INTERAGENCY REVIEW OF U.S. GOVERNMENT CIVILIAN HUMANITARIAN & TRANSITION PROGRAMS

RECEIVED APR 2 4 2000

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Interagency Review of U.S. Government Civilian Humanitarian & Transition Programs

SECTION I: OVERVIEW

Background

Summary of Conclusions

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Interagency Review of U.S. Government Civilian Humanitarian & Transition Programs

Tab 1. **Section I: Overview**

Background to the Review

Summary of Conclusions

Section II: Options

Tab 2. A. Discrete Measures

Tab 3. B. Clarifying Who is in Charge

Tab 4. C. Consolidation of State & USAID Humanitarian Programs

Annexes

Tab 5.	Annex 1.	Kosovo Case Study
Tab 6.	Annex 2.	Hurricane Mitch Case Study
Tab 7.	Annex 3.	Sudan Case Study
Tab 8.	Annex 4.	Afghanistan Case Study
Tab 9.	Annex 5.	National Intelligence Council Report:"Global Humanitarian Emergencies:Trends & Projections, 1999-2000
Tab 10.	Annex 6.	Enhancing Donor Coordination
Tab 11.	Annex 7.	Enhancing Operational Coordination
Tab 12.	Annex 8.	Linking Emergency and Transition Programming to U.S. Development Assistance
Tab 13	Annex 9.	Resources for USG Humanitarian Assistance
Tab 14	Annex 10.	Summary of Agency Authorities

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

SECTION I: OVERVIEW

Background to the Review

The Foreign Affairs Reform and Restructuring Act of 1998 created a new legal framework for better integrating arms control, public diplomacy and foreign assistance within US foreign policy. As it came into force April 1, 1999, the Secretary of State assumed direct authority over the Administrator of USAID. The Secretary provides foreign policy guidance to all U.S. foreign assistance programs. Operationally, USAID remains an independent statutory agency with a separate appropriation.

In line with her authorities, and concerned over the effectiveness of U.S. humanitarian response to Mitch and Kosovo, the Secretary of State commissioned an interagency policy review of humanitarian and transition programs. In the spring of 1999, representatives of the Secretary of State and the USAID Administrator's Office conducted extensive discussions on the scope and purpose of the review. The review began in early July and concluded in December.

Co-chaired by Morton H. Halperin, Director of the Secretary's Policy Planning Staff, and James Michel, Counselor to USAID, the review's general mandate was spelled out in a June 4, 1999 memorandum from the Secretary to the Administrator:

> "State and USAID will also review and make recommendations on humanitarian and transition assistance policy and programs, to identify concrete policy and organizational options for making this assistance most effective. The review will be conducted in consultation with the NSC staff and other relevant agencies."

The review was charged with answering four questions:

- Whether the current allocation of humanitarian responsibilities between the State Department and USAID encourages coherent leadership on humanitarian issues in our foreign policy-making process;
- Whether current institutional arrangements result in efficient operational coordination;
- Whether these arrangements adequately leverage USG humanitarian influence within international fora and in our dealings with other governments; and
- Whether these arrangements build effective interlinkage among emergency, transitional, and sustainable development programs.

The review's work was conducted by a Core Group comprised of staff from the Department of State, USAID and the NSC, aided extensively by the staff of the National Intelligence Council

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

and the Office of Management and Budget. The Core Group also consulted with the Department of Defense, FEMA and other concerned federal agencies.

Section I of the following report summarizes major issues and findings and concludes with a general discussion of the different choices for moving ahead.

Section II lays out three categories of options:

- Discrete measures to enhance State-USAID coordination;
- Options that clarify who is in charge, realign existing authorities and institutional arrangements, but stop short of actual merger; and
- Consolidation of State-USAID humanitarian and transitional programs.

For each option, the Core group worked collectively to devise the most feasible and robust possibility. The report does not contain recommendations. The Secretary may choose, after consulting with the USAID Administrator and the National Security Advisor, to move ahead on certain immediately actionable options. More robust and complex options will require a formal interagency review and Administration decision.

At key points during this review, InterAction, the Overseas Development Council, the US Institute for Peace and the Advisory Committee on Voluntary Foreign Assistance each generously hosted outreach sessions with facilitated input from outside policy experts, emergency relief and development NGOs, human rights advocates and Congressional staff.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Summary of Conclusions

Since the end of the Cold War, the foreign policy stakes of U.S. civilian humanitarian programs have risen significantly, driven by profound changes in the complex crises themselves (detailed below) and the prominent place these now occupy in our overall foreign policy. The humanitarian factor has become central to senior policy makers' deliberations over U.S. foreign policy priorities and possible diplomatic, economic or military interventions to ease crises and facilitate humanitarian relief.

As our global humanitarian interests have become more complex and vital to our foreign policy, the need has grown for the USG to have unified, coherent humanitarian leadership. That is not to imply that humanitarian considerations will, or should, dictate foreign policy outcomes. Rather, USG leadership is needed to guarantee that humanitarian considerations are present and an active force within the foreign policy-making process. As we've witnessed in Rwanda, Bosnia, Kosovo, Timor, Sudan and elsewhere, major foreign policy challenges typically feature, at their very center, complex humanitarian emergencies that demand coherence in our policy response.

Leadership requires a strong humanitarian voice at internal senior-level policy deliberations and in external discussions with other donors, international organizations and non-governmental organizations (NGOs); effective integration of humanitarian, transition and development programs; and efficient operational coordination across USG agencies. Leadership is essential if we are to use our full political/diplomatic leverage with the UN and other donors to ensure adequate burden-sharing. (In most instances today, more humanitarian assistance is provided through multilateral mechanisms than through bilateral efforts.)

At present, widely admired U.S. humanitarian efforts are recognized as an indispensable global instrument to save lives, minimize mass human suffering and encourage effective transitions in crisis situations. USAID has achieved an outstanding record of response to natural disasters. PRM has achieved an outstanding record of response to refugee flows. Both agencies also have substantial programs to respond to complex humanitarian emergencies and to internally displaced persons (IDPs), through both bilateral and multilateral mechanisms, PRM primarily through multilateral contributions and USAID through bilateral.

Our humanitarian achievements notwithstanding, we can and should do better to empower the humanitarian agenda and overcome the fragmentation of USG humanitarian affairs. Internal conflict victims now figure as a major and growing humanitarian challenge, yet they have traditionally been a secondary or indirect priority for both State and USAID. Neither agency has a clear lead responsibility for addressing this humanitarian problem, even though it now exceeds that posed by refugees. (The United Nations is also wrestling with the fact that no UN agency has clear responsibility for IDPs.) Increasingly, complex emergencies generate a complex mixture of refugees and internally displaced. However, neither BHR's natural disaster competencies and primarily bilateral response nor PRM's multilateral emphasis and refugee response provide the basis for a comprehensive approach.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Equally important, at critical moments during recent crises in Kosovo, Mitch and Timor, it has been unclear which operational agency has been responsible for leading the USG humanitarian response. (See the Kosovo and Mitch case studies.)

The Afghanistan case study details how ad hoc mid-level coordination within the USG was insufficient when important humanitarian policy disputes surfaced. Coherent, expeditious resolution of disputes was difficult to achieve, in the absence of senior humanitarian leadership. Instead, important unilateral decisions were taken without adequate interagency consideration.

In the Sudan instance (see case study), a single humanitarian voice may have increased the likelihood that humanitarian considerations would have been more systematically integrated into Sudan policy deliberations.

Overall, the current split between State and USAID's civilian emergency programs has impeded coherent leadership on humanitarian matters, domestically and abroad, and complicated the coordination of civilian and military humanitarian efforts. The humanitarian voice in senior USG policy-making has often been absent at critical moments, such that the humanitarian implications of political-military choices in crisis situations do not receive adequate consideration. Overlapping bureaucratic mandates and duplication of effort hinder both the operational efficiency of our humanitarian programs, especially with respect to internally displaced persons, and the interlinkage of programs.

Over the past two decades, strong bipartisan support within the U.S. Congress has provided flexibility for our present humanitarian response mechanisms. Any future steps to strengthen the USG humanitarian response must rest on early bipartisan Hill consultations and a special effort to do no harm to existing capacities.

A unified humanitarian leadership can take different forms, and there are divergent views as to whether it can be achieved through enhanced coordination or requires much more robust institutional reorganization. In any case, the central aim of creating unified leadership is to strengthen consideration of the humanitarian implications of political-military choices in crisis situations, including the mandate and role of external military interventions. This essential step will not, it must be said, necessarily guarantee there is always adequate high-level political will to take the appropriate political-military decisions necessary to advance USG humanitarian interests. Ultimate decision responsibility rests with political authorities above the officials who manage our humanitarian programs. This reality notwithstanding, our top political authorities will be far better equipped to reach decisions that best advance U.S. humanitarian interests when they are served by unified humanitarian leadership.

In brief, the answers to the four lead questions of the review are:

- The current structure results in less than coherent leadership on complex humanitarian issues in our foreign policy making process.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

- We do achieve effective operational coordination, but only through significant effort in a context of continued mandate overlap and some duplication of effort.

- We do not optimally leverage our humanitarian influence abroad, in proportion to the level of effort and resources expended and the general prestige attached to our programs.

- There is inadequate interlinkage among emergency, transitional and development programs.

Given these conclusions, the present status quo is not an optimal basis for promoting U.S. humanitarian interests. We can and should do better. A concerted, senior-level effort is needed to weigh the options outlined in this report, decide upon an appropriate course of reform and begin to execute it.

The Core Group's report, in line with the Secretary's tasking, concentrates overwhelmingly upon the civilian component of our humanitarian response and hence only partially treats the issue of civil-military coordination. (See, for instance, the proposed priorities for the Senior Advisory Council, outlined in the options section.) A next logical step would be an in-depth look at the means to strengthen civil-military collaboration in humanitarian affairs.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

1. The rising foreign policy stakes of U.S. humanitarian programs

The changing nature of crises

Today's crisis differs fundamentally from the crisis of ten years ago, takes place in a far different global context, and calls for new thinking and approaches in our humanitarian affairs.

Aggregate demand: In the last decade, the number of complex emergencies has trebled (to 24 today, affecting 35 million) while their magnitude and costs have crept upward. Annual U.S. humanitarian assistance commitments now exceed $2.5 billion. Experts estimate that the global demand for humanitarian relief will not subside, and rather that we should anticipate more crises, ever greater demand for humanitarian assistance in the future, and tough resource tradeoffs that potentially 'crowd out' second tier, chronic crises. (See Annex 1, 'Global Humanitarian Emergencies: Trends and projections, 1999-2000,' prepared by the National Intelligence Council.)

Humanitarian intervention vs. respect for sovereignty. In the 1990s, the common commitment among democratic states to respond to humanitarian disasters deepened. The United States took on a global humanitarian role and mobilized diplomatic, humanitarian, and sometimes military resources to respond to an unprecedented number of humanitarian crises. We tasked the United Nations to meet the needs of millions of displaced in ongoing internal conflicts. Our leadership, with respect both to international norms and commitment of resources and personnel, has been essential.

When the USG has intervened on humanitarian and human rights grounds in major crises (Somalia, Haiti, Kosovo, Bosnia, northern Iraq), exceptional political and military actions were essential to advance critical humanitarian interests. In several instances, a policy decision was taken within a multilateral context not to accept sovereign boundaries as a barrier to intervention. Cumulatively, these policy choices have added a complex new dimension, political and legal, to international humanitarian programs. The ramifications of this historic shift reach well beyond any individual case and will greatly shape deliberations over future crises.

High domestic political sensitivity to USG crisis response. Because of intensified media coverage and accelerated communications directly from inside crisis zones, the harsh realities of mass human suffering are now transmitted swiftly into multiple official channels -- and America's living rooms. As seen during Haiti, Mitch, Kosovo, and the Turkish and Taiwanese earthquakes, these visual images can stimulate intense domestic pressure to do more, better, and more quickly.

These crises can also prompt a sudden surge of popular interest in making donations to U.S. and international NGOs and USG-supported relief efforts. If not competently managed and donations are seriously delayed, blame can quickly redound to USG officials. Though the USG gained some recent experience in managing public outreach (e.g. for Hurricane Mitch and the Turkish earthquake relief efforts), both State and USAID officials freely acknowledge that

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

neither has strong competencies in this area (cf. FEMA's expertise) and that this function of the USG civilian international humanitarian response requires significant strengthening.

In those mega-crises where the President's prestige is at stake and media scrutiny is intense, the White House can be expected to identify a special individual and mechanism to handle media, public outreach and coordination of USG civilian and military humanitarian programs. A high level White House official, reflecting on the President's decision in both Mitch and Kosovo to designate a senior humanitarian coordinator to bring order to the USG humanitarian response, emphasized that a more unified humanitarian leadership of USG civilian humanitarian programs would not necessarily change White House calculations during future crises. Unified leadership of civilian humanitarian programs would improve the effectiveness of USG response and be welcomed by the White House, however the White House would likely still assert its prerogative during mega-crises.

Changed warfare and the massive challenge of internally displaced persons. Today, most but not all humanitarian crises stem from internal ethnic wars in which combatants systematically generate mass flows of refugees and internally displaced persons as a strategy of war (IDPs are now estimated at over 20 million). And in the course of a single conflict, as witnessed in Kosovo and East Timor, a displaced person one day can be a refugee the next, and shortly thereafter a displaced person yet again.

Against this backdrop, the traditional programmatic distinction between refugees and displaced persons has become obsolete. UNHCR no longer restricts itself to dealing solely with refugees: when instructed by the UN Secretary General to serve IDPs, it does so. The body of U.S. and international law governing treatment of refugees remains in force, but nothing comparable has been developed for IDPs. In the case of the USG, State and USAID continue to struggle with their respective roles vis-a-vis displaced persons and refugees, and in some instances serve the same target population through the same NGOs and international organizations.[1]

Emergent human rights agenda. These complex emergencies have also forced the international community to confront urgent human rights imperatives, including how to cope with evidence of war crimes and genocide, and how to avoid making relief supplies instruments of repression by those with superior forces. These challenges increasingly coexist - in acute tension - with relief operations, and have generated an ongoing debate over standards of confidentiality, respective mandates, and how best to integrate human rights and relief functions.

Critical today is the protection of humanitarian programs and staff. Increasingly, USG officials, NGO field workers, and displaced and refugee populations confront grave security risks which, in turn, have generated higher demand on the USG and others for better protection, improved risk assessment, better communications and coordinated action, training, and a more reliable information flow from the field to senior policy makers. At present, no locus within the USG

[1] This issue is examined in depth by former OFDA Director James Kunder in a recent policy paper commissioned by the Brookings Institution Project on Internal Displacement and the U.S. Committee for Refugees, titled 'The U.S. Government and Internally Displaced Persons: Present But Not Accounted For,' Washington, D.C. November 1999.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

has lead programmatic responsibility for the security of humanitarian relief personnel or protection of the population from war crimes (see Annex 5, Kosovo Case Study, Summary).

Tough foreign policy challenges

Interdependence of humanitarian and other foreign policies. The line separating the USG humanitarian stake from our other key foreign policy goals has been erased: these issues have become deeply embedded in one another. In high profile cases such as Bosnia, Kosovo, Haiti, Somalia, North Korea, northern Iraq and Mitch, our actions to ameliorate humanitarian crises have become conspicuously interlinked with other U.S. foreign policy goals: democratization, respect for human rights, regional stability and control over weapons of mass destruction, protection of sustainable development investments and consolidation of fragile transitions from war to peace. Since countries in crisis tend overwhelmingly to be very poor at promoting economic reform and broad-based development, our humanitarian response gives ever-greater emphasis to conflict prevention and looking beyond the immediate crisis to prospects for future economic recovery. Increasingly, multilateral humanitarian interventions must be integrated with peacekeeping strategies.

Dependence on the military. At the same time, our civilian humanitarian actions have come to rest increasingly upon U.S. and other military forces providing a secure environment: in Somalia, Rwanda/Zaire, Haiti, Bosnia, Kosovo and East Timor. The military has also been an essential factor in addressing recent natural disasters in Central America, Turkey and Bangladesh. Today, for example, over 11,000 American troops are deployed across the Balkans. The increasing role of the U.S. military in assisting with humanitarian operations significantly elevates the need to ensure timely, effective coordination mechanisms among State, USAID and DOD. In both Washington and in the field, standardized operating procedures and a more systematic consultation process would reduce the confusion and delays seen during Mitch, Kosovo and elsewhere.

Intensified debate over U.S. humanitarian policy. The rising interdependence of our civilian humanitarian programs with other foreign policy interests has raised complex foreign policy challenges, stirred increased outside criticism and raised risks to the integrity of USG humanitarian programs. The USG has been accused, for example, of

-Not adhering to a consistent humanitarian standard, but rather allowing larger foreign policy and national security calculations to distort the humanitarian agenda;

-Naively overestimating the impact of humanitarian interventions on our other foreign policy goals, thereby creating exaggerated expectations that cannot be realized; and

-Using humanitarian actions as a substitute for more robust political investments essential to dealing with heavily conflicted situations.

In Somalia, Rwanda, and eastern Congo we learned several hard lessons about the severe consequences when humanitarian issues and programs are not adequately taken into account when critical political and military decisions are taken. Our (and the UN's) humanitarian programs suffered significantly. An intense debate subsequently ensued in the media, think

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

tanks and professional circles over humanitarian interventions, particularly USG policies and responsibilities.[2]

In Africa today, we continue to struggle to understand the lessons from the Rwanda genocide, the mishandling by the international community of armed refugee encampments in eastern Congo and the killing of American peacekeepers in Mogadishu. In the Kosovo crisis this spring, we confronted a skeptical media and American public who were concerned about how we intended to reach imperiled IDPs and why we, the UN and others were ill prepared for the mass outflow of refugees. In Haiti, Bosnia and elsewhere, we continue to work to move these countries out of crisis, constrained by far longer time requirements and higher costs than originally envisioned, and compounded by enduring socioeconomic divisions within these countries and continuing vulnerability to violence and paralysis.

