

2007

United Nations
University Press
TOKYO • NEW YORK • PARIS



Handwritten notes: Real-World Humanitarian Diplomacy
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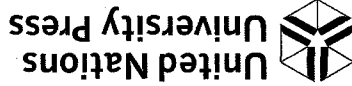
Humanitarian diplomacy:
Practitioners and their craft

Edited by Larry Minear and Hazel Smith

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Book information:
 ISBN 92-808-1134-7;
 450pp: US\$37.00

Order from:



Larry Minear is the Director of the Humanitarianism and War Project at Tufts University, USA. **Hazel Smith** is a Professor in International Relations at the University of Warwick, UK.

This volume provides a unique resource for the practitioner, policy communities and students of humanitarian action, as well as for the concerned international public on whose support humanitarian action in such settings depends.

This volume provides a compendium of experiences presented and analyzed by 14 senior humanitarian practitioners who led humanitarian operations in settings as diverse as the Balkans and Nepal; Somalia and East Timor, and across a time frame from the 1970s in Cambodia and 1980s in Lebanon to more recent engagement in Colombia and Iraq. Their unique experiences and insights from the field are framed by context-setting essays on the theory and practice of humanitarian diplomacy and on the ingredients of the craft as practiced by humanitarian professionals.

Humanitarian professionals are on the front lines of today's internal armed conflicts, negotiating access through physical and diplomatic roadblocks to reach imperiled civilians. They frequent the corridors of power, interceding with politicians and diplomats in countries wracked by violence, in capitals of donor governments that underwrite humanitarian work, and at the United Nations Security Council. They provide the media with authoritative and catalytic information about situations of humanitarian extremity.

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Edited by Larry Minear and Hazel Smith

Humanitarian Diplomacy: Practitioners and Their Craft



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Introduction

Larry Minear and Hazel Smith

This volume offers a series of intimate glimpses into the day-to-day complexities of mounting and maintaining humanitarian activities in some of the world's most conflicted, intractable and remote settings. Readers will visit 14 different theatres in Asia, Africa, the Middle East and Latin America during the Cold War and the post-Cold War periods. The activities reviewed include not only the provision of emergency succour but also the protection of basic human rights.

As an aid to understanding the challenges faced and the experiences recounted, this volume offers the concept of humanitarian diplomacy. This we understand to encompass the activities carried out by humanitarian organizations to obtain the space from political and military authorities within which to function with integrity. These activities comprise such efforts as arranging for the presence of international humanitarian organizations and personnel in a given country, negotiating access to civilian populations in need of assistance and protection, monitoring assistance programmes, promoting respect for international law and norms, supporting indigenous individuals and institutions, and engaging in advocacy at a variety of levels in support of humanitarian objectives. Humanitarian diplomacy involves activities carried out by humanitarian institutions and personnel, as distinct from diplomacy exercised by traditional diplomats, even in support of humanitarian activities.

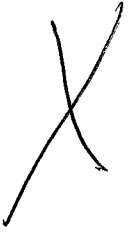
Having introduced the concept of humanitarian diplomacy, we must quickly qualify it. As pointed out by Ambassador Lakhdar Brahimi in his Foreword, most humanitarian practitioners do not think of them-

selves as diplomats. Diplomacy is a specialized function carried out by a special category of personnel. The duties and obligations of official diplomats and the conduct of their functions are clearly framed by international law and custom. Behind the discomfort of humanitarian officials with the diplomacy label is the fact that diplomacy involves regular interactions with host political officials, be they state or non-state actors. Whereas the portfolio of diplomats is eminently political, humanitarian agencies seek to establish and maintain their non-political bona fides. The experiences recounted in this volume display humanitarian agencies at work in highly political and politicized settings. From the rich data and analyses provided, readers will themselves be able to reach a judgement about the extent to which the term "humanitarian diplomacy" is appropriate to describe the activities conducted. The first chapter of the book therefore provides an analysis of the craft of humanitarian diplomacy, building on recurring themes from the following 14 case studies. The second chapter compares and contrasts humanitarian and traditional diplomacy.

