat both to public health and to the environment. Between 1990 and 2001, there were 57 major armed conflicts in 45 different places²; the majority were internal conflicts and frequently involved regular armies, but there were also international conflicts such as the Iraq-Kuwait War, the First Gulf War, as well as conflicts between India and Pakistan and between Ethiopia and Eritrea, not to mention NATO intervention in the ex-Yugoslavia. In 2002 alone there were 21 conflicts, mainly civil wars; 2002 also saw the start of the war in Afghanistan and 2003 the Second Gulf War, both of which are still underway and spiralling towards civil war. Many conflicts, especially civil ones, are scarcely covered by the mass media despite their devastating consequences; it is estimated that since 1998 war in the Democratic Republic of Congo has killed almost 4 million people, 600,000 alone between 2003 and 2004: in excess of 1200 deaths per day³. A ceasefire has held between Israel and Lebanon since 2006, one that was reached after more than a month of conflict; the price of the fighting was paid almost exclusively by the civilian population of Lebanon. Palestinians in the Occupied Territories are subjected to aggression on a daily basis, a situation that creates global insecurity, the victim of which is also the people of Israel.

Helping the victims of war: an increasingly difficult task

Armed conflicts have a huge impact on public life and health: they destroy families, communities and at times entire nations and cultures. The work of the Non-Governmental Organizations that attempt to alleviate these effects has never been easy. However, at the end of the 1990s, namely with the attack on ex-Yugoslavia in 1999, a further critical situation was added: the invention of the “humanitarian war”. According to this concept, military intervention is considered to be the equivalent of humanitarian action as it defends human rights. On one hand, anyone who opposes this war within the warring nations is suspected of supporting the enemy and the injustices they commit; this suspicion carries even greater shame because each time the enemy, no matter who they are, are portrayed as the reincarnation of Hitler. On the other the boundaries between those who carry out military operations and those who carry out humanitarian ones vanish in the theatre of war. Both

these effects are deliberately sought and actively promised by warring governments as they tirelessly seek to rally public opinion around their military expeditions.

The neutrality of humanitarian organizations was dealt another blow, mortal according to some, in the wake of the September 11 terrorist attacks. The doctrine of “either you’re with us or against us” of the Bush government “denies the possibility of neutrality by simply vanishing it away. It defines the two sides of the conflict—‘terrorism’ versus ‘freedom’ and ‘civilisation’”, stated Jo Nickolls, Oxfam’s Iraq consultant⁴. In 2001, just before the invasion of Afghanistan, Secretary of State Colin Powell stated that he considered the US’s Non-Governmental Organizations (NGOs) “part of our combat team” who played the role of a “force multiplier” in the NATO war effort⁵. Subsequently in a Ministry of Defence communication in 2005, reconstruction and stabilization via military operations was termed “a core US military mission”⁶. British Prime Minister Tony Blair emphasized the need for a “military humanitarian coalition”, a statement which, according to Jean-Michel Piedagnel, head of the English section of Médecins Sans Frontières (MSF), furthered the belief that all Western NGOs were simply extensions of their governments’ foreign policy. Some NGOs do have themselves escorted by the military; they advise the military on intervention sites or request intervention in particular zones⁷. In this context, any NGO interested in maintaining its independence needs to raise its voice. “We are not actors in the War against Terrorism”, was how MSF tried to clarify its position following the attack on the headquarters of the International Committee of the Red Cross in Baghdad on 27 October 2003⁸. One month later, the British Medical Journal returned to the issue when it reported a statement by the head of MSF Germany, Ulrike von Pilar, who described the risks entailed by the blurred distinction between humanitarian work and politics; she said: “In Iraq, for example, US soldiers drive around in cars marked ‘Humanitarian Help.’ This leads to a blurring of the distinction between occupiers and aid organizations. How should the local people still be able to distinguish between those who are pursuing military interests and those who want to give independent help?”⁹.

In May 2004, MSF again raised concerns over the confusion created among civilians in Afghanistan after the distribution of leaflets, which were later withdrawn, linking humanitarian aid with military operations¹⁰. Director of Operations, Kenny Gluck, said that the distribution of these leaflets had “further compromised the independent and neutral character of humanitarian assistance”. On that occasion, MSF’s mission chief in Afghanistan, Nelke Manders, stated: “The deliberate linking of humanitarian aid with military objectives destroys the meaning of humanitarianism. It will result, in the end, in the neediest Afghans not getting badly needed aid – and those providing aid being targeted”. One month later, five MSF workers were killed and the organization was forced to withdraw from the country¹¹.