The past decade has also underscored both the causal connection between complex emergencies and impaired development and the need to understand how the development process itself is linked to recovery from war. While humanitarian response is at one level a discrete set of activities, recent research and experience have proven that humanitarian activities cannot be designed and executed in isolation, but rather where possible should be carefully coordinated with development and other post-conflict programs. Discussion now centers on how humanitarian and development activities intersect, and on integrated approaches to conflict prevention, peace-building and economic and social progress.

The future. Humanitarian crises have changed profoundly in the past decade and have become, for better or worse, a central facet to our foreign policy. We struggle today - institutionally and conceptually - to catch up with harsh new external realities. A major debate over humanitarianism's place in U.S. foreign policy is fully upon us. How we integrate humanitarian objectives with other key foreign policy goals will be critical to our operational effectiveness and the maintenance of political support for US humanitarian programs and for our overall foreign policy on the Hill, among NGOs and advocacy groups, and with the American public at large. There are no easy answers, but it is clear that we must give humanitarian issues full consideration when key political and military decisions are taken - through unified humanitarian leadership.

2. Key internal constraints on USG humanitarian effectiveness

The review concludes that the most important impediment to improved humanitarian effectiveness is lack of unified leadership within the USG. Opinions differ as to whether unified leadership can be achieved through enhanced coordination or, alternatively, that it requires

[2] See Thomas G. Weiss, "Principles, Politics and Humanitarian Action," in Ethics and International Affairs, Vol. 13 (1999) pp. 1-22; recent issues of International Review of the Red Cross; David Rieff, Slaughterhouse: Bosnia and the Failure of the West, Simon and Schuster: NY, 1995, and "The Humanitarian Illusion," The New Republic, March 16, 1998, p. 29; Michael Ignatieff, The Warrior's Honor: Ethnic War and the Modern Conscience, Henry Holt: NY, 1977; Michael Maren, The Road to Hell, The Free Press: NY, 1997; Scott Anderson, The Man Who Tried to Save the World: The Dangerous Life and Mysterious Disappearance of Fred Cuny, Random House: NY, 1999; Philip Gourevitch, We wish to inform you that tomorrow we will be killed with our families, Farrar Straus: NY, 1998.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

systematic reorganization. Nonetheless, there is a consensus that we can do better if we tackle several internal factors that presently constrain our humanitarian effectiveness.

A less than logical structure, with unclear lines of accountability

If tasked to design from ground zero an institutional structure for delivery of our civilian humanitarian assistance, few would come up with our current structure. Often, the current system features overlapping mandates and duplication of effort and provides no ready answer to the question of who is in charge. Except when extraordinary steps are taken in the midst of worsening crises to vest power in high-level interim appointees – the pattern in Mitch and Kosovo – humanitarian crises are normally handled by several officials below Subcabinet rank who interact without assignment of lead responsibility or formal procedures for coordination. The absence of a single authoritative humanitarian voice is felt most acutely at the senior policy level.

Refugee assistance and much of the funding for and interface with key international organizations (UNHCR, ICRC) rests with State/PRM. PRM also directly funds NGO programs which often closely resemble those funded by BHR (which uses NGOs as its primary implementing partners), particularly in the area of displaced persons. USAID funds and provides the interface for the World Food Program (WFP). Both State/IO and USAID oversee the US contributions to UNICEF.

Management of USAID's response to foreign disasters, transition initiatives, and food aid rests with BHR. Under the guidance of the resident Ambassador, USAID manages most U.S. humanitarian operations in the field, through USAID field missions and Disaster Assistance Response Teams (DARTs) which conduct assessments of field humanitarian needs and assist in directing U.S. resources. Management of the Department of State's response to humanitarian emergencies rests with PRM. PRM works through New York, Geneva and relevant embassies to provide policy and operational guidance for the multilateral response, and PRM posts regional refugee officers to conduct field assessments and oversee refugee assistance efforts. Washington staff from USAID and State regularly conduct field assessments and reviews.

Traditionally, State/PRM has provided assistance to refugees, primarily through international organizations, and to conflict victims through ICRC. Traditionally, USAID/BHR has focused on assistance to victims of natural disasters, and to internally displaced persons affected by conflict and other emergencies. However, with the mixing of refugee and displaced populations in the Balkans and Timor, this traditional division has significantly eroded. State and USAID each serve these two populations, and both work through international organizations and NGOs. Though a division of labor is usually reached in any given situation, that does not overcome the obvious overlap of mandates and duplication of effort in U.S. civilian relief programs.

The USAID Administrator is the President's designated Special Coordinator for International Disaster Assistance. In several recent crises (the Mexico fires, Rwanda post-genocide, Bosnia, Kosovo, the Turkish earthquakes), the USAID Administrator committed himself full-time to lead the USG response during periods of highest demand.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

However, the Special Coordinator's role, despite its important contributions, has been ambiguous and problematic. It runs up against the reality that the PRM Assistant Secretary has lead responsibility for refugee-dominated emergencies and for pursuing humanitarian policies in multilateral institutions such as UNHCR and ICRC. In those select priority instances when the Administrator has filled the Coordinator's seat, he has been constrained by several factors (acknowledged in interviews by former Administrator Atwood himself, among others.) Most importantly, many high-ranking USG officials were either insufficiently aware of the President's designation, or skeptical that the Special Coordinator would be accepted by the State Department or the Department of Defense (the latter far prefers NSC direction when it has humanitarian operational responsibilities.)

For the majority of humanitarian crises, leadership within USAID rests with the Assistant Administrator for the Bureau for Humanitarian Response, with oversight from the Administrator and Deputy Administrator as needed. For natural disasters, BHR clearly has the lead responsibility. For refugee-dominated crises, PRM clearly has the lead responsibility. For many complex emergencies, however, there is often considerable uncertainty as to whether the PRM Assistant Secretary or BHR Assistant Administrator has lead responsibility for civilian relief programs.

The USG's institutional arrangements for civilian humanitarian relief diverge from those of many other donors, who appear to have a more logical structure. Most donors place their entire humanitarian assistance operation within a single organization which maintains direct institutional links between the relief unit and the organization responsible for development. There is no predominant model among other donors as to whether the Foreign Ministry or the Development Aid Ministry has the lead on humanitarian assistance policy. Among donors which have given the Foreign Ministry the lead, this does not appear to politicize humanitarian programs.

Attitudes, habits, power

All three of these factors disadvantage the USG's civilian humanitarian agenda.

Humanitarian officers are viewed by senior policymakers as technical implementers, and not as authorities who need to be present and heard when foreign policy is formulated.

Across our government, humanitarian programs are seldom seen as complex policy instruments that require prior strategic analysis, contingency planning and policy advocacy. Priority is attached to managing relations with operational partners, and the NGOs themselves reinforce this operational bias.

Within both State and USAID, humanitarians exercise relatively weak influence, as compared with regional and other bureaus. Correcting this imbalance is critical to empowering the humanitarian voice.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

With State and USAID alike, service in the humanitarian area does not have the same status or professional rewards as conventional diplomacy or management of development programs, despite the growing importance and increased resource commitments for this work.

Neither USAID nor State has a reliable, standing "surge" capacity to respond to simultaneous complex emergencies, though increasingly each is called upon, in the midst of impending or rapidly worsening crises, to reassign staff suddenly to crisis duties.

3. A summary of priority requirements

Action is needed in six priority areas to strengthen the effectiveness of USG civilian humanitarian programs.

Clarify institutional accountability. No single person is consistently or reliably accountable to the President and Secretary of State for managing our civilian humanitarian interests. As new crises break, we need to be confident of who is in charge.

Ensure high-level policy advocacy. In Cabinet and Subcabinet deliberations, humanitarian issues are often ignored or treated as secondary issues. More often than not, there is no authoritative voice on humanitarian matters present at senior foreign policy deliberations prior to and during the critical onset of a crisis. Opportunities for timely and effective contingency planning and advanced deployment of field capacities are missed. Insufficient attention is paid to the humanitarian risks and opportunities associated with alternative policy choices. A dedicated humanitarian chair at all senior policy deliberations is one clear answer. This should be accompanied by strengthened information transmission – from the field to the senior humanitarian voice – that brings forward accurate and timely information on humanitarian crises.

Improve coordination with DOD. Effective coordination of U.S. civilian and military humanitarian operations is essential, yet decisions on when and how to deploy the U.S. military for humanitarian purposes are often made in an ad hoc, cumbersome fashion which has led to costly delays, especially in the critical early phase of operations. It should be a USG priority to more systematically define standard operating procedures in order to better clarify the interface between civilian humanitarian programs and the US military.

Strengthen coordination with other donors. USAID and State both deal extensively with international organizations and other donors. Effective communication of US policies and intentions to other donors is essential – to policy coordination, to effective field operations and to leveraging additional resources for humanitarian response. Yet the multiplicity of voices representing the U.S. to other bilateral and multilateral donors creates conflict within the USG and confusion among our international partners. The result is that our global humanitarian leverage does not match the investment of USG energies, resources and prestige (See Annex 6, Background Paper on Donor Coordination.)

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Strengthen operational efficiency/eliminate mandate overlap and duplication of effort. Though the U.S. humanitarian response is well respected and essential, the current decentralized operational structure gives rise to bureaucratic conflict and overlap, especially in regard to internally displaced persons. This is inefficient use of scarce human and financial resources and impedes coordination at the field level. However, any future streamlining of field operations will need to take care to preserve multiple options for program implementation.

Strengthen policy development, program innovations and public outreach. The past few years have witnessed important innovations, most notably USAID's Office of Transition Initiatives. Nonetheless, there are several critical emergent issues that require sustained, high-level attention. Funding of transition programs, while improved, still falls far short of requirements, resulting in difficult gaps in immediate post-conflict situations. We need better USG policy on internally displaced persons, the urgent human rights requirements now seen in conflicted relief settings, and how best to manage intensified media interest and private donations.

4. Options for moving ahead

Unified humanitarian leadership within USG civilian programs requires several elements:

- An empowered humanitarian voice charged with integrating the humanitarian agenda with senior policy deliberations;
- Coordination and direction of operational humanitarian and transitional programs across USG agencies, including coordination of civilian humanitarian programs with DOD and leadership on USG policy development on critical emergent humanitarian issues;
- Effective coordination with other donors and international organizations;
- Interlinkage of humanitarian, transitional and reconstruction assistance with the aim of promoting both crisis prevention and post-crisis recovery and durable development.

The review has identified three approaches which would enhance the effectiveness and improve the leadership of USG humanitarian assistance:

(i) Discrete measures: There are several discrete measures which State and USAID could pursue incrementally, without altering the present allocation of agency responsibilities or foreclosing future action to integrate State and USAID's humanitarian programs. These measures include the creation of a senior humanitarian policy seat at Principals' and Deputies' committee meetings and a joint State-USAID Policy and Planning Task Force. They also include steps to strengthen interagency coordination, (including standard operating procedures for engagement with DOD) and expanded collaboration in training, field assessments, and outreach to Congress and the media. Since this approach works within the current division of responsibility between State and USAID, it does not answer the question of lead responsibility or eliminate overlapping mandates and duplication of effort and may even increase duplication. It

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

builds on recent State-USAID collaboration and the steps that each agency has taken on its own to improve performance. Neither State nor USAID requires additional authorities to implement these measures.

(ii) Clarify who is in charge: A central conclusion of the review is that clarifying who is in charge of USG civilian humanitarian programs is critical to strengthening their effectiveness. The three options in this category provide the Secretary with immediately actionable choices to test the thesis that a more unified, coherent leadership of civilian humanitarian programs can make a substantial difference, without requiring an overhaul of current institutional arrangements. For any of these, the President's designation of a Special Coordinator for International Disaster Assistance would need to be revisited, in light of the Secretary's expanded statutory authorities. These arrangements would not preclude the President from naming an overall coordinator of USG humanitarian response, including military assistance, for exceptional crises. Each option would be twinned with a senior Humanitarian Advisory Council. By definition, these steps fall short of full consolidation in not transferring control of resources or fully redrawing existing lines of authority. Hence they will not be free of ambiguity or institutional tension and there is no certainty that they can dramatically improve performance. If an option does substantially overcome present constraints, it might prove to be an adequate fix on its own. Alternatively, an option might serve as experimental guidepost towards future consolidation. Options include (i) substantially strengthen the USAID Administrator's role; (ii) predetermine that lead responsibility for all natural disasters will rest with BHR and for all complex emergencies with PRM, unless the Secretary decides higher level representation is required in a particular case; and (iii) create a mechanism, subject to the Secretary's ultimate direction, that would allocate responsibilities for emergencies on a case-by-case basis. These options would require consultations with Congress, but no legislative modification of authorities. Physical proximity (collocation) of some functions might also be considered under this option.

(iii) Consolidation: In this category, civilian humanitarian responsibilities would be consolidated: into USAID, State or a new foreign affairs agency under the Secretary. Central to deciding among the three possibilities is what priority is attached to competing policy goals: to integrate humanitarian affairs into foreign policy; to create an empowered single-focus humanitarian entity; and to integrate relief, transition and development assistance. Each option could create a unitary, streamlined structure with a dedicated humanitarian mandate, centralized control over humanitarian resources, and senior leadership with access at the PC and DC levels. The State and USAID options call for a substantial reordering of the overall mandate, structure and practices of these two respective institutions. All options would require a bold break with the past and demonstrate a new commitment to finding a solution to emerging complex humanitarian challenges. They could foster a dynamic culture, humanitarian doctrine and career cadre of international emergency management specialists. Implementation of these options would be complex and stretch over several years and require the engagement of the President and the Secretary and significant Congressional action.

Discussion of these three approaches is the subject of Section II of this report.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Interagency Review of U.S. Government Civilian Humanitarian & Transition Programs

SECTION II: OPTIONS

Discrete Measures

Clarifying Who is in Charge

Consolidation of State & USAID Civilian Humanitarian Programs

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

SECTION II: OPTIONS

A. Discrete Measures

Rationale: There are several pragmatic, immediately actionable steps (outlined below) which may enhance the effectiveness of USG civilian humanitarian programs. They can be pursued individually or as a package. These incremental measures, reliant upon good will and trust among PRM and BHR officers, emphasize strengthening the humanitarian voice at senior foreign policy circles, the creation of new coordination mechanisms, and expanded joint operational coordination and outreach. They also emphasize clarifying interagency coordination through written protocols, including with DOD.

PROS: Through enhanced institutional cooperation, these various measures may strengthen a humanitarian culture across State and USAID and lead to more effective field operations and greater interagency policy and programmatic consultation. A joint PRM/BHR Policy and Planning Task Force, if led robustly, could help better inform senior policymakers of the humanitarian implications of political and military decisions. These measures do not foreclose more aggressive future options; indeed, their success or failure may illuminate which more ambitious options make most sense.

CONS: These measures do not address who is in charge; the structural dispersal of responsibilities across State and USAID does not change. Proposals for improved coordination and joint action highlight -- and tacitly reinforce – overlapping responsibilities and redundancy of civilian programs. These measures do not result in a clean division of responsibility or institutional specialization.

1) Create a senior humanitarian policy seat.

(This is an option which the Core Group recommends under all scenarios, whether the preferred course is discrete measures, intermediate options or consolidation.)

The Secretary, following consultations with the Administrator of USAID, recommends to the NSC Adviser that there be a dedicated humanitarian seat at all future Principals' and Deputies' foreign policy deliberations that concern a potential or current humanitarian emergency.

The humanitarian representative will be at the Assistant Secretary/Assistant Administrator level, or higher when warranted. Though ultimate authority on who fills that seat will rest with the Secretary of State, in most instances the decision will be taken at the A/S level through consultations between State and USAID, with input from the NSC.

2) Create a PRM/BHR Policy and Planning Task Force.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

The Task Force will be commissioned by the A/S PRM and AA BHR. It would consciously upgrade and formalize promising coordination initiatives that heretofore have been informal, and would regularly provide input to the senior Advisory Council proposed under the intermediate options.

The Task Force will include BHR and PRM's policy and planning staff. As warranted, it will include staff from other bureaus of State and USAID and other agencies.

Core functions will include:

- Budgetary consultations and reviews: vet proposals, forecast emergency resources requirements, assign lead responsibility on specific follow-up tasks.

- Coordinate a unified approach to the policies and programs of the UN implementing partners, especially OCHA, UNHCR, WFP and UNICEF.

- Refinement of U.S. policy on critical, emergent humanitarian issues: e.g. internally displaced persons; protection of field operations; integration of human rights and relief programs; information collection and dissemination; management of media and private donations.

- Contingency planning for priority emergent crises.

- Enhancement of State/USAID operational coordination in the field.

- Expedite procurement and logistics.

- For post-conflict transitions, build upon the Integrated Strategic Planning (ISP) process (pioneered by USAID's Great Horn of Africa Initiative) as an interagency tool for detailed planning.

2) Intensify joint outreach activities

NGOs

- Expand upon current monthly PRM/BHR/InterAction meetings by introducing regular (perhaps quarterly) sessions that review country programs and plans, emergent policy issues, and status of funding, among other issues.

Congress

- Conduct joint Hill briefings on on-going and emergent emergencies.

- Engage Senate and House Appropriation staff jointly on important incremental legislative adjustments and emergent policy issues: e.g. options to stabilize future funding for USAID's Office of Transition Initiatives; means to better respond to internally displaced persons. (following up on some of the recommendations contained in the Kunder report.)

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

- Work together on Congressional and Staff delegation (CODEL, STAFFDEL) travel.

Media

- Jointly develop a focused strategy for improved management of media interest during crises, including USG overall public diplomacy. This will be undertaken in close consultation with U/S Lieberman's office.

- Initiate regular (perhaps monthly) joint background briefings for the press on on-going humanitarian emergencies and emergent issues.

4) Better integrate operations

Situation reports

- PRM and BHR collaborate to produce a single, unified classified report (for internal use) and a single external report for public affairs purposes.

Training

- Expand inclusion of PRM staff into USAID's DART training.