In addition to breaking new intellectual ground in introducing and testing the concept of humanitarian diplomacy, this volume is innovative in its use of practitioners as both the subjects and the objects of the research process. We have quite intentionally asked humanitarian officials themselves to function as policy analysts, reflecting on activities for which they themselves had major operational responsibility. We did this in part because scholars have not had the sustained access to some of the geographical areas in times of conflict or, for that matter, to the internal documentation that chronicles agency experience. We also chose this course of action because practitioners, as major actors in these settings, have an important perspective to contribute. The reflection process in which they are engaged may also play a useful role in the lesson-learning efforts of their organizations and the humanitarian sector as a whole.

Existing practitioners into policy analysis, however, edges some of them onto unfamiliar ground. Even senior officials, accustomed to write reports that are primarily descriptive, are less familiar with the task of examining policy options, assessing the impacts of strategies adopted or rejected, or moving from the very specific circumstances encountered and decisions taken to identify lessons of wider import. To guide the reflection process as well as to ensure a certain comparability among case studies, the editors and contributors agreed a template for the preparation of their chapters. Each chapter accordingly has five sections: context, operational issues, obstacles and opportunities, negotiations, and wider implications.

Some of the authors chafed more than others under these strictures, and there remains a certain unevenness from one chapter to the next.



Both use
diplomacy
as a metaphor
and process

We hope, however, that the results of the template structure will assist readers in making sense of the experiences shared. Some will want to read the volume from the top, following the presentation of the case studies content by continent. Others will gravitate to a chapter of special geographical appeal. Readers with specific policy interests – for example, in identifying the problems encountered by humanitarian organizations or in assessing what may have been sacrificed, if anything, in the pursuit of humanitarian access – may wish to read a given section of each chapter back-to-back.

This volume is the product of a strenuous research process that began in 2002 when the design of the undertaking was agreed and funding was provided by the United Nations World Food Programme (WFP), the United States Institute of Peace and the United Nations University (UNU). Discussions of the entire group of authors in Bangkok in March 2004 helped establish the analytical framework and sort out certain methodological issues. Discussions among a smaller group of authors in Rome on the occasion of a lessons-identified workshop hosted by the WFP in November 2004 helped refine the approach further and identify cross-cutting issues and tentative conclusions.

In the intervening period, during which our manuscript has been reviewed and critiqued by the United Nations University Press, the situations described in a number of the case studies have changed, whether for the better or the worse. Since each of the chapters represents a “snapshot in time” of a particular humanitarian initiative, we have not asked the authors to update their analysis to accommodate late-breaking developments. For the most part, recent events do not change the analysis already offered, although they may highlight the importance of some of the options earlier embraced or discarded.

We see this volume as a contribution to a growing literature on the exercise of humanitarian action. It seeks to inform practitioners in their exercise of the craft of humanitarian diplomacy. It will also interest diplomats, many of whom have no working understanding of humanitarian principles or of the need for protecting the independence of humanitarian action. In addition, it should provide information for the concerned international public, on whose informed support sustained and effective humanitarian action depends.

Acknowledgments

We wish to express special appreciation to the chapter writers. Their experience, enthusiasm and painstaking drafting and redrafting have enriched not only their own chapters but also the volume as a whole.

We also wish to thank the humanitarian agencies for facilitating their involvement and for enabling them to make use of potentially sensitive material. Thanks to individual and institutional engagement, this undertaking has already played a role in the wider lesson-learning effort in which the humanitarian sector is now engaged.

We are grateful to the main institutional underwriters of this project: the United Nations University and the United Nations World Food Programme. The project also benefited from a generous grant from the United States Institute of Peace. The United Nations High Commissioner for Refugees (UNHCR), the United Nations Relief and Works Agency (UNRWA) and the International Committee of the Red Cross (ICRC) underwrote the costs of attendance at the two authors' workshops by the contributors from their ranks. We also offer a special word of thanks to Ambassador Lakhdar Brahimi for agreeing to write a Foreword to the volume and to Asif Khan of his staff for his role in the process. The perspective of a respected international diplomat on the interface between humanitarian and classic diplomacy is particularly illuminating.