Italy also has a number of NGOs with first-hand experience of armed conflicts. For further insight into the aforementioned ideas, interviews were conducted with representatives of several Italian NGOs: Rossella Miccio, Coordinator of Ngo Emergency’s Humanitarian Office (RM); Kostas Moschocoritis, Director General of MSF Italia (KM); Raffaele Salinari, President of *Terre des Hommes* Italia (RS);

and Fabio Alberti, President of *Un Ponte per* (FA). All of the interviewees were asked the same three questions.

1. What are the essential criteria for being able to carry out genuinely humanitarian work in the context of an armed conflict?
2. What criteria are breached most often?
3. What effects has the War on Terror had on the work of humanitarian agencies?

What are the essential criteria for being able to carry out genuinely humanitarian work in the context of an armed conflict?

RM. The essential characteristic of humanitarian work is neutrality. This service must be made available to anyone who needs it. This is why when we intervene in a country at war, we try to set up facilities on both sides of the front. Furthermore, no weapons are allowed into our hospitals, and there are no armed guards. This is an important sign to the local population who, especially in recent years, have seen an increase in the number of humanitarian workers with military escorts. Another key feature is the accessibility of facilities to the wounded. It is vital that the warring parties do not stop the wounded from getting to hospital and that they do not interfere in the running of clinical activities, or force one patient to be treated before another.

KM. In any armed conflict, the main objective of a humanitarian organization is to reach the population. This task would be impossible were humanitarian work not based on three core principles: independence, neutrality and impartiality. These principles distinguish, and must distinguish, genuine humanitarian work from work that is often called humanitarian, but is actually something completely different. Independence should not only be political, but economic as well. How can we even think about working autonomously in Somalia or in Iraq by accepting money from one of the governments involved in the War on Terror? How would we be seen by that part of the population that does not feel represented by Western interests? Another criterion we adhere to is guaranteeing the security of our workers. We accept that calculated risks need to be taken and we assess risks against the results we expect. Unfortunately, despite employing tight security measures, in recent years we have seen a worrying escalation in acts of violence against our workers: from the killings in Afghanistan in 2004 to the kidnapping of two female colleagues, a doctor and a nurse, in Somalia at the end of 2007. Furthermore, we need to ensure that aid is not manipulated or exploited by one of the warring parties: NGOs must be tough and give as little ground as possible; it is also very important that NGO workers are present in war zones.

RS. After the war in Iraq, and before that during the armed intervention in Afghanistan, we entered a new phase of humanitarian aid. We have gone from declaring the NATO bombings of Serbia a humanitarian war and dropping cluster bombs and food rations at the same time in Afghanistan, to Iraq where it is impos-

sible for any non-embedded humanitarian NGO to act. We need to rethink the very foundations of humanitarian action; or at least how it is perceived by the Geneva Conventions. Although the criteria of neutrality, impartiality and omnipresence are still valid, we need to implement them on a wider scale, namely report all of the political and military situations that not only prevent aid reaching those who need it, but also the distorted use that is made of aid nowadays; this is especially true of military forces, which use humanitarian aid as a weapon of war and propaganda. We cannot remain neutral when humanitarian law is being breached; we must take sides and a political stand in its defence. The criteria have not changed, but today we need to be even more radical in their defence and implementation: we require full neutrality, a net separation of humanitarian and military, we must report any clashes as well as any embedded NGOs breaching these criteria. Lastly, and this is an important point, as an NGO, we must counter the logic behind the permanent global war on terror with a policy of permanent global disarmament as the only guarantee that humanitarian aid is confined to dealing with natural catastrophes and not increasingly as a palliative measure to treat the side effects of war.

FA. By definition humanitarian intervention must be neutral and non-discriminatory. Aid or help must be given to victims on both sides of the conflict in equal measure, in particular to civilians. For this to be possible, one non-negotiable condition is that initiatives are completely disassociated from both sides, in particular from armed forces, whoever they are and whatever the reasons behind the conflict. This is why the rising number of initiatives carried out by armies or by states party to the conflict, even if they are not participating in the fighting, must not be defined as "humanitarian aid". These initiatives deal only with helping the populations in controlled territories or ones under the jurisdiction of allies. However, the international debate on humanitarian aid is being affected by the growing strength of certain factors; one particular factor involves using local resources to their maximum potential. This entails helping a population to help itself so that they use local resources rather than having aid brought in from outside.