- Support implementation partners (UN, IOs, and NGOs) in developing standard staff and volunteer training programs in field management, technical areas (health, water, sanitation) and security.

- Develop training for both State and USAID field officers who will be responsible for liaison with the embassy/field mission during a disaster.

Assessment

- PRM and BHR agree that wherever sensible assessment missions will be conducted jointly.

- Actively distill lessons learned from recent fruitful joint assessments (e.g. Sierra Leone, Macedonia, Kosovo) with a view to streamlining evaluation instruments, clarifying interagency division of labor and information requirements, and expediting production of joint reports.

- BHR and PRM collaborate in evaluating DART teams' performance to date, including the trend towards more robust and diversified DART teams with direct operational responsibilities, and management of DART relations with our embassies and Washington. Findings and recommendations for future policy towards the DART will be provided to the A/S PRM and AA BHR within a brief time frame (e.g. 60 days).

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

- Collaborate to ensure the best possible technical means are available for assessments, and that they are effectively coordinated, including the new Global Disaster Information Network (GDIN), FAO's Global Information and Early Warning System (GIEWS), and the Famine Early Warning System (FEWS). Include intelligence assessments, where appropriate.

Washington operations

- Designate lead operations officers for individual crises for both PRM and BHR who will be responsible for overall coordination of programmatic activities.

- Develop 'surge capacity' to allow effective response to multiple, simultaneous crises. Identify and train a reserve of State and USAID officers ready and willing to serve. Identify language and area expertise.

- Develop a comprehensive roster of specialized expertise available in the NGO community and the private sector which can be mobilized quickly as part of a 'surge capacity.' Explore feasibility of select NGO specialization in certain technical areas such as health, water and sanitation.

Field operations

- Incorporate PRM personnel, as appropriate, into USAID's Disaster Assistance Response Teams (DARTs).

- Strengthen joint overseas planning.

  USAID and PRM will consult closely on scope, timing and exit strategy for DART teams.

  As BHR establishes new regional field offices, or otherwise prepositions personnel in crisis-prone regions, BHR will work closely with PRM's Regional Refugee Coordinators to devise co-location arrangements (creation of regional hubs) or alternatively, to divide coverage between PRM and BHR across regions.

The above measures could be codified into a written State-USAID protocol on coordination of emergency operations. Technical assistance should be sought from FEMA.

Human resources

- Develop improved career development systems in both State and USAID for Foreign Service and Civil Service personnel with humanitarian policy and program management skills.

- Change existing personnel procedures to allow USAID and State officers (Civil Service and Foreign Service) with proven humanitarian experience to compete for positions in each other's agency on the same basis as "within agency" applicants. This would facilitate the

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

development of a humanitarian career path for both Civil and Foreign Service employees. It would also permit greater cross-fertilization between State and USAID humanitarian operations and help break down barriers resulting from different organizational cultures.

5) Develop a State/USAID protocol on coordination with DOD

- A State/USAID team, with the active backing of the Secretary and the USAID Administrator and input from the NSC, will enter discussions with DOD to put in writing mutually acceptable baseline criteria and mechanisms for use of DOD support for humanitarian assistance.

- A principal aim will be to minimize delays in accessing essential DOD support by defining more clearly what the U.S. military, under different scenarios, can be expected to contribute, what accounts will be accessed, and what prior operational planning on the civilian side is required.

6) Develop clear procedures for managing public donations

- Develop a public information campaign which helps inform the American people of the most useful way to contribute to international disaster relief.

- Devise a system for identifying UN and other international organizations and NGOs which are willing and able to manage sudden, large volumes of financial and other donations from the public.

- Clarify the use of DOD space available (Denton Amendment) transportation in the case of international emergencies.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

B. Clarifying who is in charge

Rationale: A central conclusion of the review is that clarifying who is in charge is critical to strengthening the effectiveness of U.S. civilian humanitarian programs. The three options in this middle category provide the Secretary with immediately actionable choices to test the thesis that a more unified, coherent leadership can make a substantial difference, without requiring an overhaul of current institutional arrangements

Common elements: Each lead figure has a direct line of accountability to the Secretary, and the Secretary has ultimate authority to reach beyond this lead figure when circumstances require. Each lead figure, it is proposed, should chair and benefit from a Senior Humanitarian Advisory Council (outlined below) and fill a humanitarian seat at high-level policy deliberations. Each will be charged with a common set of responsibilities: e.g. provide operational and policy guidance to both BHR and PRM and resolve disputes; review and provide guidance on humanitarian resource allocations within the Function 150 accounts (while recognizing that, in the absence of legislative changes, the authorities for the different accounts will remain separate); designate a lead civilian coordinator for specific emergencies; act as the primary humanitarian representative in dealing with the Defense Department and U.S. military commands; solicit input from the State/USAID Policy and Planning Task Force; oversee media management and USG representation to donors and international organizations.

The three options include (i) substantially strengthen the USAID Administrator's role; (ii) predetermine that lead responsibility for all natural disasters will rest with BHR and for all complex emergencies with PRM, unless the Secretary decides higher level representation is required in a particular case; and (iii) create a mechanism that allocates responsibilities for emergencies on a case-by-case basis.

Each option raises questions about the appropriate rank of the person responsible for leading USG humanitarian efforts. Each option strikes a different balance between operational responsibility and seniority.

These options would require consultations with Congress, but no legislative modification of authorities. For any of these, the President's designation of a Special Coordinator for International Disaster Assistance would need to be revisited, in light of the Secretary of State's expanded statutory authorities.

Ambiguity: These options are inherently ambiguous. Power is shifted to a single individual, aided by a senior Council, but existing institutional, legal and budgetary authorities remain in place. This shift may be sufficient to overcome present constraints on the effectiveness of civilian humanitarian programs such that the option itself provides a satisfactory solution and no further action is required. On the other hand, because it does not remove enduring structural constraints, this set of options may introduce unnecessary bureaucratic layers without significantly improving effectiveness.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Creation of a Senior Humanitarian Advisory Council

The Council's Chair would be determined by which option was selected, as explained below.

Council members would include the PRM Assistant Secretary, BHR Assistant Administrator, DOD Deputy Assistant Secretary for Peacekeeping and Humanitarian Affairs, the NSC Senior Director for Multilateral and Humanitarian Affairs and the National Intelligence Officer for Economics and Global Issues. USDA, DRL, S/WCI, OMB, and others would be included, as warranted.

The Advisory Council would meet monthly to discuss priority crosscutting policy issues and when necessary, to provide policy guidance to the Secretary of State, along with the USAID Administrator and the National Security Adviser. It would not have responsibility for management of ongoing or emergent crises, but would obviously be called upon to provide advisory input.

The Council would examine, inter alia, means of strengthening the resource base for humanitarian affairs; civilian/military humanitarian coordination; early crisis warning; intelligence sharing with international organizations; and policy development regarding internally displaced persons, protection of field personnel and operations, and integration of human rights and relief operations. The Council would receive regular input from the State/USAID Policy and Planning Task Force.

Option 1: Strengthen the USAID Administrator's Special Coordinator Role

Description: This option systematically strengthens the Administrator's capacity to lead on humanitarian affairs.

Rationale: The President has designated the USAID Administrator as the USG's International Disaster Relief Coordinator, with broad responsibilities. While that role has been problematic on account of State-USAID differences and competing Agency demands on the USAID Administrator, the Administrator has provided effective humanitarian leadership during select priority crises. If the Presidential designation were elaborated, so that the Administrator's office and responsibilities are realigned to give much greater weight to humanitarian affairs, a closer linkage to the Secretary of State, and broader interagency acceptance of the Administrator's role, the Administrator could become a far more authoritative and continuous leader of humanitarian affairs.

Elements:

- The President and Secretary of State reaffirm and elaborate the designation of the USAID Administrator as the USG International Disaster Relief Coordinator. Accompanying statements spell out that henceforth a lead priority within the Administrator's portfolio of

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

responsibilities is to be fully and routinely in charge of U.S. humanitarian response, provide a continuous humanitarian leadership in policy deliberations, and report directly and routinely to the Secretary of State on humanitarian issues.

- The USAID Administrator fills a reserved chair at Principals' Meetings. A humanitarian seat is reserved at Deputies' meetings, filled by a senior USAID or State humanitarian officer designated by the USAID Administrator.

- USAID creates a new humanitarian secretariat within the Administrator's office. Its Director is the equivalent rank of a Deputy Administrator, and as necessary, that person stands in for the Administrator. The humanitarian secretariat prepares internal and external USG reports, drawing on BHR and PRM sources, for each humanitarian emergency. It leads on media relations on humanitarian emergencies.

- The USAID Administrator chairs the Senior Humanitarian Advisory Council.

Pros: Systematically builds on the current Presidential designation, the substantial authority and senior rank of the Administrator's office, and that office's evolving accountability to the Secretary of State. Creates a new Secretariat with a Director who can provide continuous, full-time oversight of humanitarian programs. Requires reallocation of relatively modest USAID personnel and resources. Preserves a measure of space between U.S. humanitarian objectives and U.S. political/national security interests. Could strengthen the linkage of relief, transition and development assistance.

Cons: The USAID Administrator might be unable to reconcile steep, continuous humanitarian demands with other pressing agency business. Separates bureaucratic responsibility for one aspect of USG response to a crisis (humanitarian) from other aspects (diplomatic, peacekeeping) which will remain part of State. Strong, continuous humanitarian leadership by the USAID Administrator might generate tensions with State Department regional Assistant Secretaries and be seen as weakening USAID's development assistance programs and State's PRM Bureau.

Option 2: Lead pre-determined by type of crisis

Description: State/PRM would be the lead agency for humanitarian response in complex emergencies and USAID/BHR would be the lead agency in natural disaster situations.

Rationale: It applies a decision rule that clearly assigns lead agency responsibility on the basis of functional criteria and some of the comparative advantages of State and USAID. State leads complex emergencies because of its close linkage with political and diplomatic interests. USAID leads on natural disasters since these are primarily operational and short-term, and recovery is often linked to long-term development interests.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Elements:

- The PRM Assistant Secretary or AID/BHR Assistant Administrator is assigned lead agency responsibility according to the nature of the humanitarian emergency. State/PRM would lead in situations of complex humanitarian emergencies, while AID/BHR would lead on natural disasters.

- State/PRM and AID/BHR retain existing responsibilities for other humanitarian response requirements that do not meet the criteria for designation of a lead agency (for example, refugees in non-complex emergency situations for PRM; disaster assistance and transition activities in non-complex emergency situations for AID/BHR).

- Complex humanitarian emergencies are defined as "crises caused, in whole or in part, by armed conflict and/or massive human rights abuses, leading to large-scale population displacement and/or widespread humanitarian need requiring international assistance and protection." Natural disasters would include any humanitarian assistance situation caused primarily by natural factors, including flood, earthquakes, severe storms, drought-induced famine, and environmental degradation.

- In most cases, it would be self-evident which agency would assume the lead role under these criteria. Where there was a dispute, an Action Memorandum would be sent to the Secretary of State for his/her decision on lead agency designation.

- The Assistant Secretary/Assistant Administrator for the agency that is not designated as the lead for a particular crisis response will be responsible for ensuring that its staff are lending their expertise and full support to the crisis response, consistent with the agency's legislative mandate. If necessary, staff will be seconded from the secondary agency to the lead agency to facilitate close coordination.

Pros: Applies functional decision rule for choosing lead agency. Could strengthen integration of humanitarian response with overall diplomatic response in complex emergencies. Builds on relative strengths of USAID and State. Provides incentive for task specialization and complementarity between USAID and State, rather than encouraging competition, mission creep and redundancy. Keeps routine responsibility for humanitarian response at the level required (A/S and AA) for most humanitarian situations. Requires no reallocation of staff or new bureaucratic structures.

Cons: Doesn't create unified leadership. The distinction is often not clean between complex emergencies and natural disasters (how to deal with Sudan, North Korea, Indonesia, Nigeria?). State and USAID presently both address complex emergencies, often in separate modalities (e.g. PRM largely through multilateral channels, BHR largely through bilateral, NGO channels.) Would create new distance between response to complex emergencies and USAID's transition and development programs. The decision rule itself could be seen as politicizing humanitarian relief.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Option 3: Case-by-Case Designation of Authority

Description: The Secretary would rely upon the Senior Humanitarian Advisory Council mechanism to recommend a designated lead for civilian humanitarian programs on a case-by-case basis. The Secretary would turn to the NSC to direct the Council in order to ensure the most effective civil-military linkages.

Rationale: Policymakers need assurance that there will be a single, civilian agency accountable for managing the overall USG humanitarian response to crises. They also need flexibility to permit the agency with the most experience in a particular area to play the lead role.

Elements:

- The Advisory Council would recommend designation of a single humanitarian coordinator, from State or USAID, to manage the USG response to individual humanitarian crises on a case by case basis. The Chairman would make the recommendation, with counsel from the other core members of the Advisory Council. Whenever possible, the lead will be designated in advance of the actual crisis to facilitate better planning and preparation. The Advisory Council may also recommend that the pre-designation of a particular category of humanitarian crisis to a particular agency (e.g. natural disaster to USAID.)

- In most cases, the Advisory Council will recommend the designation of either the PRM A/S or the BHR AA, who are members of the committee, to serve as the Humanitarian Coordinator. However, this would not preclude either the White House or the State Department from determining that an Under Secretary-equivalent or higher level U.S. official should lead high profile humanitarian responses.

- The designated Humanitarian Coordinator will provide the USG humanitarian voice at deputy-level deliberations.

- The Assistant Secretary/Assistant Administrator for the agency that is not designated as the lead for an individual crisis will be responsible for ensuring that its staff fully support the crisis response. The Chairman will reinforce this imperative. As needed, staff will be seconded from the secondary agency to the lead agency.

Pros: Designates lead while systematically guaranteeing flexibility, based on agencies' experience in given areas; provides exceptional voice and authority for the Advisory Council and broadens its reach to encompass military humanitarian efforts; specifies priority focus by Humanitarian Coordinator on select crises.

Cons: Does not create predictable or unified leadership. If lead responsibility shifts regularly, there is reduced accumulated institutional learning and increased confusion in dealing with other donors. Rotation of chair at Deputies' meetings might degrade the chair's authority; disputes over lead responsibility, particularly in joint refugee/IDP operations, might deadlock the

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Advisory Council. Interjects the NSC into State-USAID relationship. A case-by-case approach has been attempted by the UN over the past decade, with poor results.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

C. Consolidation of State and USAID Humanitarian Programs

Rationale: Consolidation of U.S. civilian humanitarian functions into one agency provides the best opportunity for ensuring unified humanitarian leadership and coordinated planning and operations among U.S. civilian humanitarian actors. Consolidation presents, however, major legislative, bureaucratic and financial challenges and would require the active, sustained commitment of the President and the Secretary of State. It might also encounter resistance from NGOs and others who favor the existing decentralized system and oppose centralization in principle.

The paper presents three options – consolidation of U.S. humanitarian functions into State, consolidation into USAID and creation of a new humanitarian agency that would incorporate the humanitarian functions of both State and USAID. Consolidation into either State or USAID would also require substantial internal changes, in organization and sense of mission, in both the agency that sheds functions and the agency that gains functions. Each option includes the movement of all entities that support humanitarian programming, planning and operations (financial management, contracting, logistics, personnel, etc.), including those functions that reside outside the functional bureaus managing humanitarian assistance in both USAID and State, to the recipient agency to ensure continued operations. Creation of a new U.S. humanitarian agency, while providing the cleanest break with the past, would be the most costly option, in terms of both financial and prior political investment.

Central to deciding among the three possibilities is what priority is attached to competing policy goals: to integrate humanitarian affairs into foreign policy; to create an empowered single-focus humanitarian entity; and to integrate relief, transition and development assistance. It is clear that the reorganization of State to take on bilateral humanitarian and transition assistance and operations would provide the most systematic assurance that humanitarian assistance will be closely linked with broader foreign policy considerations. Similarly, the reorganization of USAID to take on multilateral and refugee assistance components would provide the best structural opportunities for linking humanitarian assistance and transition with development. It should be noted, however, that under the current divisions of responsibility, neither State nor USAID have excelled in ensuring these linkages with the programs that they respectively manage, nor has either agency given adequate profile to its humanitarian assistance components. Finally, a new humanitarian agency would have the highest profile and chance of becoming an empowered single-focus international emergency agency.

Common Elements: The State Department's Bureau for Population, Refugees and Migration and USAID's Bureau for Humanitarian Response would form the core of any consolidation option. Consideration should be given to all of the below listed elements that might logically be placed within a consolidated civilian humanitarian structure. Also, adequate funding and staffing arrangements would be required to ensure that the functions within each agency that form the necessary "tail" to support humanitarian programs are replicated or accommodated within the recipient agency.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

State offices that would logically form part of a unified civilian humanitarian structure include: State/PRM, except population activities; State/IO components related to voluntary funding of all UN humanitarian agencies, including UNICEF, WFP and OCHA; State/IO functions related to relief information management, such as Global Disaster Information Network (GDIN) and Reliefweb; State Global Demining Policy Coordination; and humanitarian components of SEED and the Freedom and Support Act

USAID offices that would logically form part of a unified civilian humanitarian structure include: USAID/BHR's Office of Foreign Disaster Assistance, Office of Food for Peace and Office of Transition Initiatives; USAID/Global Bureau's War Victims Fund.

The head of the unified humanitarian structure would provide senior leadership within the USG on issues of humanitarian response and transitions, including participation in appropriate senior interagency fora, and would ensure that humanitarian activities were effectively linked with broader foreign policy considerations and sustainable development efforts. He or she would also ensure effective coordination of relevant programs and activities within the USG, working closely with State, USAID, the White House, NSC, OMB, DOD, USDA, FEMA, DOJ, the intelligence community and other departments and agencies. Such coordination might require the establishment of formal councils within the USG, which would be chaired by the lead appointee or his or her designee. Also, he or she would provide senior leadership on humanitarian response and transition issues with other bilateral donors, the EU, the UN and other international organizations and with PVOs/NGOs. He or she would ensure consistent, dynamic U.S. leadership in the Executive Board meetings of UN organizations and, where appropriate, World Bank forums.