Numerous other individuals have made important contributions. At the United Nations University, Ms Yoshie Sawada provided ongoing administrative support. We would also like to thank all in the UNU Peace and Governance Programme and at the UNU Press for their support. At the WFP, particular thanks are owed to Valerie Guarnieri, who assisted in the project at all of its design and implementation stages. We also wish to thank Nicholas Crawford and Sarah Laughton for their interest in identifying and applying lessons from the study to WFP programmes. We would like to thank the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) in Tbilisi, Georgia, and Ingrid Kolb-Hindarman of Unicef Georgia for their kindness in arranging a research visit for Hazel Smith in June 2004.

The craft of humanitarian diplomacy

Larry Minear

diplomatie
institutions
and procedures

In this volume, humanitarian practitioners treat readers to a rich set of experiences. The 14 crises reviewed span a quarter-century, from the Vietnamese occupation of Cambodia in the late 1970s and the civil war in Lebanon in the 1980s to the current crises in Colombia, Afghanistan and Iraq. The chapters provide vignettes of humanitarian officials carrying out a variety of diplomatic functions in support of their programmes. Those functions include negotiation of humanitarian access to vulnerable populations, promoting respect for international law and norms, combating a culture in which violations occur with impunity, supporting indigenous counterpart individuals and institutions, and engaging in advocacy with political authorities at the local, national and international levels.

The experiences demonstrate a full range of successes and failures - from the opening up of Cambodia during its occupation by the Vietnamese and the mounting of programmes under the reclusive authorities in North Korea, on the positive side, to frustration by the terms of engagement in Somalia and the blockage of access to civilians in the Maoist-dominated regions of Nepal. In some instances, successes were a function of shrewd decision-making and well-managed programmes; in others, of serendipity. In some cases, failures were a function of factors over which humanitarian actors had little or no control; in other instances, the humanitarian apparatus itself was poorly managed and failed to capitalize on opportunities as they arose.

Gaining immediacy from their presentation by practitioners themselves, the experiences offer, for all of their diversity, a set of variations on sev-

finishing approach Miners

eral recurring themes. This chapter explores some of those themes, both in their own terms and in their wider implications. As analysts of activities in which they themselves played lead roles, the authors of individual chapters have provided a fascinating behind-the-scenes perspective on events. At the same time, their experiences need to be subjected to more thorough-going scrutiny and placed in a broader context.

The themes examined include the appropriateness of the term "humanitarian diplomacy" for the activities described, the nature of the institutions with whom humanitarian diplomats deal, the issue portfolio that humanitarian diplomacy addresses, the tensions between and among humanitarian principles and the pressure for making trade-offs, the comparative advantages of various agencies and actors for different tasks, the levels at which such diplomacy functions, and the ingredients of success and failure. This chapter concludes with some thoughts about the future evolution of humanitarian diplomacy.

The concept

Perhaps the most pervasive theme in the 14 case studies concerns the nature of humanitarian diplomacy, its relation to diplomacy of a more traditional sort and its links to the operational activities of humanitarian organizations and the wider issues of peace and war.

The concept

The concept of humanitarian diplomacy itself is a bit awkward. Asked whether they see themselves as diplomats, most card-carrying humanitarian officials would reply in the negative. In the words of a handbook prepared by the Centre for Humanitarian Dialogue, "[m]ost humanitarian workers negotiate in some way every day but few have thought to recognize this core activity as a conscious skill and so seek to refine and develop it across their organization".¹ For many aid workers with frontline or headquarters responsibilities, diplomacy is viewed as something well beyond – and quite separate from – what they do. It is a more specialized activity, dealing with the broad issues of war and peace. It is a function of states carried out by trained professionals, not the preoccupation of aid agencies and their personnel.