What criteria are breached most often?

RM. Unfortunately, over the last few years, intervening in conflicts has become increasingly difficult and dangerous. We are witnessing NGOs and humanitarian agencies being drafted into politics. When it was decided to wage war in Afghanistan in 2001 humanitarian aid agencies were ordered to evacuate the country. They were told that they would be allowed to return at a later date and that the forces about to bomb the country would provide the economic resources to carry out reconstruction projects. It is a shame that during the bombings, the population needed international aid more than ever. More recently in Afghanistan, international forces and the Afghan military have developed a new security policy. During military operations, or following attacks and explosions, the areas concerned are

sealed off and the wounded cannot be evacuated until the area has been stabilized. Over recent years, Emergency has also experienced a severe downturn in its working conditions within countries at war; the most recent episodes in Afghanistan are an example of this.

KM. All three pillars of humanitarian aid have been breached and exploited for political purposes on a number of occasions since the end of the Cold War. Both Kosovo in 1999, and especially Afghanistan in 2001, underwent so-called humanitarian military intervention during an armed conflict. Politicians and military forces use the term “humanitarian” liberally to justify their intervention. The problem, however, is not only manipulation by governments and armies; nowadays NGOs are increasingly agreeing to be embedded actors of governments and military contingents, as seen most recently in Iraq.

RS. Undoubtedly it is the separation of military and civil, i.e. the criterion of neutrality. The military clearly cannot portray themselves as humanitarian agents in a war zone: one day they’re giving out sweets, the next they’re firing guns. Another criterion being breached more often is the possibility of aiding wounded civilians. In some war zones, including Iraq and Afghanistan, where civilians die in the worst possible conditions, it is not possible to operate because often the war is irregular, i.e. fought with obscure means outside international conventions both regarding the *jus in bellum* and the use of experimental arms that do not comply with agreements on the use of non-conventional weapons. Last but by no means least, non-embedded NGOs are being increasingly denied access to operation zones; one example is Fallujah, where none of us was able to enter the city to tend to the wounded. We are witnessing a whole host of violations, all of which lead back to one clear need: dismantle international humanitarian law because it is the weak, but symbolic, link to equity between sovereign states. The current War on Terror, however, is a “constituent war”, which means that its aim is to reset the balance of power, and consequently international regulations; the starting point is a denial of the right to assistance.

FA. Much has been said about the frequent violations of the principle of neutrality stemming from military intervention, something that is eroding humanitarian space. This space was once a security zone for humanitarian workers and a guarantee that all victims had the right to aid. Too often, however, NGOs also tend to carry out initiatives on their own instead of setting up partnerships with local civil society or supporting actions that local people can put into action autonomously.

What effects has the War on Terror had on the work of humanitarian agencies?

RM. The main effect is the effacement of legality and respect for humanitarian work. Neutral players are no longer allowed: you’re either with me or against me. The right to be treated if you are wounded is increasingly trampled underfoot and humanitarian workers are being denied the chance to reach people in need.

KM. Firstly we should remember that we have entered the age of “either you’re with us or against us”. In many of the areas where the War on Terror is being conducted, NGOs are seen as Western actors and thus on the opposing side. That governments and armies, with the mass media as their accomplices, define their action as humanitarian just doesn’t hold water: it is purely an act of propaganda. Disguising a military presence with the word “humanitarian” does nothing but blur the role of NGOs, which by definition are non-governmental. Unfortunately the phenomenon of embedded NGOs further fuels the confusion and make humanitarian action more vulnerable.

RS. The War on Terror is a war without clear borders or easy-to-define enemies and is irregular in its methods and logic. When the entire system of the *jus ad bellum* and of the *jus in bellum* is overturned; when coalitions are created ad hoc; when weapons are orientated towards killing civilians rather than soldiers; when people are not allowed to move freely and are checked up on within war zones and countries at war for security reasons, then we can say that war affects us all and that securitism, i.e. the management of human lives through public order and a state of exception, becomes a form of politics both inside and outside the theatres of war. The effects are that humanitarian aid, and especially the defence of its principles, needs to be applied globally; every day and for every citizen in the world, humanitarian aid stands as a champion against the progressive violation of human rights, which are real goal of this war on terror; violations of humanitarian law, wherever they occur, must be reported on a daily basis and lead to “preventive humanitarian aid”, both inside and outside the theatres of war. Today, this is perhaps the main role of independent humanitarian NGOs.