Structure: The precise structure of the consolidated humanitarian entity should be determined through interagency task forces. Notionally, the consolidated humanitarian entity would include: the head of the unified humanitarian structure (State U/S, USAID Deputy or USAHR Administrator) and an appropriate number of Assistant Secretary-level deputies. Offices in the structure would be organized around functional and regional specialization. Functional areas would include: crisis response; refugee and displaced persons protection, assistance and resettlement; policy planning; budget and financial management; outreach to the media, congress, multilateral and non-governmental organizations; and technical expertise in health, water, sanitation, shelter and food aid issues.

1) Consolidation of Civilian Humanitarian Programs into the Department of State

Elements:

- Create at State a new Under Secretary for Humanitarian Response and Human Rights to directly manage humanitarian, transition and human rights policy and operations. An appropriate number of Assistant Secretary-rank deputies would assist the U/S.

- Designate the Under Secretary as the President and the Secretary's Special Coordinator for International Disaster Assistance.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Pros: Enhances the reach and force of the State Department in leading U.S. foreign policy. Results in the greatest incorporation of humanitarian affairs and human rights into U.S. foreign policy: through senior leadership within State itself and the close interface with State's geographic bureaus. Provides consistent Under-Secretary level humanitarian and human rights representation at Deputies Committees, and direct, high-level, informed guidance to the Secretary on humanitarian and human rights issues.

Cons: Could raise concerns by NGOs and others that USG humanitarian interests would be compromised by other foreign policy interests. The direct link between humanitarian/short-term transition assistance and longer-term transition assistance/development would not be structurally assured. Would require considerable effort and perhaps additional costs to incorporate the USAID "tail" into State: e.g., procurement and financial management support services, and field operations management. Removal of humanitarian assistance from USAID could result in decreased public and congressional support for long-term development.

(2) Consolidation into USAID:

Elements:

- The Administration would work with Congress to change the name and redefine the mandate of USAID to render development and humanitarian components co-equal.

- Create a second Deputy Administrator for Humanitarian Response and Transitions, who would directly manage all humanitarian and transition policy and operations. An appropriate number of Assistant Administrators would assist the Deputy Administrator.

- Re-designate the Administrator of USAID as Special Coordinator for the President and the Secretary of State for International Disaster Assistance thus strengthening the direct reporting line from USAID to the Secretary on humanitarian and transition issues. In most cases, the Deputy Administrator for Humanitarian Response and Transition would serve as the Administrators implementing agent for fulfilling this coordination function, though the Administrator may choose to play the role for select high-profile crisis responses.

Pros: Facilitates close linkages between humanitarian assistance and transition and longer-term development. Brings USAID much more directly into U.S. foreign policy process: strengthens the linkage between USAID and the Secretary of State while retaining continuity in USAID's lead responsibility on foreign aid programs. Consolidation becomes a reinvention of USAID, which puts USAID into a much more favorable position vis-à-vis future debates on U.S. foreign aid and the utility of USAID. Would be preferred by NGOs who do both relief and development work and their supporters.

Cons: Link between humanitarian and transition assistance and foreign policy would not be structurally assured. Would be perceived as a shift away from State's currently specialized focus on refugees, raising opposition from refugee policy and resettlement groups and their supporters. Heightened role for humanitarian and transitional assistance would be viewed within USAID and

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

to external actors as a shift away from long-term development programming, raising resistance within USAID and among development assistance advocates and their supporters on the Hill. A second Deputy Administrator might complicate USAID's internal management structure. Consolidation into USAID could invite greater political interference from Congress.

(3) Consolidation into a new agency:

Elements:

- Create a new U.S. Agency for Humanitarian Response (USAHR), under the authority of the Secretary of State and headed by an Administrator co-equal to the current USAID Administrator. An appropriate number of Assistant Secretary rank officials would assist the Administrator.

- Establish an interagency council, under the overall management of the USAHR Administrator, to ensure foreign policy integration and effective interagency coordination on crisis response, transition and refugee policy issues.

- Incorporate a robust operational mechanism within USAHR, modeled on FEMA, to permit large-scale U.S. civilian direct implementation capacity when traditional response mechanisms (funding through PVOs/NGOs/multilateral organizations) are insufficient or inadequate.

- Designate the USAHR Administrator as the President and the Secretary's Special Coordinator for International Disaster Assistance.

Pros: Would represent the cleanest break from the past, providing the best opportunity for articulating a bold commitment to humanitarianism and a clear, integrated vision for civilian humanitarian response distinct from the existing bureaucratic and institutional biases. The only option that provides for an agency head who is devoted full-time to humanitarian and transition policy and programs, thus best meeting the need for improved humanitarian advocacy. Incorporates new, robust civilian operational capacity, modeled on FEMA that is missing from our current structures.

Cons: Requires the most substantial legislative and organizational changes of any of the options under consideration, requiring a substantial investment of time, human resources and political capital (including Presidential leadership) to implement. Runs counter to the direction of recent legislation on foreign affairs reorganization, which has sought to reduce the number of foreign affairs agencies through consolidation into State. Does not structurally assure links with either broader foreign policy or long-term development. The most expensive option. Removal of humanitarian assistance from USAID could result in decreased public and congressional support for long-term development.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Annex I

Kosovo Case Study

Summary: The U.S. humanitarian response was profoundly shaped by an initial mistaken premise, broadly-shared across the international community, that the central humanitarian challenge would be reaching a large internally displaced Kosovar population. It was only just prior to the onset of the NATO aerial bombing that we and others in NATO began to consider that Serbia might systematically expel hundreds of thousands of Kosovars. The U.S. response was also significantly shaped by the lack of a humanitarian voice in senior policy deliberations. In combination, these factors resulted in deficient pre-planning for a mass exodus of Kosovars and a poor appreciation of -- and slowness to correct for -- UNHCR's weak leadership in the border areas. The first phase was a confused scramble, during which there was a disturbing perception at the highest levels of the USG that no one was in charge of USG civilian humanitarian programs. Also at this time, our sensitivity to Macedonia's security concerns impeded our humanitarian response and we encountered difficulties in managing public donations and intensified media interest. Thereafter the U.S. humanitarian effort began to cohere as interim priority coordination mechanisms took effect: e.g., the daily SVTS chaired by the NSC, the Kosovo Coordination Council (KCC), and field coordination between BHR and PRM. The KCC as well as other mechanisms had decidedly mixed results. In partnership with NATO, UNHCR, NGOs and other international agencies, the U.S. civilian humanitarian programs were able to meet the basic needs of a million refugees and facilitate a mass post-war repatriation.

This case study is based on interviews with senior officials at the White House, Departments of State and Defense, and USAID. It also draws upon a roundtable discussion involving American relief NGOs and UNHCR. It is not a comprehensive review of USG humanitarian response to the Kosovo crisis, but rather is tailored to the humanitarian review's central concerns with which factors advance or impede the effectiveness of USG civilian humanitarian programs. The case study coalesces around the following points:

1) **Faulty assumptions resulted in a lack of preparation for a sudden, coerced mass exodus. Once the war began, we and others had to adjust swiftly to an extreme, unanticipated humanitarian demand.**

The USG humanitarian response proceeded on the basis of a core premise that there was low likelihood of a sudden massive out migration of Kosovar refugees. In three separate crisis points over the previous 15 months, when external force had been threatened to varying degrees, refugee outflows had been modest.

U.S. policymakers, intelligence officers, regional experts and humanitarians, along with their counterparts in other NATO member countries, failed to predict until just several days before the bombing campaign that Serb forces would systematically expel Kosovars. Instead, the prevailing worst case scenario was that one million Kosovars would be displaced internally, prohibited from

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

exiting, and remain largely inaccessible, in the context of an ongoing air war and a NATO determination not to launch a ground invasion.

The USG was significantly constrained by intelligence deficiencies, especially as regards Milosevic's war strategy and the numbers and calculations of internally displaced Kosovars. This became far worse with the withdrawal of external monitors and relief workers just prior to the onset of the NATO bombing campaign.

As the air war unfolded, NATO suddenly found itself shouldering a massive humanitarian project. Once Serbian forces induced the mass expulsion of Kosovars, NATO unexpectedly added to its core objective of degrading Serbia's military capacities the protection of IDPs and the return of refugees safely to their homes. Yet there had been no pre-planning for NATO involvement in humanitarian operations in neighboring states. For the initial period, the humanitarian agenda was overwhelming due to: the extreme rapidity of events, the colossal scale of the exodus, the depth of uncertainty regarding circumstances inside Kosovo, and the strategic risk that mass refugees posed to Macedonia and Albania. This combination of factors would have greatly strained any response system, and forced the international community to scramble to bring order to humanitarian programs in the fog of war.

2) Lack of a consistent senior humanitarian voice hindered our effectiveness. Interagency coordination of the humanitarian effort was insufficient in the lead-up to the NATO campaign, and cumbersome during the air war.

It was not until the Kosovo Coordination Council was formed after the onset of the bombing campaign that a senior civilian humanitarian figure was empowered to lead our humanitarian agenda, including the military components of relief efforts. Had accountable and consistent senior humanitarian leadership been incorporated early on into senior Administration deliberations, we might have seen superior contingency planning for, and later management of the refugee outflow.

From October 1998 through March 1999, the NSC and State co-chaired Executive Committee managed all aspects of the Kosovo crisis, recommending policy decisions to Deputies. The EXCOMM formed a humanitarian sub-group chaired by State/PRM, but the isolation of this group from key information on military planning for the Kosovo operation limited its usefulness in developing effective humanitarian contingency planning. The weekly humanitarian SVTS focused on information exchange and routine issues with little if any focus on contingency planning or overall response strategies. While humanitarian officials were not included in sensitive military discussions, they were invited to the twice weekly EXCOMM meetings and, when planning for the air campaign began in full force, attended the daily EXCOMM SVTS and were involved in the preparation of the campaign time lines.

These arrangements were not adequate. There was no humanitarian input into an initial UN resolution that cited the need for FRY registration of all NGOs who operated in Kosovo. Once the NATO campaign commenced and the NSC assumed chairmanship of the EXCOMM

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

humanitarian sub-group, there was a regular forum to discuss strategic and operational issues related to the humanitarian crisis and the channel major issues to senior officials. However the sub-group, which met daily via SVTS, often became mired in details rather than providing strategic guidance to the participants, undermining its utility at times. Also, daily Deputies' meetings eclipsed the EXCOMM process and humanitarian representatives were no longer regular participants. Instead they were invited only when humanitarian issues were overt agenda items. Once discussion on these items had been completed, humanitarian representatives were asked to excuse themselves. In the larger, overall policy process, numerous discussions on issues directly related to the humanitarian effort were not fully informed; the USG humanitarian community had only weak and intermittent opportunity to provide its perspective on the humanitarian implications of key political/military decisions.

3) In the early phase of the Kosovo crisis, the absence of consistent, high-level humanitarian leadership gave rise to a disturbing perception at the highest levels of the USG that "no one was in charge" of civilian humanitarian policy.

This perception reportedly prompted the President to appeal to the Director of FEMA to become actively engaged in preparing a plan of action for caring for the mass exodus of refugees.

The perception stemmed from senior policymakers' frustration at not getting authoritative, timely answers to urgent informational requests: e.g., on the status of UNHCR plans and actions; on numbers of IDPs and refugees and the level of humanitarian stress they each were experiencing. To some degree, these questions were unanswerable, owing to intelligence gaps. To some degree also, USG civilian humanitarian agencies were insufficiently prepared to answer them. It became apparent that little forward planning had been conducted, including the establishment of prior collaborative arrangements between USG civilian and military agencies.

4) Though UNHCR's performance was strategic to achieving USG policy goals, our management of relations with UNHCR did not yield the desired results during critical periods.

While the U.S. clearly led the NATO military campaign, on humanitarian matters we preferred that UNHCR play the lead role, with the U.S. in a supportive role. To an important degree, this humanitarian calculation served U.S. interests, given UNHCR's mandate and its broad acceptability as the appropriate body to manage international support to refugees. Also, given Congressional criticism of the preponderant USG share of NATO military contributions, a comparable USG lead commitment on humanitarian requirements would likely have complicated our efforts to win Congressional support for the emergency supplemental that addressed, among other things, Kosovo emergency programs.

However, our multilateral humanitarian approach created vulnerabilities. We were deeply reliant on UNHCR's cooperation and performance to achieve our core objectives, versus relying upon our own bilateral efforts. Subject to conflicting guidance from other nations, and struggling with weakened capacities at field and headquarter levels, UNHCR was only partially responsive in

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

critical periods to U.S. interests. For instance, in the days leading up to the bombing UNHCR did not accede to our appeals to prepare for a major refugee outflow far in excess of UNHCR's 50,000 person planning figure (admittedly our proposed 300,000 figure still fell far short of eventual demand.) Despite persistent U.S. demarches, UNHCR resisted both NATO's assumption of a major direct humanitarian assistance role and the replacement of UNHCR's Macedonia and Albania country directors with senior, seasoned personnel. UNHCR continued to manage Kosovo operations from Sarajevo, again despite our pointed advice that it post a senior regional coordinator into the immediate theater. When UNHCR did send senior personnel, it did so on short-term assignments.

Our frustration in shaping UNHCR's response to U.S. interests resulted in part from inherent limits to U.S. power: we did not have much choice but to rely heavily upon UNHCR, given our limited direct operational capacities. It stemmed also in part from the lack of a single individual, equipped with all the necessary tools, charged with resolving this problem utilizing whatever means necessary. Consequently, insufficient attention was paid to the erosion of UNHCR headquarters and field capacities and to preparing U.S. contingency plans, should UNHCR have been incapable of fulfilling our expectations. Compounding our approach to UNHCR were unresolved differences between State PRM and USAID BHR over the nature and scope of the problem in our relations with UNHCR.

5) We were not effective in persuading Macedonia that its security concerns and sovereign rights could be reconciled with an effective humanitarian response. This impeded our humanitarian response in both Macedonia and Albania.

In the lead-up to the bombing, Macedonia refused to allow additional refugee camps to be established or relief stocks to be pre-positioned on its territory. It persisted in refusing to agree, in advance, to additional refugees, adhering to a 60,000 person ceiling even as those numbers were exceeded. UNHCR was late to arrive and begin to engage the GOM, and did not act promptly upon U.S. and UK efforts to help UNHCR establish a workable relationship with the GOM. As a result of these factors, UNHCR, NGOs and NATO were not permitted to establish new camps even while it was clear that large numbers of new refugees would shortly arrive at Macedonia's door. Macedonia kept its border shut at these critical points, trapping thousands in a 'no-man's-land.' Once large numbers of refugees entered Macedonia, we devoted considerable energy to relocating them to third countries, with only partial success.

In retrospect, security concerns and the view of regional experts predominated in USG policy, such that we did not engage the Macedonian Government aggressively and early enough on how to address the impending humanitarian demands without compromising its national security. While humanitarian components within the USG cited the need for a more aggressive posture vis-à-vis the Macedonians in humanitarian forums, they made no effort to push for a shift in policy at more senior levels. Consequently, we found ourselves scrambling with the fall-out from Macedonia's intransigence, with far less time and energy to deal with Albania's daunting logistical and infrastructure challenges.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

6) Kosovo revealed the high domestic sensitivity to USG crisis response and the need to strengthen our capacity to manage public donations and media interest.

Kosovo stimulated intense media criticism and a sudden surge of popular interest in making private donations to USG-supported relief efforts. Together, these raised pressure upon the White House and Principals to do more, better, and more quickly.

The management of public donations for international humanitarian relief is a function that State and USAID officials freely admit they were inadequately equipped to handle in Kosovo. Under the KCC structure, FEMA was thus assigned the important role of managing public donations and it managed public relations well. However its unfamiliarity with the international NGO community created serious problems when it attempted to create a USG fund to manage private contributions (and cope simultaneously with the huge volume of telephone traffic.) NGOs vehemently opposed the insertion of a US agency between private donors and themselves, and FEMA's approach shifted to a system of referring citizens to operational NGOs.

Kosovo also revealed that during mega-crises where the President's prestige is at stake and media scrutiny is intense, the White House can be expected to designate a special individual or mechanism to handle media, public outreach and coordination of USG civilian and military humanitarian programs. A high level White House official, reflecting on the President's decision in Kosovo to designate a senior humanitarian coordinator to bring order to the USG humanitarian response, emphasized that a more unified humanitarian leadership of USG civilian humanitarian programs would improve the effectiveness of USG response but not necessarily dull the White House's desire during future crises to demonstrate its direct control over the USG response.

7) The Kosovo Coordination Council had mixed results.

The KCC was established by the White House one week after the bombing to provide high-level leadership of the humanitarian aspects of the Kosovo crisis. USAID Administrator Brian Atwood was asked to chair the KCC, which included PRM A/S Taft (tasked with managing the civilian response), General McDuffie (tasked with managing the DOD humanitarian response) and FEMA Director James Lee Witt (tasked with managing public donations.)

The KCC arose not through prior policy deliberations but due to intensifying press criticisms at the early stages of the crisis when chaos prevailed; in particular suggestions that NATO bombing was inducing the Kosovar exodus and that the UN and NATO were failing to protect and serve refugee needs. The President reportedly selected Brian Atwood as the White House agent, on account of his known stature, his availability, and his then role as Administrator of USAID. After Atwood retired and the worst of the crisis passed, the White House chose not to pass the assignment on to the Acting USAID Administrator and the KCC quietly ceased to function. In retrospect, given the importance of a successful winterization program to our overall Kosovo policy, it might have been helpful if the White House had designated a successor to Atwood responsible for ensuring the success of this critical program.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

The KCC's major achievements included:

- A single senior authoritative voice was able to manage the press and to articulate USG humanitarian policy to international organizations and other donors: to "bring order out of chaos" as several observers asserted.