To be sure, commonalities exist between the negotiations and other diplomatic functions carried out by humanitarian personnel, on the one hand, and the practice of diplomacy of a traditional sort, on the other. As discussed in Chapter 2, core diplomatic activities such as communication, information-gathering and negotiations are hallmarks of humanitar-

ian diplomacy and of traditional diplomacy as well. Both crafts are highly consensual in nature and approach; both are central to the well-being of at-risk populations. Like their colleagues with political portfolios, UN humanitarian officials carry *laissez passers*, symbolizing their diplomatic entitlements and immunity (representatives of non-governmental organizations travel on normal passports). Beyond these commonalities, however, lie significant differences. Indeed, as the authors of these case studies agreed in discussions in Bangkok and Rome, the differences in the functioning of diplomats and humanitarian personnel were more numerous and more illuminating than the similarities.

Diplomats function within a "regime", understood as a set of "social institutions composed of agreed-upon principles, norms, rules, and decision-making procedures that govern interaction of actors in specific issue areas".² Having had their postings vetted with the authorities in advance, they present their credentials on arrival and act on instructions from their capitals, conveyed with specific rules of engagement and time frames and overlaid with expectations of regular and detailed reporting. Diplomats in a given country-in-crisis represent something of a "community". They undertake joint initiatives on issues – formerly political and military matters but now increasingly economic and sometimes even humanitarian – of interest to their respective governments.

Traditional diplomacy is conducted within a framework of sovereign states, with the Vienna Conventions of 1949 providing the canons of acceptable and unacceptable professional behaviour. Cautious by nature, diplomats who overstep the normal bounds may find themselves declared *persona non grata* (or "PNGe'd"). The contents of diplomacy as well as its form are the affairs of states. Diplomatic *démarches*, as well as day-to-day diplomatic interactions, reflect national interest and *realpolitik*. Diplomats have multiple issues within their portfolios, only some of which are humanitarian in nature; humanitarians, by contrast, have a more focused agenda in which humanitarian interests are generally first and foremost.

Diplomacy carried out by humanitarian interests, by contrast, is not framed by as well established a regime. To be sure, international humanitarian, human rights and refugee law provides a rubric of obligations to which governments have agreed. There has been significant progress in recent years in making such obligations clearer and more compelling, particularly in the areas of human rights and of internally displaced persons. Most governments have signed a series of conventions and other agreements promoted by UN and regional governmental organizations (e.g. the European Union). Nevertheless, the existing frameworks in the humanitarian domain by and large still lack the enforcement provisions of other international regimes such as intellectual property or trade. Gov-

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B.

ernments experiencing major political or humanitarian crises have developed a litany of rationalizations for their frequent failures to implement agreed obligations in the humanitarian domain. In point of fact, the scoff-laws of international humanitarian norms face few penalties.

In addition to functioning in a still evolving landscape without clear ground rules and sanctions, humanitarian diplomacy is marked by an urgency that does not regard sovereignty with the deference of traditional diplomats. In the canon of most diplomatic corps and most foreign service handbooks, the treatment of a nation's civilians has traditionally been the sole discretion of the relevant state authorities. Only recently has the failure to exercise the positive obligations of sovereignty come to be viewed as a matter with implications for international peace and security, thereby opening up to international review and redress such practices as the massive violation of human rights and the widespread denial of access to people in grave need.³

In contrast to its better-established counterpart, humanitarian diplomacy is more improvisational and ad hoc, more opportunistic and ad hominem. The vaunted humanitarian imperative does not open all doors. When push comes to shove, humanitarian institutions have limited muscle. They lack the authority and the capacity to impose economic or military sanctions, although they on occasion recommend their imposition.