FA. The so-called War on Terror is merely an ideological façade to justify war and military action, making them appear noble causes, when there is really a hidden agenda, one that includes geopolitical strategies, controlling resources and maintaining military superiority. It also acts as cover for the restrictions on basic freedoms that authoritarian states (but not only them) are introducing. Within this War on Terror, the area occupied by humanitarian space is being worn away and actually being denied to populations who are “on the wrong side”. The confusion over humanitarian space created by activities that warring armies and governments define as humanitarian has dramatically reduced the security of aid workers and the scope of action of independent humanitarian agencies. Consequently terrorist groups increasingly consider aid agencies to be part of the opposing forces, or they are defined as such by governments and armies, making them targets of attack.

Conclusions

Both international opinion and interviews with Italian experts in the field have revealed extremely negative opinions on the inclusion of NGOs in the war effort. Accepting the integration of humanitarian and military action not only means re-

nouncing the most important requirements for effective humanitarian aid, i.e. neutrality and independence, but is also a violation of the Geneva Conventions, which state that military action must be clearly distinct from humanitarian action. Therefore, 'humanitarian' war actually contravenes the regulations of international humanitarian law it claims to defend. This becomes increasingly clearer if we look at other requirements of these regulations. According to the Geneva Conventions, civilians must not be targeted by military action; warring sides are required to employ weapons designed to strike combatants, and not civilians; there are standards governing the conditions of surrender, the treatment and detention of prisoners, etc. All of these principles have been blatantly contravened during the routine conduct of modern warfare, where all conflicts share the following characteristics¹²:

- systematic and irreversible recourse to weapons and military strategies that make it impossible to differentiate between civilian and military targets; this leads to increasingly higher casualties among the civilian population, which has accounted for 90% of the victims of conflicts since the 1990s¹³;
- major indirect effects on the health of populations exposed to war, which can continue for years after the end of hostilities (i.e. destruction of day-to-day infrastructure and exposure of humans and the environment to toxic substances with long latency times);
- withdrawal of economic resources from the social and health sector, thus contributing to an increase in social inequality; in the meantime, the socially and economically disadvantaged run a higher risk of being wounded or killed in war¹⁴;
- partial privatization of war, which makes controlling military operations even more difficult¹⁵;
- lack of clear boundaries in space, time and legal obligations within a context of growing world disorder that fosters the recourse to armed intervention and also erodes civil rights within warring states¹⁶;
- risk of nuclear powers using their weapons and other countries racing to develop them;
- rise in the combining of military intervention with NGO humanitarian operations;
- contradiction between the consequences and rhetoric used by warring governments to justify their politics (e.g. humanitarian intervention, defence/export of democracy and wellbeing, increase in international security by preventing terrorist action, etc.).

These features illustrate the fundamental contradictions between war and human emancipation; therefore prevention of wars is the only way to address a problem. As within other health sectors, there are three different ways of preventing armed conflicts: primary, secondary and tertiary prevention.

- Primary prevention, i.e. preventing war from breaking out or halting a war that has already started, is only possible by acting on the causes of conflicts and meeting needs with long-term political action¹⁷.
- Secondary prevention entails preventing and reducing the consequences of war on health and the environment to a minimum and is normally implemented by applying treaties that govern the *jus in bellum*, principally the Geneva Conventions.

- Tertiary prevention involves addressing the consequences of war and is thus entrusted to humanitarian health organizations and their workers. In the past, many of these organizations have dealt little, or not at all, with the first two forms of prevention, indeed they have often declared that they are not interested in political issues. The current situation seems to have plunged this policy into crisis.

Government war policy has drafted NGOs into their combat teams, both in real terms and in the eyes of large swathes of the populations in warring countries. This situation has created an apparent paradox in which the neutrality and independence of humanitarian organizations can only be maintained if a firm political stand is taken against this policy. In the future, genuine humanitarian work will only be possible if humanitarian agencies are able to take up this challenge.

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