- A senior informed Administration figure gained a seat at the Principals' and Deputies' meetings.

- A senior-level forum was created that brought together USAID, DOD, State and the NSC to resolve pressing humanitarian issues -- without requiring DC/PC deliberations.

- Information exchange across agencies was improved.

- The humanitarian perspective was brought to DC/PC deliberations on critical issues, and implementation of select high-level policy decisions was expedited: e.g., DOD support to air drops; repair of road to Kukes; reversal of plans to place refugees in the US naval base at Guantanamo, Cuba (GITMO).

- Assigning the NSC-chaired SVTS as the Executive Secretariat to the KCC ensured a direct link between the KCC and the NSC process, as well as a stronger enforcement mechanisms on interagency issues than either USAID or State would have been able to provide.

- Atwood dispatched to the region a senior USAID official as the KCC's on-the-ground senior liaison. This greatly relieved pressure upon our embassy in Skopje, strengthened coordination with the UN, NATO, and NGOs, and improved the KCC's grasp of field realities.

The KCC's shortcomings included:

- It was established during, rather than in advance of, the crisis.

- Its mandate was murky, hence it had a sometimes-ambiguous relationship with the NSC-chaired IWG.

- Its impact on policy formulation was largely marginal: most policy decisions were taken at the daily SVTS or at DC/PC meetings, leaving the KCC to function as an information exchange and a vehicle for discussing implementation of policy decisions made elsewhere.

- It was ad hoc and lacked continuity and follow-through.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

- It did not quell discord among USAID, State and FEMA.

- The senior USAID official assigned to the region was unable to devote sufficient time to Albania.

- It often became mired in details (e.g., management of Camp Hope in Albania) versus providing coordinated, strategic leadership. The more detail oriented it became, the more USG agencies viewed the KCC as an unnecessary bureaucratic layer.

8)Kosovo demonstrated the need for more robust direct USG operational capacity, less restrictive security policies, and a more orderly budget process.

Kosovo highlighted the need for a more robust USG operational capacity to handle the nonmilitary aspects of crises such as Kosovo, particularly for humanitarian relief (including protection), and for key civil affairs functions such as police. It also revealed the need for State and USAID to explore establishing a ready reserve of former employees who can be moved quickly into foreign posts and local offices to handle the extraordinary requirements of complex contingency operations. One initial step would be for State and USAID to structure its personnel records so that all people with particular language and other skills and former postings can be readily identified and contacted.

USAID, with the support of PRM, was able to deploy large DARTS quickly to Macedonia and Albania, but faced problems operating under the RSO's security restrictions. Especially in Albania, USG humanitarian personnel were largely confined to the capital, which constrained our response both inside Albania and soon thereafter inside Kosovo.

Fragmented budget authorities also negatively affected our capacity to implement programs in the most efficient manner. For example, funding shortfalls in the International Disaster Account (IDA) caused by previous needs for Hurricane Mitch forced PRM and OFDA to reach a complicated arrangement in which PRM funds were used for NGO activities in Kosovo normally funded by OFDA. In the weeks before the bombing began, key PRM and OFDA programs staff spent substantial time making this awkward arrangement work, time that would almost certainly have been better spent on planning for possible post-March 24 refugee contingencies.

9) Problems notwithstanding, the U.S. humanitarian effort was critical to the success of U.S. policy in Kosovo.

In late March and early April, the USG's humanitarian response (and that of other donors and IOs) was confused and ill prepared in several important respects detailed above. Nonetheless, the international community's response soon recovered. Over the course of the 78-day air war, the U.S. and NATO did not overcome its reluctance to take action on the ground to assist and protect

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

imperiled Kosovars. In other important respects the goals of NATO's humanitarian intervention were realized through the concerted efforts of NATO militaries, donor civilian agencies, and NGOs. The acute suffering of hundreds of thousands of Kosovars expelled into Macedonia and Albania was contained; few, if any the one million refugees died as a result of inadequate international humanitarian response. After June, the international community assisted substantially in the safe, swift return of refugees to their home areas.

10) Interagency planning for success helped materially in the safe, swift return of refugees to their home areas.

Unlike the situation at the start of the conflict, the end of hostilities was preceded by intensive interagency planning including senior officials. This allowed participants to check assumptions (in particular about the rate of return, and the need for humanitarian assistance through the winter, and deadlines for decisions to winterize refugee camps), make adjustments, and assure senior policymakers that we were ready to succeed.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Annex 2

Hurricane Mitch Case Study

I. Background

Hurricane Mitch devastated Central America in late 1998, causing over 10,000 deaths, displacing hundreds of thousands of people and raising domestic fears of possible mass migration into the U.S. Honduras and Nicaragua were most significantly impacted by the disaster, but there was also substantial damage in El Salvador, Guatemala and Costa Rica. The U.S. response to relief needs was robust, involving military and civilian agencies, and a substantial supplemental was enacted to provide funding for reconstruction. Central American governments also pressed for assistance with temporary protective status, debt relief, and the Caribbean Basin Initiative to help mitigate the impact of the disaster.

The severity of the crisis, its proximity to the U.S. and the large Latino immigrant community in the U.S. resulted in an unprecedented high level of attention to an international natural disaster. Hurricane Mitch seized the attention of the President, senior Cabinet-level officers and Congressional Members in a way that few other humanitarian crises have done. The President, First Lady and Second Lady all traveled to the region, highlighting the disaster and the U.S. response. Domestic agencies that are not normally involved in international disaster response clamored for a role in addressing the crisis. Church and community groups collected large amounts of private donations and sought USG help, often with the backing of Members of Congress and State or city leadership, to transport the commodities to Central America.

Responding to the multiple demands that arose from U.S. domestic political interests became a confusing diversion from the response effort. Moreover, marshalling the good will of the American people into constructive channels presented challenges that U.S. agencies were not prepared to meet. Mitch revealed deficiencies within our international response system when dealing with large-scale crises in general, and particularly one with such high domestic interest. At various stages of the operation, there was some confusion within the interagency, both in Washington and the field, as to who was in charge of overall U.S. efforts. Further, agencies were cautious in their initial needs assessments in spite of the clear devastation, and wary of committing a large share of resources so early in the fiscal year. Also, U.S. agencies were slow in developing media and public outreach strategies and faced major difficulties handling private contributions.

It is important to note that, unlike the other case studies presented in this review, the Mitch response does not highlight issues related to the division of labor between USAID/BHR and State/PRM. As a natural disaster, USAID/BHR's lead civilian response role was uncontested. Mitch does, however, highlight the difficulties of joint civilian/military engagement in disaster response, as well as the complexities surrounding managing the political dimensions of crises, particularly those in regions that are strategically or otherwise important to us.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

II. Findings

1) At key stages of the overall response, it was unclear who was in charge of the overall Hurricane Mitch response.

Disaster Relief Stage: As torrential rains continued to inundate Honduras and neighboring countries in Central America, stranding assessment teams and helicopters alike, it became clear, despite lack of precise information, that a disaster of tremendous proportions was unfolding. Senior White House officials quickly advised that the President was very concerned about the evolving crisis and expected a large-scale U.S. response. The NSC formed an interagency working group (IWG) and began coordinating daily SVTS conferences to ensure close civilian-military coordination and to push agencies to engage fully in the response. This IWG became the principal vehicle for coordinating the immediate disaster response effort.

In the field, SOUTHCOM and Joint Task Force Bravo, already based in Soto Cano, Honduras, immediately began rescue and delivery efforts in Honduras at the request of the Embassy and Government of Honduras and with the agreement from USAID/OFDA to fund initial costs. Within several days, it became clear that the military's efforts would require more resources than OFDA could provide, and the IWG focused on obtaining sufficient justification for a sizeable DOD drawdown request. Within ten days of the storm, the President authorized a drawdown of $30 million in DOD goods and services, which allowed DOD to deploy 1000 military personnel and dozens of helicopters and fixed wing aircraft to support assistance efforts. A further drawdown of $45 million permitted continuation and expansion of DOD efforts. USAID assistance efforts also got underway after the first week and included airlifts of relief supplies and support for water, sanitation, health and agriculture programs. Nevertheless, initial delays in deploying sufficient U.S. military assets or launching a large-scale civilian assistance effort likely contributed to the impression that the U.S. was slow to respond.

At the early stages in the crisis response, despite the NSC Washington-level coordination, it was unclear which operational agency was managing the overall U.S. response. The USAID Administrator, as the President's Special Coordinator for International Disaster Assistance, provides one option for ensuring high-level interagency leadership in such crises. In the case of Mitch, however, the White House decided early on to designate White House Deputy Chief of Staff Maria Echaveste as lead coordinator, which then-Administrator Brian Atwood took as clear indication that the effort would be run from the White House. The decision to designate Echaveste seemed logical given high domestic interest, her Latino background and standing in the community and her deep involvement in migration and other issues central to the response. Echaveste was closely advised by experienced NSC and OMB staff, as well as by Atwood.

While the designation of Echaveste highlights the White House prerogative to name special coordinators for high profile disaster responses, Mitch illustrates that such designations do not negate the need for day-to-day management of the crisis response by a single operational agency. FEMA provides this capability for domestic disaster response, utilizing a detailed federal response plan as its guide, but the situation becomes even more complicated in an international setting where there are a multitude of actors: the host country, which is responsible for setting the overall requirements, but cannot direct contributions from others and often has limited

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

capacity to coordinate international assistance efforts; the U.S. Ambassador who plays a critical liaison role with the host government but does not usually have the expertise to coordinate assistance efforts; the USAID Disaster Assistance Response Team; the U.S. military Joint Task Force; and other donors, multilateral and non-governmental organizations seeking to assist. The number of countries affected by Mitch provided further complications.

During the Mitch response, it was not clear which of this range of actors had the overall lead. USAID deployed a Disaster Assistance Response Team (DART) with many disaster experts to the region and coordinated closely with both the Embassy and the military Joint Task Force. However the USAID/DART focused on areas where it was prepared to help and did not seek to produce an overall assessment of need or to shape the parameters of the U.S. military response. USAID/DART did plug into national coordination efforts and worked to enhance these to the extent possible. At the same time, DOD's Joint Task Force had its own established relationship with national military forces, particularly in Honduras, and used this direct channel to determine ways that it could help. During this stage of the crisis response, no single agency or official perceived that it had the authority or capacity to provide a full, initial assessment of the scope of the disaster or manage the overall U.S. response.

This confusion contributed to initial delays in determining whether a drawdown of DOD goods and services was needed to support the disaster response. Operationally, it prevented agencies from developing and implementing clear response objectives in keeping with an overall U.S. plan. Some valuable time was also wasted as agencies in the field were forced to determine roles and responsibilities and establish relationships and systems unique to the particular circumstances in each of the countries.

[illegible] clear that a large U.S. reconstruction effort would be needed and that other issues, including temporary protected status (TPS) for Central American immigrants, the Caribbean Basis Initiative (CBI) and debt relief were at stake. Echaveste formed a Central America Task Force to address all issues related to the crisis. Under this structure, the humanitarian IWG continued and additional subgroups were formed, including reconstruction planning (led by USAID), debt relief (led by Treasury), and trade (led by USTR).

Around the same time, the Secretary, recognizing that the disaster could derail the region's progress towards democracy and realizing that the response could change the nature of our bilateral relationship, asked her Counselor to coordinate the State Department's efforts with regard to the Hurricane Mitch response. This internal State process, chaired by Wendy Sherman, quickly expanded to include representatives from USAID, DOD, Treasury, HUD, and other agencies as key issues were raised and discussed.

While there was cross-representation between the White House, State Department and USAID forums, including participation of an NSC rep in the State department and USAID meetings and regular communications between Echaveste, Sherman and Atwood, there was also some confusion among agency representatives as to the role of each forum and their role within each forum. Domestic agencies, unfamiliar with the issues involved in international disaster response, and seeking funding from USAID and guidance from State, complicated coordination efforts.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

DOD expressed concerns regarding the lack of a formalized PDD-56 process to coordinate the interagency response in Central America, given the range of issues involved. Other senior officials, unaccustomed to PDD-56, questioned the utility of a PDD-56 process for what arguably was not a complex contingency. Further, with leadership focused in the domestic component of the White House rather than with the National Security Adviser, the Principals and Deputies processes were not fully engaged in the Mitch response.

Similar to the confusion during the relief stage, the lack of clarity during this subsequent stage resulted in lots of meetings involving the same set of people and may have contributed to delays in establishing a single plan that laid out the objectives and structure of the U.S. response. While PDD-56 was not the only tool to create a single plan, its pol/mil planning template can provide a useful model. Over time, estimates from the Army Corps of Engineers and satellite imagery from the U.S. Geological Survey filled in observations from the field and permitted development of a comprehensive needs assessment. Using this data, the USAID task force was able to develop a plan for reconstruction and necessary supplemental funding, which was instrumental in justifying to Congress the resources requested.

2) U.S. structural problems and limited civilian resources prevent comprehensive needs assessments

In the week following Hurricane Mitch, there was considerable confusion regarding the extent of the damage and whether the needs exceeded the capacities of civilian agencies to respond. Initially, this confusion was due primarily to the position of the storm, which prevented helicopter assessments. However, even when the weather cleared, it became evident that no single U.S. agency was equipped with the capacity or resources to conduct a quick, comprehensive assessment of the overall needs to form the basis of a U.S. plan of action.

The IWG turned to USAID/OFDA to play this role and to help set the parameters of the emergency response, but OFDA assessments were based on its own limited capacity and resources. This resulted in several days of delay in deploying additional military assets as it was difficult to justify a drawdown of DOD goods and services absent data indicating that the scope of the disaster overwhelmed the capacity of civilian agencies to respond.

This experience highlights that adequately addressing high profile crises requires senior-level decisions, early on, to dedicate high levels of resources to a crisis and to consider the trade-offs of such allocations. By necessity, mid-level managers tend to seek to protect their budgets. This was a real concern for both USAID/OFDA, which had forecast substantial needs for the year for ongoing disaster response efforts in other regions, and for DOD/OSD, which has very limited resources within its Overseas Humanitarian Disaster and Civic Aid (OHDACA) account to address unexpected contingencies. In fact, while both agencies were finally replenished under the supplemental, USAID/OFDA's eventual programming of one-fifth of its budget for the Mitch response forced it to delay funding for other important relief programs until late in the fiscal year. Even worse off was DOD, which fully drained its OHDACA account and was forced to suspend important, ongoing demining and humanitarian support programs. Given current funding allocations, resource constraints will continue to pose similar problems for future disaster responses, particularly those that occur so early in the fiscal year.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Further, while there is no doubt that the U.S. military provides logistical capacity that proves extremely helpful in a disaster response, there are no established guidelines regarding what level of crisis requires use of this important military capacity. Also, there is little to no implementation capacity housed within civilian agencies, forcing continued reliance on the U.S. military for crises where, for domestic or foreign policy reasons, it is important for the U.S. to be seen in action. Despite this, funding in the OHDACA account and the President's 502 (a) drawdown authority of up to $75 million per year for humanitarian or counter narcotic programs provide very limited financial support for military engagement in humanitarian response.

3) U.S. efforts to publicize our assistance efforts are generally inadequate.

Despite the robust nature of our relief efforts, the U.S. received insufficient press attention during the initial weeks of the Hurricane Mitch response and did not effectively engage in efforts to get attention, despite a stated foreign and domestic policy objective to emphasize U.S. Government assistance in the media. In contrast, local and U.S. papers reported extensively on the comparatively minor Mexican assistance effort. The lack of coverage in the media for U.S. assistance became an issue of considerable frustration within the White House, and translated into a stressful domestic situation. Latino communities and their supporters on the Hill pressed the USG to do more at a time when we were already heavily engaged in a robust effort.

While it became clear from Embassy reporting that there was some reluctance within Central America to highlighting the U.S. role, Washington agencies also never developed a proactive press strategy for getting the word out. Further, there was no single high-level agency contact designated to play a lead role with the press. A couple weeks into the crisis response, the White House Press Office began to coordinate a daily conference call of agency press personnel. However, this call focused more on information sharing than development or implementation of a press plan.

4) Existing U.S. systems are inadequate for handling contributions from private citizens.

Mitch posed a dilemma for the U.S. Government, as it became clear that many private citizens and Members of Congress expected the government to pay the high transportation costs for privately donated goods. Yet no U.S. agency currently has authority or responsibility for managing private contributions. The outpouring of contributions and support from American citizens quickly overwhelmed the ad-hoc systems that USAID had in place. Across the nation, churches, community groups, supermarkets and individuals organized campaigns to collect canned goods, used clothing and other supplies for delivery to Central America. Many commodities collected were inappropriate and most organizations had not arranged a delivery mechanism for their commodities to or within Central America. Requests to help transport these commodities, often strongly endorsed by Members of Congress and/or other State leadership, began to flow in to various U.S. agencies. State Governors also sought to utilize National Guard assets to transport supplies collected.

This level of local response was unprecedented and U.S. agencies were uncertain whether it was appropriate to take on the role of managing these private contributions and how transportation

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

costs would be financed. As a result, they were slow to put systems in place to address the need. In late November, USAID initiated public service announcements, launching a 1-800-USAID-RELIEF number, asking Americans to give cash not supplies and directing contributions to active humanitarian organizations. When DOD's Denton Amendment program (which transports privately donated and managed humanitarian and development commodities on a space available basis) proved insufficient to address the transportation needs, DOD dedicated funding and aircraft to move the commodities to Central America. While finally helpful in moving thousands of pounds of privately donated relief supplies and deflecting public criticism, this practice came late, diverted important DOD assets from other purposes and created an expectation that similar mechanisms would be available for future disaster responses.

III. Conclusion

In retrospect, the U.S. should be proud of its response to Hurricane Mitch. We were able to alleviate the suffering of thousands of people during initial civilian and military relief efforts, and obtained approval for an over $700 million reconstruction program that continues in its effort to build a better future for Central Americans. We stemmed what might have been a large population flow, by giving hope to Central Americans, and did not permit the crisis to derail progress towards political reform.