How many legions has the pope or, in this instance, the International Committee of the Red Cross (ICRC)? It is not that humanitarian interests are without high cards to play, although they may lack recognized trumps. It is rather that reliance on moral suasion puts a premium on compelling presentations of the humanitarian case, unreinforced by clear penalties, or threats, for non-compliance. Nor do aid agencies make or enforce the rules of the game. The suspension of the airlift in Sudan, and its explanation to the authorities as driven by a concern for staff safety rather than as punishment for Khartoum's policies, illustrates the extreme delicacy with which aid agencies approach muscle-flexing. The vulnerability of the international effort in Bosnia to abuse by all parties placed aid organizations in a weak position to insist on humanitarian principles.

In implementing what they understand to be the humanitarian imperative, humanitarian officials are more prepared than are their counterparts in the diplomatic corps to take risks and to acknowledge the reality of failure, given the obstacles they confront. Aid officials often find themselves caught in a vicious cycle of persuading the political authorities to take responsibility for the suffering in which their governments' policies are implicated. Since humanitarians control few of the elements that create suffering, they see their frequent failure to ease the pain as "going with the territory" within which they function. Where traditional diplo-

public support

mats generally operate in the shadows and place discretion high in the panoply of their professional skills, humanitarians are more prepared to "go public" when necessary in the interest of humanitarian goals, reaching out to the media to mobilize the force of public opinion against recalcitrant authorities. Examples abound in the coming chapters.

That is not to say that humanitarian officials, in their effort to carve out space for their agency's activities, may not on occasion be PNGed. Witness the expulsion of several agencies from Sudan in the dark days of 1988, when the authorities were unwilling to allow access for aid programmes or to tolerate the resulting criticism of, and pressure on them for, their failure to do so. More recently, in November 2004, the Khartoum authorities gave Oxfam-UK and Save the Children-UK their walking papers in response to their public criticism of Sudanese government actions in Darfur.⁴ One agency seeking visas for its personnel there attributed delays to the authorities' disgruntlement at the publication of a critical opinion piece by an expatriate staff person who had just returned home.

The humanitarian playing field is seldom level. The political authorities have an arsenal of weapons for expressing their displeasure with insistent humanitarianism: the denial of visas or delays in the clearance of relief shipments through customs are but two potent examples. Even at their most persuasive, aid officials proffering mercy are ultimately at the mercy of governments. Usually, however, the dynamics of the interaction are such that what humanitarians do – or seek to do – rarely elicits formal diplomatic censure. Against the backdrop of more cautious traditional diplomacy, the activities of humanitarian personnel in the diplomatic sphere are especially noteworthy.

The parameters

From discussions among the authors of the chapters in this volume has arisen a useful distinction between "capital D" Diplomacy and "small d" diplomacy. The former involves what professional diplomats do: negotiate agreements to avoid, reduce or bring an end to conflict; mobilize international pressure in support of the rule of law; and lubricate the machinery of the relationships among states. Working within the humanitarian sphere, professional diplomats may also create new agencies and institutional frameworks. The formation of the United Nations Relief and Works Agency (UNRWA) and the creation of an international peace-building rubric for Somalia are described in this volume. Also in the area of Diplomacy, a study by the United Nations Institute for Training and Research (UNITAR) examines the experience of Special Representatives of the UN Secretary-General (SRSGs) in greater detail, in the humanitarian as well as the political and peacekeeping spheres.⁵

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Whereas "capital D" Diplomacy tends to be high-level and formal, "small D" diplomacy is more terrestrial - even pedestrian. It covers a host of humanitarian functions of a more day-to-day sort. It functions in the middle range of activities between, on the one hand, arranging for the safe passage of humanitarian materiel and personnel past a given road-block and, on the other, locating and contracting for aid agency office and warehouse space or setting up bank accounts to allow for agency transactions. These workaday functions, however essential to the success of humanitarian programmes, are not "diplomatic" as such, although they involve negotiations between international personnel and local authorities. In the broad middle range are activities such as the negotiation by the United Nations Children's Fund (UNICEF) of agreements with the multiple factions in Lebanon so that vaccinations of children could take place across the country, and the efforts of the United Nations High Commissioner for Refugees (UNHCR) to create a path for its convoys through the 90 checkpoints between Zagreb in Croatia and Sarajevo in Bosnia-Herzegovina.