Despite these major accomplishments, U.S. agencies were not prepared for the convergence of domestic and foreign policy interests and issues that emerge from a large-scale disaster response in the Americas. Unfortunately, agencies still do not have all the mechanisms in place to handle such issues in the future.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Annex 3

Sudan Case Study

This case study was prepared by USAID's Bureau for Humanitarian Response (BHR), in consultation with Department of State and National Security Council staff. It is based on extensive interviews with officers from USAID and DOS as well as with representatives from the U.S. Private Voluntary Organization (PVO) community.

I. Background

The nature of the crisis in Sudan and the international humanitarian response to it offers fertile ground for this review for a number of reasons:

-- The magnitude of the crisis is staggering.

> For years, Sudan has had the largest displaced population in the world, numbering some 4.5 million. There are also an estimated 382,000 Sudanese refugees in six neighboring countries. The conflict, which pits a largely animist and Christian south against a Muslim north, has generated heavy casualties. The U.S. Committee for Refugees puts the number of dead at some 1.9 million since the war recommenced in 1983; that is, one in every five southern Sudanese has died because of the civil war. Prospects for peace remain dim, with major obstacles relating to the right of self-determination for the south and the separation of religion and state.

-- The international community has a unique relief response system in Operation Lifeline Sudan (OLS), ongoing for eleven years now.

> OLS was groundbreaking in that it "persuad[ed] the warring parties to commit themselves publicly to the principle that all civilians have a right to humanitarian assistance wherever they happen to be located, and that access to them must be assured."[1] Despite this, all parties have committed egregious violations of basic humanitarian principles over the years, raising thorny policy questions related to unfettered access to vulnerable groups, diversion of relief aid for military purposes, and the value of OLS as a system of relief. OLS relief activities are coordinated by UNICEF and logistics operations handled by UN World Food Program. The U.S. played a major role in the creation of OLS and continues to be heavily engaged in OLS-related issues.

-- The operational challenges in Sudan are extreme.

> The communication and transportation infrastructure, minimal to start with, has been destroyed. Institutional capacity in the south is almost negligible. Basic health/sanitation and educational services are either inadequate or non-existent for most southern Sudanese. The majority of the rural poor in the south have no access to safe water. In

[1] *Humanitarianism Under Siege: A Critical Review of Operation Lifeline Sudan*, Larry Minear, 1991, p. 28.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

the north, operational challenges include difficult negotiations with the Sudanese government on assisting displaced southerners in the north. Weather conditions can be harsh, with flooding, drought and pest infestation occurring regularly.

-- The U.S. humanitarian response in Sudan is the longest, sustained humanitarian response being reviewed among these Case Studies.

Its provision of food and non-food aid to both war affected populations inside Sudan and refugees in neighboring countries is motivated by a humanitarian impulse to save lives and reduce suffering, a U.S. foreign policy objective widely embraced by the American public. Its efforts are also driven by concerns that large population flows resulting from war-related migration could be destabilizing to the region.

-- The cost of this response for the U.S. taxpayer is enormous.

Since the war recommenced in 1983, the U.S. has spent over $1 billion in humanitarian relief for Sudan. The U.S is by far the lead donor in the relief effort.

-- Recent controversy over U.S. humanitarian policy towards Sudan dramatically illustrates the costly consequences of not including an authoritative humanitarian voice in foreign policy deliberations.

In late November, 1999 a controversy broke out in the press over internal USG rifts over the possible provision of food aid to Sudanese rebels, as that option became possible following the passage in Congress of authorizing legislation. In the previous months, as efforts had moved ahead within the Administration to achieve this major shift in USG humanitarian policy, PRM and BHR humanitarian officials opposed to relief to armed combatants were initially not included in policy deliberations. Internal policy memoranda outlining the proposed policy change failed to address its full implications for USG humanitarian interests.

II. Key Findings of this Case Study

With more than a decade of humanitarian relief experience in Sudan, U.S. government staff and PVO representatives feel that the current U.S. structure responds quite well to the operational requirements of relief delivery in Sudan. Crisis response in Sudan has become routine over the years since the inception of OLS. A strong USAID-based Sudan Field Office and a State Department refugee coordinator work in cooperation with the Nairobi-based Embassy staff to monitor U.S.-funded programs and feed critical information about relief requirements back to Washington staff, where major policy and funding decisions are made. Assistance to war-affected populations inside Sudan and assistance to refugee populations in neighboring countries are handled by USAID/BHR and State/PRM, respectively. Lines of authority are by and large clear for day to day issues relating to both food and non food aid. (See Annex II for a more detailed discussion of "who does what" in the U.S. Government with regard to Sudan relief.)

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

USAID and DOS staff describe internal U.S. government coordination on Sudan as "ad hoc" and on an "as needed" basis. Despite this, they consider it sufficient to deal with day to day issues. PVOs note few problems with engaging the U.S. on operational issues and credit U.S. humanitarian relief strategy, with its emphasis on supporting livelihoods and enhancing local capacity, as an innovative attempt to deal with the difficult and longstanding Sudan crisis.

Important policy issues with respect to U.S. humanitarian response in Sudan were raised, however, both by DOS and USAID staff, and by PVOs interviewed for this Case Study. The concerns they describe relate to the nature of the link between U.S. humanitarian action and broader U.S. diplomatic approaches to Sudan. They are presented below.

1) Both the PVO community and some USAID and DOS humanitarian officers perceive that the level of U.S. political commitment to finding peace in Sudan is not in sync with the level of U.S. humanitarian concern and the over $1 billion of relief resources committed.

As the war has dragged on, humanitarians perceive that the U.S. is using relief as a substitute for addressing the more fundamental questions of war and peace. The PVO community recently met with the Secretary of State to express their concern in this regard. Joint, groundbreaking PVO statements at the United Nations last year expressed a similar theme, calling for renewed political efforts to address the root causes of war and reminding the UN Security Council and Member States that humanitarian aid "is vital – but not enough."

Some opine that the "routinization" of the Sudan crisis within the bureaucracy, and the effective mid-level systems in place to deal with humanitarian response may facilitate this "substitution effect" by keeping humanitarian issues out of the headlines and making the war easier to ignore. Senior managers are thus able to focus attention elsewhere and Sudan stays on the "back burner" within the bureaucracy. The "business as usual" approach to Sudan belies the extreme nature of the crisis.

The U.S.' larger foreign policy interests in Sudan and elsewhere in the world also complicate the U.S. response to the war. Sudan figures largely in our Middle East as well as Africa foreign policy. In addition, its sponsorship of international terrorism, destabilization of neighboring states, and systematic violation of human rights, including the use of torture, religious persecution, slavery and forced imposition of Sharia law on Sudanese throughout the country, all preclude a singular focus on the war and the "humanitarian" aspects of our Sudan policy. In addition, senior policymakers must address high priority national security interests in Europe, the Middle East and elsewhere that arguably merit greater attention.

2) The U.S. government does not speak with one voice on Sudan policy.

The PVO representatives interviewed for this Case Study identified clearly different "camps" both within the Administration and on Capitol Hill with regard to how to address the long standing conflict in Sudan. (Those divisions are mirrored in the PVO community itself.) They hear different perspectives on whether the U.S. Government should continue to minimize contact with the Government of Sudan, or constructively engage with the GOS in order to more effectively press for a negotiated settlement. And different opinions as to whether more

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

substantial assistance to rebel movements would engender a balance of power shift and allow a military victory for the south, or simply prolong the war and create further suffering. Other policy debates relate to the effectiveness of IGAD as the leader of the peace process (in light of its failure to sustain progress in recent years, and the impact of the Ethiopia-Eritrea war on the institution); and how the U.S. can seriously engage in the peace dialogue if its approach is perceived as partisan. Some of those interviewed questioned the relationship between the U.S.' aggressive and prolonged humanitarian action and larger U.S. foreign policy goals. Depending on their interpretation of U.S. objectives, observers suggested that the relationship was, at best, unclear, and at worst, contradictory.

3) Staff engaged on humanitarian issues are not present at key points in our foreign policy decision-making process on Sudan. This Case Study suggests that humanitarian officers have/had:

- Inadequate input to foreign policy debates over possible provision of foreign aid to Sudanese rebels
- no input on the decision to close the US embassy in Khartoum, which damages the U.S.' ability to effectively engage the Sudanese government on key issues of humanitarian concern
- limited input on U.S. policy relating to how best to engage the government of Sudan, rebel movements and the front line states on issues of war and peace
- no input on the implications of a U.S. decision to bomb Khartoum in 1998, which had potentially dangerous results for USAID and US PVO representatives in Khartoum, and a negative impact on the aid program

Clearly, humanitarian actors within the U.S. play only supporting, relatively minor roles in the larger U.S. Government dialogue on Sudan. While humanitarian officials would not expect to lead on many of these issues, PVOs and some U.S. government staff expressed a fear that the US will fail to fully consider the humanitarian implications of new policy directions, absent input from the humanitarian community. PVOs are especially concerned that any policy decision leading to non-lethal, humanitarian-type assistance to rebel groups will jeopardize relief efforts for the most vulnerable groups in the north and the south, further complicate their relationship with the Government of Sudan (for those working in government-held areas), and place their staff at risk.

4) Lines of authority and accountability within the U.S. for some key humanitarian issues related to Sudan remain unclear. Some examples include:

a) The reform and revitalization of OLS

OLS's inability to effectively address issues related to access to vulnerable groups has been cause for concern. Lack of access was identified by USAID as a contributing factor to the 1988 famine. While a US Action Plan called for aggressive efforts at UN/OLS reform, it was unclear to those interviewed for this Case Study how to make this happen. Should the State Department or USAID be in the lead? Is it a UN reform question or a regional, Sudan-specific one? What Agency and what level of staff in that Agency have the authority to engage other donors, the UN

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

and the Sudanese government and rebel movements on this question? No steps have been taken on this important issue, even as access issues again loom as a cause for concern in southern Sudan.

(At key points in time in the last decade, USAID/BHR senior managers took aggressive actions on similar issues. The OFDA Director was the predominant US actor engaged in the creation of OLS. Later, the BHR Assistant Administrator engaged the Sudanese government on critical issues related to the Khartoum displaced. Force of personality and access to key White House and State Department staff were critical to their success.)

b) Implementation of multi-agency plans

There have been a few key inter-agency coordination exercises in recent years, resulting in a US Integrated Strategic Plan for Sudan and an Action Plan in response to the 1988 famine. While these exercises were extremely beneficial for strategy development and coordination, there is no one person or office responsible for ensuring that the plans are fully implemented--or accountable if the plans are not implemented. While USAID/BHR was the primary drafter of both documents, it does not "track" the fulfillment of tasks assigned to State and NSC under the plan, although they are crucial to the overall strategy, nor does it have authority to "task" those entities with follow up actions.

c) Resolving disagreements

Similarly, there is no one person or office that addresses disagreements among various offices engaged in relief. State/PRM and BHR/FFP, for example, sometimes have differences of opinion regarding food requirements for refugee populations, (including Sudanese refugees in Kenya.) While they periodically sit down to review refugee food requirements and discuss policy issues, they simply "agree to disagree" on certain issues, leaving policy issues unresolved. In 1997, State/PRM and BHR also disagreed over whether UNHCR should provide resettlement packages to refugees returning spontaneously to southern Sudan. (BHR was assisting the same population on the Sudan side of the border.)

The USAID/State disagreements on these points reflect the complexity of the situation on the ground and the differing perspectives of their UN (and sometimes NGO) counterparts. It must be noted that a U.S. consensus probably would not translate into a consolidated UN point of view, or necessarily resolve differences in the field. That said, it is easy to envision the need for closer State/PRM-USAID/BHR collaboration and, by extension, potentially more policy differences, should large scale repatriation of Sudanese refugees occur. Since neither entity has operational authority over the other, the question remains as to what mechanisms would be used to ensure coordination and resolve those differences.

d) Effective use of the media

With regard to media strategy, there is also some uncertainty as to which Agency has lead responsibility for ensuring effective use of the press. While the State Department has the lead on issuing press statements on such critical issues as access for relief groups and diversion of aid,

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

they usually do so at the request of USAID staff who are monitoring relief efforts. Press statements are issued unevenly (e.g., for some access problems but not for others) and less than optimally to highlight issues of humanitarian concern.

(Note: USAID/BHR/OFDA once had a full time press officer and regular, direct contact with Washington-based reporters. With the incorporation of OFDA into a larger USAID Bureau, press duties were absorbed into the larger portfolio of USAID's Legislative and Public Affairs Bureau. In a recent reorganization, USAID's press office was merged with the State Department Bureau of Public Affairs.)

III. Conclusions

For the purposes of this review, the Sudan Case Study findings suggest that humanitarian concerns are not adequately integrated into other U.S. foreign policy deliberations on Sudan. A related point is that the impact of our larger Sudan foreign policy strategy on humanitarian programs is not fully articulated or considered at the senior levels of the Administration. Finally, while day to day operational lines of authority are not problematic, the system does not clearly address policy differences among various, autonomous units with different but inter-related responsibilities. No one person or office is accountable for the effective coordination or implementation of the many operational and diplomatic aspects of our humanitarian strategy.

Addendum-
Current Roles and Responsibilities

In general, all of those interviewed for this Case Study found roles and responsibilities of the various offices to be clear, with very little, if any, confusion about "who does what:"

Eleven years since the inception of OLS, the Bureau for Humanitarian Response, **Office of Foreign Disaster Assistance** (BHR/OFDA) continues to play a leadership role with regard to U.S. humanitarian response in Sudan, working closely with its sister office, the **Office of Food for Peace** (BHR/FFP). BHR/OFDA continues to take the lead on most implementation issues related to the relief effort and provides its non-food relief grants to UN agencies and Private Voluntary Organizations (PVOs).[2] FFP provides food aid and Internal Transport Storage and Handling (ITSH) to the UN World Food Program and PVOs and has the lead regarding policy issues related to WFP. Working in concert with BHR/OFDA and BHR/FFP is the **Nairobi-based USAID Sudan Field Office.** The SFO has the lead U.S. government humanitarian role in the field, overseeing and monitoring grants activities, providing analysis of the current humanitarian situation and taking the lead in the field with regard to policy issues surrounding OLS and relief operations in general.[3]

[2] In recent years, OFDA and FFP have begun to fund a significantly larger number of relief groups working outside the OLS umbrella, an important policy shift which reflects concern regarding the current effectiveness of OLS.
[3] This office was originally staffed solely by OFDA U.S. Personal Services Contractors. With the closure of USAID/Khartoum, the SFO was formally incorporated into USAID's Nairobi-based Regional and Economic Development Support Office (REDSO).

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

The **State Department Africa Bureau** sets the U.S. foreign policy direction for Sudan, in consultation with the National Security Council. It engages on humanitarian issues, but only on an as-needed basis. It usually reacts in response to crises such as a government imposed flight ban or government or rebel diversion of food aid. It uses any number of fora to address these issues, including meetings with Sudanese government or rebel group representatives, the IGAD Partners Forum, and the UN Security Council, as well as through official U.S. press statements. The State Department takes the lead on peace process issues, which are of keen interest to humanitarian actors.

In 1996 the U.S. suspended its diplomatic presence in Khartoum for security reasons. Some U.S. humanitarian officers believe this has had a significant negative effect on U.S. relief operations, limiting our access to key Sudan interlocutors. Nonetheless, a strong relationship remains with the **Embassy Khartoum Office** at the U.S. Embassy in Nairobi. Currently co-located with the SFO, officers attend UN/OLS meetings regularly with SFO staff and engage on key issues such as flight bans by warring parties. The SFO and Embassy often send in joint cables related to relief.

The **State Department Bureau for Population Refugees and Migration** supports UN High Commissioner for Refugees (UNHCR) activities to assist refugees hosted by Sudan from neighboring countries. In addition, it provides funding to UNHCR to protect and assist Sudanese refugees who have fled to neighboring countries. PRM also provides funding to the International Committee of the Red Cross (ICRC) for activities worldwide, including Sudan (ICRC operates independently of the OLS structure.) State/PRM has a Nairobi-based regional refugee coordinator monitoring refugee programs in the region.

The status of **USAID/Khartoum** has varied over the years. While USAID development activities shut down and the Mission closed in 1989, a small number of USAID-funded staff have remained in place to monitor and report on key relief activities. Following the U.S. strike against Sudan's el-Shifa factory in August 1998, USAID/BHR's U.S. Personal Services Contractor was evacuated, hindering USAID oversight functions. A small number of USAID OE-funded foreign service nationals still perform monitoring duties.

The **USAID Africa Bureau** and the Nairobi-based SFO have responsibility for the planning and implementation of a capacity building program in opposition-held areas of Sudan. Funded through the Agency's **Greater Horn of Africa Initiative** (with Development Assistance resources), it is known as the Sudan Transition Assistance for Rehabilitation (STAR) program.

BHR's **Office of Transition Initiatives** has no operational role in either the relief or development programs, but continues to monitor the situation and has drafted a report that begins to consider U.S. assistance options in a post-conflict environment. It funds a **GHAI** officer that serves as a liaison between State and USAID staff, and has supported other State Department-led efforts to revitalize the peace process.

The **National Security Council** works with the State Department in setting overall Sudan policy. It has historically played a small role in Sudan relief operations over the last decade, although they have engaged when there are "spikes" in the crisis, assuring an inter-agency dialogue on the

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

U.S. government response. During the 1996-98 period, NSC attention was more sustained, (largely attributed to strong personal interests on the part of some NSC Africa staff during this time.) USAID's initiation of a new capacity building program with USAID development funds during this timeframe is widely attributed to the desire of NSC staff to see this undertaken. (It is one clear instance where USAID program decision was directed by another part of the US government.)