Small D diplomacy may overlap with Diplomacy. That happens when, for example, humanitarian practitioners themselves play a role in negotiating terms of engagement in hot-war or post-conflict situations, or, conversely, when diplomats are enlisted in the process of expediting the granting of aid worker visas. The case studies on Cambodia (Chapter 6) and the former Yugoslavia (Chapter 16) illustrate those processes in action.

Few of the reviews in this volume, however, involve capital D diplomacy, such as in the setting up of the basic terms of engagement between international humanitarian actors and the often multiple sets of authorities in countries in crisis. The review of UNRWA in Chapter 3, for example, takes as its point of departure the existence of the Relief Works Agency, itself the result of an exercise in Diplomacy that the chapter notes only in passing. It then examines the agency's stewardship, through a half-century of adversity, of its mandate for Palestinians, a period during which the negotiated arrangements were tested, adapted and strengthened. The Iraq case study (Chapter 5) describes efforts by humanitarian organizations not to broker a peace agreement between the Coalition Provisional Authority (CPA) and the insurgents in Falluja and Najaf but simply to arrange access for the essentials of survival of the embattled civilian population during military action by the CPA.

Most of the chapters describe the cultivation of relationships that goes on as part of the process of nurturing basic agreements already reached by virtue of Diplomacy. In North Korea (Chapter 9), the nurturing process occasioned daily headaches for programme managers. Official displeasure was conveyed by simply severing all communications with a

given international agency for a time. In the case of Nepal (Chapter 10), aid agencies confronted a special challenge. On the scene by virtue of development mandates, they were called upon on a daily basis to find ways to deal with an unravelling political crisis, a volatile situation with major implications for the capacities of the Nepalese people to meet their daily needs. Access to people in need throughout the country was a precondition for programmes of emergency succour, which for the time being had to take precedence over longer-term development work.

Humanitarian organizations have widely differing attitudes toward their own missions and obligations as related to Diplomacy and to diplomacy. Some take pains to stick to their humanitarian knitting, exercising (but also minimizing) the small D interactions with host authorities in which they are daily engaged. They downplay the political dimensions of their activities in an effort to protect the perception of their neutrality. Perceptions of partiality or partisanship can place humanitarian actors and those they seek to assist in danger, as experience in Afghanistan (Chapter 7) and East Timor (Chapter 8) demonstrates. Perceptions of favouritism may also wreak havoc in relations with host authorities, in the attitudes of local populations, in dealings with governments and constituencies on the resource-providing end, and in the respect commanded by humanitarian emblems in highly politicized settings. The Iraq chapter provides a close-up description of the ongoing difficulties of protecting the integrity of humanitarian activities from association with the highly unpopular occupation. Those efforts were largely unsuccessful.

A second set of agencies embraces the challenges of small D diplomacy as a necessary ingredient in support of effective activities of protection and assistance. Some do so in one-to-one dealings with the authorities whereas others seek a certain protective cover through support of humanitarian sector-wide representations to the authorities. The experience of aid agencies in North Korea offers a case in point. With each departure of an aid group from the scene (sometimes voluntary, other times less so), the remaining agencies regrouped and reaffirmed the appropriateness of their chosen approach to managing their interactions with the authorities. Or again, the broad set of interlocutors with which Peace Brigades International was in daily touch underscored the agency's view that nurturing access to card-carrying diplomatic actors in Colombia and in capitals around the world is a key to the success of its humanitarian mission.

A third set of aid groups is more forthright in supporting Diplomacy. These agencies reason that the humanitarian enterprise must not just be about the relief of suffering and the protection of civilian populations against abuse. It is also obliged to address, and/or support efforts to address, the root causes that make for deprivation and abuse. An illumi-