It is worth noting that the roles and responsibilities of many of the USAID and State Department actors were laid out in a document cleared by all involved parties during a 1996 Nairobi-based strategy exercise that resulted in a U.S. Integrated Strategic Plan for Sudan. This is somewhat unusual and, in part, reflects the multi-year nature of the crisis
This document is available from USAID/BHR.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Annex 4

Afghanistan Case Study

Prior to the Soviet invasion in 1979, Afghanistan was already one of the world's most impoverished states, ranking among the lowest in indicators such as life expectancy and literacy. After a decade of foreign occupation followed by another ten years of internecine warfare, protracted and large-scale displacement, and episodic natural disasters, there is little chance that a legitimate government will be established in the foreseeable future. If a national government does emerge, it will have to contend with the power of regional warlords while finding itself with few allies in the international arena. The country continues to be highly dependent on international aid to meet the most rudimentary needs of a large segment of the population; concurrently, vulnerable individuals' access to aid and aid organizations' access to the affected population is sometimes severely restricted by local authorities. Security for all Westerners, especially Americans, is especially hazardous in the wake of the airstrikes against Usama Bin Laden's training camps in August 1998. As resources devoted to this ongoing, complex humanitarian emergency continue to be limited, the international community must assess not only the impact of its assistance, but also the effectiveness with which it is delivered.

Over time, the Afghan crisis has raised several compelling policy and coordination challenges: intensive debate over the appropriate level of human rights conditionality on relief; engagement with the Taliban authorities; security of staff; and the constraints on effective monitoring of projects in the field. This case study examines how the USG, namely the Department of State and USAID, has managed its humanitarian policy and operations in Afghanistan over the past decade, highlighting the lessons learned in the Afghan context for future State and USAID humanitarian operations. This study is based on an overview of State and USAID documents since the early 90s as well as discussions with State, AID, UN, and NGO representatives with extensive experience in the region.

This case study brings to light several "lessons learned" from the USG experience in Afghanistan which may inform further discussions on the effectiveness of State and AID's humanitarian assistance programs elsewhere. Foremost among these lessons is that ad hoc coordination works when there is consensus among the different USG actors, however, it does not prevent unilateral decision-making nor does it easily provide the means by which policy disputes can be resolved. Moreover, while State/PRM is predominantly involved in the country at the present time, AID must remain engaged should the environment become more conducive to greater, more active involvement in the future. Finally, bifurcated funding dilutes the USG's potency to influence decision-making among other donors and may encourage partners to play USG agencies against each other.

Structure of the International Assistance Community

Over the years, the complex crisis in Afghanistan has begotten an equally elaborate set of relationships among organizations and individuals which must respond to the demands of regional governments, international donors, UN agencies, international and local NGOs, local

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

authorities, and the beneficiaries themselves. Under the authority of a UNSYG Special Envoy for Afghanistan, the UN Office for Coordination for Humanitarian Assistance in Afghanistan (UNOCHA) is responsible for coordinating the assistance of the myriad UN agencies via coordination initiatives such as Principled Common Programming, liaising with the assistance community, and serving as the secretariat for the Consolidated Interagency Appeal for Afghanistan. Despite this complexity, the main liaison with the USG in terms of humanitarian assistance is the Refugee Coordinator in Islamabad.

State and USAID's Afghan Assistance Programs

The Department of State and USAID have been providing humanitarian assistance to Afghans for more than two decades, although the presence and programs of these two agencies has varied considerably during that time. After the Marxist coup of the Daoud regime in April 1978, relations between the US and Afghanistan rapidly deteriorated. US bilateral assistance to the country was reduced significantly after the murder of US Ambassador to Afghanistan Adolph Dubs in February 1979. Remaining direct bilateral assistance agreements were terminated after the Soviet invasion in December of that year, although the State Department maintained minimal presence in the country until the closure of Embassy Kabul in January 1989.

After the Soviet invasion, USG agencies previously active in Afghanistan maintained cross-border operations and monitoring from Pakistan. Most significant of these operations was USAID's large cross-border assistance programs begun in 1984 in support of the war-affected in Afghanistan. The cross-border mission operated alongside but separate from AID's Pakistan mission. Both missions were abruptly terminated in 1993/94, the cross-border mission due to the renewal of warfare in Kabul in 1992, and the latter because of Pressler amendment restrictions banning aid to Pakistan because of continued production of weapons-grade uranium. Other factors also affected the closure of AID missions in the region. At that time, there was no precedent to fund programs of this scale in a country where AID did not have a presence. With the closure of the Pakistan mission, there would not even be a neighboring mission from which to monitor Afghan operations. Therefore, AID's implementing partners were notified that the mission would close in six months and its funding would cease at that time. As a result, many NGOs cut back their programs inside Afghanistan or turned to PRM for funding. Consequently, PRM found itself fielding proposals for activities in sectors in which it had little previous experience. PRM's field presence was established shortly thereafter with the Refugee Coordinator position based in Embassy Islamabad.

With the completion of the Soviet withdrawal in 1989 and installation of an Afghan interim administration in April 1992, multilateral and bilateral donors, including the USG, began to scale back care and maintenance programs for Afghans in exile, focusing resources on transitional assistance inside Afghanistan instead. However, conflict persisted throughout the country, slowing the pace of refugee repatriation. Moreover, the advent of the Taliban caused new displacements of people fleeing repressive policies against women and ethnic minorities.

At present, State Department humanitarian assistance for Afghans comes from several bureaus: Political-Military Affairs (PM) for demining, International Narcotics and Law Enforcement

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Affairs (INL) for counter-narcotics, International Organizations (IO) to support UNOCHA's coordination role, Democracy, Human Rights and Labor (DRL) and more recently, the President's Interagency Council on Women (PICW). The majority of State's humanitarian assistance, however, is through the Bureau of Population, Refugees, and Migration (PRM). PRM's support for refugees is generally through multilateral organizations, namely UNHCR, as well as a handful of NGOs; assistance for conflict victims inside Afghanistan is generally through ICRC. Since 1995, PRM has provided some $35 million in assistance specifically to Afghans through NGOs and almost $92 million for UNHCR, ICRC, and other international organizations in the region. Because of continuing conflict and new displacements since 1998, PRM has increased its support for Afghan refugee assistance programs in Pakistan, renewing previous NGO agreements and funding new camp projects. The focus of these new programs has been on health and education for women and girls.

PRM's presence in the region is through the Refugee Coordinator position in Islamabad. The RefCoord monitors and reports on developments within the assistance sphere in South Asia, represents the USG at meetings of the assistance community, and oversees PRM-funded assistance and admissions programs in the region. The RefCoord has also become the informal focal point in the field for the USG's humanitarian assistance in the region. AID coordinates closely with the RefCoord to inform their funding decisions and AID reps and the RefCoord have undertaken several joint monitoring missions in the past several years. Deployment of OFDA's Disaster Assistance Response Team (DART) in recent natural disasters has also been closely coordinated with PRM's RefCoord.

Since 1991, AID has provided $16.2 million in emergency assistance to IOs and NGOs through the Bureau of Humanitarian Response's Office of Foreign Disaster Assistance (OFDA). This funding has generally been for food assistance through WFP, NGO projects within Afghanistan, disaster preparedness activities for ICRC and IFRC, and disaster assistance to UNOCHA. In addition to OFDA, since 1991, AID/BHR's Food for Peace (FFP) program has provided over $111 million of food aid through WFP and U.S. PVOs for both Afghan refugees in Pakistan and humanitarian programs inside Afghanistan. Since the closure of their missions in Pakistan in 1993/94, USAID has monitored its assistance programs largely by BHR personnel on TDY and with input from the RefCoord.

Issues Affecting Delivery of USG Assistance in Afghanistan

During the course of this study, key players in the arena of Afghan assistance have been asked about the real and perceived differences between State and AID's coordination of policies and funding in Afghanistan. In Washington, interagency coordination over the past several years has been active but *ad hoc*. Lacking a formal authority to decide policy in the region, the relevant actors -- State/SA, PRM, INL, PM, S/PICW and AID/ BHR (FFP and OFDA) -- meet to try to reach consensus on issues as needed. DOD involvement has occurred only in a comparatively few cases, mostly earlier this decade, where excess DOD property has been transferred to humanitarian agencies in Pakistan in addition to some support of the cross-border operations. NSC participation in these meetings has also been limited in recent years. These interagency

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

meetings have become more regular in the last two years in response to the semi-annual gathering of donors' Afghan Support Group.

While *ad hoc*, by all accounts these informal meetings have nevertheless been quite effective, perhaps in part because of the lack of a defined decision-making structure. As one USG official commented, "I think a good argument can be made for diffusion of decision-making authority as a classic check/balance that we value so highly in our notion of public policy. If 'political' considerations formally overrode 'humanitarian' ones, [humanitarian actors] would be up in arms and vice-versa." On Afghan issues, there seems to be a high degree of consensus among State and AID, as well as between geographic and functional bureaus, on which perspective – political or humanitarian -- takes precedence on specific policy questions, neither perspective dominating all decisions.

This consensual approach worked well in determining the USG's policy about engagement in Afghan assistance. The Taliban's repressive treatment of women and girls has raised debate between humanitarian aid and human rights groups, the former often arguing that aid must be delivered despite the proximity of the Taliban; the latter countering that all aid should be conditioned on women's equal access to that aid. State (PRM, SA), USAID, and the President's Interagency Council on Women (PICW) worked together to forge a consensus and submit a joint memo to the Secretary recommending that principled assistance be maintained according to the UN's Common Program.

After approval of that memo, the discourse was able to progress beyond *whether* to provide assistance to the more difficult question of *what* kind of assistance should be provided.

Consensus, however, has not always been achievable and the absence of a unified, empowered humanitarian leadership structure made it difficult to resolve disputes, ensure policy consistency, and guard against unilateral decisions. An illustration of this has been the ongoing dispute regarding WFP's strict adherence to the UN's gender guidelines on program implementation in Afghanistan. WFP has maintained that the gender guidelines proscribe Food for Work projects unless women are equal participants in such projects rather than equal beneficiaries. There were significant differences of view on this issue within State and AID. State/PRM and AID/OFDA staff in Washington and in the field felt this policy was too rigid, resulting in a cutoff of rural agricultural infrastructure programs that significantly benefited women and children. AID/BHR management and, to some extent, S/PICW, believed WFP Executive Director Bertini deserved the benefit of the doubt in her analysis of this issue and the USG should not seek to change WFP policy that, whether or not effective in practice, was based on gender equity principles the U.S. supported. In the absence of any consensus, PRM Assistant Secretary Julia Taft went ahead and pressed WFP Executive Director Catherine Bertini to revise WFP's policy in line with other UN agencies. AID disagreed and supported Bertini's efforts to push a firm line among UN agencies, some of which AID viewed as only paying lip service to gender equity principles. Efforts to resolve this issue at a higher level did not really resolve the core question, although it did achieve a "least common denominator" consensus on broad principles. For nearly two years, WFP thus continued to press a policy most USG experts felt was at variance with how other UN agencies were implementing gender sensitive programming in Afghanistan. Recently, however, WFP has

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

appointed a new country director for Afghanistan and rearticulated an approach to food aid in Afghanistan, which is broadly supported by other donors and UN agencies.

Informal coordination also makes it difficult to ensure consistency and guard against unilateral policy decisions. USAID's closure of their Pakistan missions is illustrative of this hazard. During the course of this study, American NGOs expressed frustration regarding the closure of the AID missions in the early 90s and subsequent drop in funding for cross-border operations. Although closure of the mission was Congressionally mandated, there was no interagency discussion about how this would impact other USG programs, non-USG partners, nor the beneficiaries themselves. Impact on beneficiaries was especially critical according to Randy Martin, director of IRC's extensive programs in Afghanistan in the 90's. AID's programs were instrumental in supporting the fledgling civil society in the country. Martin asserts that withdrawal of that support left the country with little defense against fundamentalists later. On the issue of State/AID coordination, Martin noted that while he rarely found instances where State and AID worked at cross-purposes, neither did he see much evidence that they actively coordinated their activities.

It may also be instructive to compare the two agencies resources for Afghanistan during the past two decades. While the overall level of PRM's funding has fluctuated somewhat, the Bureau has consistently supported assistance to Afghanistan mainly through multilateral organizations, regardless of how Afghanistan has ranked on the scale of US national interest over the years. Lacking even the minimal political or economic stability on which development programs can be based, AID's funding has been more variable, reflecting the more targeted, bilateral nature of AID's emergency response. In relying more heavily on US PVOs, AID assistance is more vulnerable to security threats to Americans.

During the course of this study, some have asked about the implications of the difference between PRM's and AID's funding mechanisms, i.e., whether PRM will become more active in failed or highly insecure states because of the predominance of their IO funding.

Finally, some USG personnel that represent US policy in donor fora have expressed frustration that bifurcated USG funding dilutes the impact of USG influence among the international community, i.e., getting "less bang for the buck" in leveraging influence among other donors and in public relations. Among the NGO community, however, this has not been seen as a significant problem. Several NGOs have noted that having two separate donors is beneficial as it increases their funding opportunities.

Lessons Learned

In summary, a number of "lessons learned" have emerged from the USG experience in Afghanistan which may inform further discussions on the effectiveness of State and AID's humanitarian assistance programs elsewhere:

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

- Ad hoc coordination within the USG works when there are no divisive policy decisions and when policy decisions remain in a non-controversial zone where consensus can be achieved through working-level exchanges. This approach failed for a time in trying to forge a USG policy vis-à-vis WFP's Food for Work program. Informal interagency coordination is not effective in ensuring that decisions that may impact other USG operations are not taken unilaterally, as in the case of the closure of AID's Pakistan and cross-border missions.

- State-AID coordination in the field has been quite good, perhaps largely because of the presence of a single agency – PRM – in the field, but also because of good personal working relationships in Washington and in the field.

- Because of the multilateral nature of its funding, PRM can more easily provide assistance in a failed state situation such as Afghanistan through support to international organizations. Lacking adequate security for its PVO implementing partners, AID's opportunities to provide transitional relief-to-development assistance have been limited, although it can provide food aid through WFP and valuable cross-border assistance if necessary. Despite the current preponderance of assistance from PRM in Afghanistan, it is important that PRM coordinate with AID to lay the groundwork for transition (and perhaps eventually development) assistance should the environment become more conducive to greater USG involvement in the future.

Most of the assistance community generally views PRM and AID as two separate donors with different priorities and procedures, and most importantly, with separate "pots of money." While this is not generally perceived to be a problem outside the USG, the possibility of two different sets of priorities and policies between State and AID may dilute the USG's potency to influence policy-making among the international community and encourages NGOs to play one agency against the other. At times, this may make it appear as if the USG has no strategy or single policy in the country.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Annex 6

Enhancing Donor Coordination

Most of the world's major humanitarian donors have their entire humanitarian assistance operation sited in a single organization. The U.S. Government has not done this. The division of responsibilities between State/PRM and USAID/BHR is a notable exception that complicates coordination with other donors and implementation of U.S. programs in the field. The US is still a leading player in donor coordination activities because of the sheer size and intensity of its humanitarian assistance programs. But, as the head of the UK's Humanitarian Aid Division recently told our Embassy in London, "the fragmented USG structures for delivering humanitarian assistance deprive the United States of the policy influence it should have on humanitarian assistance issues."

There are five venues for multilateral humanitarian assistance donor coordination. One is the formal governing boards of the major international organizations in the field (UNHCR, UNICEF, UNRWA, WFP, and IOM). Second, are the informal donor coordination mechanisms for those multilateral organizations without formal mechanisms for donor input (ICRC, OCHA, IFRC). Third are the formal bodies that deal with broad multilateral coordination of development assistance, but have relatively weak specialized mechanisms for dealing specifically with humanitarian assistance (ECOSOC, OECD DAC). Fourth, are the numerous "Friends" groups that have developed around specific country situations or humanitarian issues to try to improve coordination of humanitarian and other post-conflict assistance programs. Fifth is field-level coordination among donor representatives in countries with ongoing humanitarian assistance programs.

The current USG humanitarian assistance structure deals most effectively with the first type of donor coordination (formal governing boards), which are static or declining in importance. It is, however, weakest in assigning leadership responsibility with regard to fourth type of informal "country-specific" donor coordination mechanisms, which are growing in importance, particularly with regard to situations where there is no in-country U.S. presence such as Sudan and Afghanistan. Donor coordination in the area of transition assistance is even more difficult since there are very few fora specifically devoted to this new area of international activity.

The U.S. system does a fairly good job of ensuring effective leadership with regard to any particular international organization governing board. State/PRM has clear primacy in dealing with UNHCR, UNRWA, and IOM; USAID/BHR/FFP takes the lead on WFP, and State/IO represents the USG with UNICEF. However, the division of responsibility between State/PRM, USAID/BHR and State/IO for representing the US in these different governing bodies weakens USG efforts to coordinate policy between governing boards.

The U.S. also does not face major problems with field level coordination since, in most cases, the number of USG staff dedicated to humanitarian and transition activities in any single location is limited and they have generally worked well together, even when different agencies are

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

involved. Additional discrete measures proposed in this report would further strengthen field coordination between USG agencies.

The USG is weakest in dealing with the informal donor coordination mechanisms, such as the various "Friends" groups and coordination with OCHA. The result is often ad hoc decision making and excessive growth of US delegation size to such informal coordination meetings so all agencies/bureaus can ensure "their" interests are represented. Often, one of the first items on the USG "to do" list for these informal meetings is to ask for an increase in the number of seats we have in the meeting room in order to accommodate our large and bureaucratically diverse delegations. In extreme cases (such as some meetings on aid to Bosnia and Kosovo) the NSC even has to chair a meeting just to decide which agencies will be part of the delegation and who will lead.

There are two reasons for these problems. First, other donors and organizations organizing such informal meetings are often unsure which organization within the USG is the appropriate point of contact for a particular donor coordination initiative. Second, the USG itself lacks effective internal mechanisms for resolving the leadership question on such informal humanitarian assistance coordinating structures.

The USG structure is also inadequate for resolving policy differences that arise from informal multilateral coordination structures. For example, there was a difference of opinion between USAID/FFP and STATE/PRM with regard to food aid and gender equality that arose from the Afghan Support Group (ASG), a multilateral informal donor coordination mechanism. While both sides of the dispute had merit, the real problem is that the current structure has, at best, ad hoc mechanisms for resolving these interagency disagreements. The result is a lack of clarity on the U.S. position on such issues. Moreover, it can encourage intra-USG bureaucratic rivalry that occasionally spills over into international meetings, exposing our differences to other donors and correspondingly weakening our influence.

The relative weakness of the USG structure for coherently managing participation in these informal donor coordination mechanisms does not bode well for the future. The current trend is for these informal groups to grow in importance as the relatively small group of major humanitarian aid donors (10-15 nations plus the EC) find governing boards too large and formalistic to take quick and decisive action on important humanitarian issues. Thus, the area of donor coordination activity that is growing the fastest is where the fragmented USG structure is least able to assign clear leadership responsibility within its ranks.

The attached analysis of questionnaire responses from seven countries and the EC provides further details on how other major donors organize their humanitarian assistance programs.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Analysis of Major Bilateral Donors Humanitarian Assistance Structure

Background: As part of the Interagency Humanitarian Review, the State Department sent a cable (cleared with USAID) to US Embassies/Missions to the ten largest donors (excluding the U.S.) of humanitarian assistance, requesting them to collect information on how their host governments manage their humanitarian and transition assistance programs. The cable (STATE 143336) posed a series of specific questions relevant to the issues being considered in our humanitarian review, particularly regarding the organizational structure for managing humanitarian policies and programs. Eight of the ten Embassies responded to the tasking cable, providing comprehensive information on the humanitarian assistance programs of Canada, Denmark, the European Commission (EC), Japan, the Netherlands, Sweden, Switzerland, and the United Kingdom (UK). Responses were not received from two other major donors (Germany and Norway) or OECD Paris, which was encouraged to provide information from OECD DAC on donor humanitarian assistance programs.

Key Findings

1) Most major donors have a single organizational entity responsible for humanitarian assistance. Of the eight major donors surveyed, five (Denmark, EC, The Netherlands, Switzerland and the UK) had a single organizational entity responsible for both policy and program implementation aspects of international humanitarian assistance. (NOTE: The EC humanitarian organization – ECHO – does not, however, handle most humanitarian food aid programs.) In most cases, this single organizational entity is the equivalent of a bureau within USAID or State. Japan has one unified organization that handles humanitarian assistance policy and resource allocation, but a separate unit (JICA) handles some aspects of program implementation. Sweden has clear policy leadership for humanitarian issues in a division of its Foreign Ministry, but program implementation is handled by its aid organization (SIDA). Canada is the one major donor responding to our request that reports a significantly fragmented organizational system for humanitarian and refugee assistance. It is also the only donor responding to our survey that told our Embassy its humanitarian system did not work very well.

2) There is no predominant model on Foreign Ministry (State) vs. Development Cooperation (AID) leadership on humanitarian assistance. No two donors are quite alike in approaching this issue. Denmark's single entity for humanitarian assistance is in its Foreign Ministry. Japan also assigns a preeminent role to a division in its foreign Ministry, although an USAID-like unit within the Ministry (JICA) handles some aspect of program implementation. The Dutch model, perhaps the most comprehensive system of unifying humanitarian and other conflict prevention assistance in a single structure, places humanitarian assistance in a single unit jointly managed by the Foreign and Development Cooperation Ministers. Sweden manages humanitarian assistance policy out of the Foreign Ministry, which hosts the country's highest ranking humanitarian aid official, but the Aid division (SIDA) is responsible for program implementation. Canada's system is fragmented, but claims that humanitarian assistance policy is a Foreign Ministry responsibility, while most program implementation is carried out by their Development Aid Agency (CIDA). Switzerland manages humanitarian assistance through an

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

USAID-like entity (SDC), but SDC is part of the Department of Foreign Affairs, not an independent agency. The EC bureaucracy is somewhat different from a national government structure, but the EC Humanitarian Office (ECHO) would probably be seen by most as more like an USAID-type organization than a foreign policy (State) entity. The UK has made the clearest choice in favor of an independent USAID-like leadership for its humanitarian assistance programs, placed the unit in its Development Cooperation Ministry (DFID). The overall conclusion is that the majority of major donors (all but UK and EC) vest humanitarian policy leadership in their Foreign Ministries (State equivalent), but responsibility for program implementation is more evenly divided, with a predominance of USAID-like entities responsible for program implementation.

3) While the choice of Foreign Ministry vs. Development Cooperation as the humanitarian policy lead varies among donors, most major donors do site the program implementation aspects of both humanitarian and development assistance in the same organization. As noted previously, policy leadership and program management are divided in several major donors, but the program implementation responsibility is placed in the same organization that does development assistance in six of the donors surveyed. This model facilitates "seamless" planning and programming of humanitarian, transition, and development assistance. The EC has a separate humanitarian assistance office (ECHO), but ECHO reports to the same European Commissioner as the Development Assistance Directorate-Generals, so there is coordination at that level. Japan divides responsibility among organizations depending on whether assistance is provided through multilateral or bilateral channels.

4) Foreign Ministry leadership does not result in increased politicization of humanitarian aid. The four major donors (Denmark, Japan, the Netherlands, and Sweden) in which the Foreign Ministry has a preeminent role in setting humanitarian assistance policy do not believe this organizational choice diminishes their commitment to humanitarian principles or results in increased politicization of aid.

5) Most major donors have established interagency coordination mechanisms that they believe are generally effective. Of the eight donors reporting, seven reported satisfaction with their interagency coordination mechanisms. Coordination primarily involved interaction between different parts of the Foreign Ministry and the Development Cooperation Ministry, where that is a separate entity. Leadership for interagency coordination is generally vested in the Foreign Ministry, although the UK clearly assigned the Development Ministry (DFID) the lead role. Canada was the only major donor that expressed dissatisfaction with its current system of interagency coordination on humanitarian assistance. Significantly, Canada's fragmented system of responsibilities for humanitarian and refugee assistance more closely resembled the U.S. system than did the structures of the other major donors. No governmental donor reported the use of an interagency coordination mechanism for humanitarian assistance that was run outside of the Foreign and/or Development Cooperation Ministry (i.e. no NSC-like or other Presidential-led structures.) The EC does occasionally need to bring issues to the attention of the Commissioners (Cabinet-equivalent) to resolve interagency policy issues.

6) The donors who have recently reorganized their humanitarian aid programs have chosen a unified single entity structure. The Dutch created in 1996 the Department of Conflict

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Management and Humanitarian Aid which brings together the full range of assistance and policy tools dealing with these issues. The UK transferred the old Overseas Development Agency (ODA) out of the Foreign Ministry to establish the independent Department for International Development (DFID) in 1997. This new structure maintained a unified division for humanitarian and transition assistance that had previously existed in ODA. The EC created ECHO several years as a unified humanitarian assistance structure and the new structure of the commission instituted this year will put ECHO and the other development aid entities in the EC under the same Commissioner, in part to improve relief to development coordination. These governments have viewed a unified humanitarian structure as enhancing the independent voice of humanitarian aid, not politicizing it as some NGO critics of a unified USG structure have argued.

7) Other donors generally report being able to work well with USG counterparts, but some think our structure inhibits coordination. Six of the eight respondents commented on the state of their coordination with the US on humanitarian and transition assistance. Four were fairly positive (Danes, Dutch, EC, Japanese), indicating they had varying degrees of contact with both State/PRM and USAID elements dealing with refugee and humanitarian assistance. The Canadians said their contacts with the US were fairly good, but were better with some other donors (the UK was mentioned) with clearer structure for humanitarian assistance. The UK (DFID's Mukesh Kapila) was most critical of the USG structure, saying DFID has found our structure " fragmented, quite complicated, and at times confusing".

8) Transition assistance programs are new, not all donors have them, but where they exist they are usually run by the same entities that deal with humanitarian aid. Only three of the eight donors reported the existence of specialized transition assistance programs similar to USAID's Office of Transition Initiatives (OTI). The Dutch and UK both run such programs out of the same division responsible for humanitarian aid. In Japan, JICA is responsible for transition assistance, while the Foreign Ministry's Multilateral Cooperation Department leads on humanitarian assistance.

NOTE: Detailed responses from major donors on which this paper is based can be obtained by reading the following 1999 telegrams: THE HAGUE 2793; STOCKHOLM 5033; OTTAWA 2870; LONDON 7198; COPENHAGEN 4742; BRUSSELS 5112; BERN 3605; TOKYO 6755; and TOKYO 6757.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Annex 7

Enhancing Operational Coordination

Effective U.S. humanitarian response in the field requires:

1) Accurate Assessment of Need: Such assessments can come from a variety of sources: the countries affected by the disaster, the UN and its system of formal appeals, State and USAID officers posted to the country, PVOs and International NGOs and, with increasing frequency, CNN. In some cases such as hurricanes and volcanoes, the assets of other Agencies such as The National Oceanic and Atmospheric Administration (NOAA) and the US Geological Survey (USGS) may be useful in determining probable need. Particularly in complex emergencies, reporting from the intelligence community may provide useful insights. In almost all cases of major disaster, rapid deployment of experienced field staff is important to assessing need and deciding an appropriate response.

-- There is room for improved coordination between BHR and PRM, if only by formal designation of action officers early in a disaster and development of an agreed methodology for assessing various types of crisis. PRM does participate on DART teams.

-- The Administration is working on a Global Disaster Information Network (GDIN) which should provide state-of-the-art satellite and other scientific data for assessing crises. This will complement FEWS, GIEWS and other assessment tools.

-- The UN system, in which OCHA provides coordinated formal appeals, probably needs an evaluation to see whether accurate, timely assessments are being provided.

2) Capable Implementing Partners: Both PRM and BHR have developed close working relationships with a range of partners including UN Organizations like UNHCR and WFP, other international organizations like ICRC, and U.S. PVOs such as CARE, Mercy Corps, World Vision and CRS. Even among major partners, performance is variable from one crisis to the next, suggesting need for continued training and professional development. Discriminating among U.S. PVOs is particularly difficult and politically tricky.

-- PRM and BHR could work with OCHA, UNHCR and WFP on integrated training and staff development programs. Development of a sufficient number of highly capable senior field managers is a high priority.

-- The PVOs themselves have developed a range of training programs such as SPHERE and this collaborative approach to institutional development should be encouraged. It would also be useful if the PVOs developed measures of institutional capacity which could be used to help determine where U.S. program support will be directed.

-- A more systematic approach to after action assessments and to program evaluations should be developed at all levels, starting with a BHR/PRM coordinated review, OCHA sponsored reviews for the UN system and perhaps Interaction reviews for the PVOs.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

-- At one time, UNHCR sought to promote some degree of specialization among its PVO partners -- food, water, sanitation, shelter, etc. While this would be sensitive, the U.S. might lend its weight to such an international response system (including UNICEF, UNHCR and WFP) as a cost effective means for developing expert capacity.

3) Strong Leadership in the Field: To ensure effective, timely response, it is important to have a good feel for conditions on the ground, to be able to decide on appropriate interventions, and to quickly move resources accordingly. BHR has relied on its DART teams to provide operational leadership in the field and this mechanism has worked quite well in major crises. Recently, PRM has participated to enhance coordination. However, the U.S. still relies heavily on multilateral organizations and PVOs for field leadership in many situations. Some measures are underway to strengthen U.S. field capacity. They could be accelerated and strengthened.

-- OFDA has begun to introduce regional offices, starting in East Africa, to improve assessments, develop contacts with regional governments and local PVOs and NGOs, and improve leadership in disasters/crises where a DART team is not deployed. These regional offices can provide a focal point for collaboration with PRM's Refugee Coordinators. Deployment of these regional offices could be accelerated.

-- While USAID field missions have designated Disaster Relief Officers, there is room for training to expand capacity. Similarly, State could designate officers responsible for monitoring and reporting on crises. If individuals, State/USAID or both, were assigned "watching briefs", the U.S. Government could develop a better early warning system for developing crises.

-- Both State and USAID have the ability to hire outside contractors to assist in crises, and USAID has arrangements with other U.S. Government Agencies to man its Operations Center during a major emergency. However, neither State nor USAID has significant "surge capacity" in house. This might be developed through a "ready reserve" system for overload periods.

4) Ample Logistical Capacity: The major international partners of the United States, namely UNHCR, WFP, ICRC and UNICEF, all have extensive logistical capacity and the ability to procure and move people and supplies into a crisis zone quickly. To a lesser degree, the PVOs also have such capacity. OFDA has the ability to contract for commodities and supplies commercially on short turn around. In addition, these organizations are all adept at borrowing from one crisis to meet the short-term needs of an immediate emergency. Nevertheless, there are emergencies which overwhelm the logistical capacity of the civilian system and require the assets of the U.S. military. Unfortunately, there is no standard way to assess crises and to determine quickly when logistical support will be required from the U.S. military, from what source and on what financing terms. Inevitably, reaching a final decision takes precious time and delays the U.S. humanitarian response.

-- A protocol needs to be developed in the Executive Branch which describes clearly the circumstances under which DOD assets would be utilized in a humanitarian response, who

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

would be responsible for deciding, and what the expected response would be in terms of assets and timing.

5) Communications and Timely Information: Part of the issue here is generating real time field information which is useful to decision makers. DART teams normally have reporting officers responsible for collecting and disseminating information in the field and preparing reports for Washington. For disasters without DARTS, reporting by international organizations, PVOs, USA Mission and Embassies is relied upon. There is widespread belief that the U.S. always knows more than it is telling and that timely declassification and dissemination of information would be useful to field operations. The second part of this issue is compatible hardware, so that voice and data can be reliably exchanged.

-- NSC might lead a review of the potential for sharing classified information on a timely basis.

-- PRM and BHR might convoke a meeting on hardware to set standards for humanitarian agencies and how they will communicate. Standardizing and marking humanitarian communications equipment might have the advantage of reducing suspicion of field operators.

6) Security: This has become one of the major concerns of humanitarian workers and a topic of many conferences. Most of the large partner organizations of the U.S. have their own security systems – with the UN's consolidated. Training programs have been developed throughout the community, including as part of DART training and by InterAction for the PVOs. Nevertheless, there continue to be opportunities for improvement which the U.S. might pursue.

-- BHR and PRM might conduct a conference to set standards for sharing information on security conditions in emergency situations. Improved threat assessment might result from declassifying and sharing information with the partners of the U.S.

-- Embassies should be encouraged to share as much information as possible through a series of regular briefings for all U.S. implementing partners in a country.

-- The U.S. might encourage development of a formal system of monitors and wardens, to include all members of the humanitarian community and supported by appropriate training and communications equipment for high-risk operations.

-- Standard benefits packages need to be developed for humanitarian workers killed or injured in the line of duty, to include adequate medical insurance.

-- The U.S. should explore the possibility of providing special police assistance to bring to justice the perpetrators of crimes against humanitarian workers, including appropriate security assistance.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

7) Careful Adherence to Existing Humanitarian Principles: In conducting field operations, it is essential that those who are implementing U.S. humanitarian assistance programs remain neutral and non-partisan in providing assistance. This is essential to maintaining the network of international and PVO partners that implements U.S. assistance, since they are strong adherents of these principles. As a practical matter, this position has also provided some measure of security, since humanitarian workers are seen as serving the needy and victims of conflict impartially. This is U.S. Government policy, and adherence to these principles has not been difficult to adhere to, though questions as with current legislation on Sudan are raised regularly.

-- It is useful for the U.S. to maintain some distance between humanitarian assistance and operations and U.S. foreign policy/national security objectives.

8) Effective Relationships with Local Officials: All disaster response and transition activities depend for their effectiveness on local participation in program planning and local support for operations. Recognizing the importance of impartiality, establishing effective working relationships with local officials at both the national and community levels is essential for success. Given its widespread field presence, State is well placed to identify local officials who will play a critical role in humanitarian response and to establish initial relationships. OFDA's regional offices could supply appropriate briefings and training.

-- State should designate an officer for each country who will be responsible for humanitarian response. Where USAID has a field mission, that individual might come from USAID. The designated officer should be responsible for understanding the humanitarian response systems and capacity of each country and for establishing contact with appropriate local officials at both the national and community levels.

-- OFDA regional offices would be responsible for establishing and maintaining a regional roster of local officials responsible for humanitarian response. The OFDA offices would assess local capacity and provide appropriate training.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Annex 8

Linking Emergency and Transition Programming to US Development Assistance and Policies

Rationale: The international community has been faced with a series of complex crises since the end of the cold war which have challenged the notion of a linear connection between relief and development programming.[1] Indeed, current responses to many of these situations have proven ineffective as donors have tried to develop clear strategic frameworks on how to think about development needs in the midst of humanitarian emergencies. Resource constraints are coupled with lack of clarity on how best to integrate development needs into the reconstruction process. We know that programs that seek sustainable development, coupled with strategic interventions to prevent conflict, are the best way to approach those countries emerging from conflict. In practice, however, the situation is complicated by a cultural divide that separates those working in humanitarian relief efforts from those engaged in development assistance. We also recognize that today we face a dual challenge: first, it is how can the USG best achieve humanitarian results that consider from the outset of a crisis the transition to sustainable development programs; second, is how to ensure the inter-linkage of development and humanitarian response in order to achieve a more coherent effort in countries emerging from conflict.

The past decade has shown that it is not only the world's poorest countries that have experienced violent conflict. Relatively advanced societies have also slipped into conflict and crisis, with devastating human, political and economic consequences. Conflict and crisis may occur at any point in a country's political development process. A major difference between countries with less developed institutions and those with better developed institutions and capacities is the greater ability to recover successfully in the latter. It is clear that in the countries of Eastern Europe and Central America, integrated assistance to support recovery from crisis to development has been fairly successful due to processes which early on recognized that transition planning from the start of the peace negotiations table. In fractured societies as in the Balkans and in Africa, the process is proving difficult and will take longer- perhaps much longer. In short, not only is it difficult to separate development efforts from crisis response and recovery; it is also counterproductive to so.

Humanitarian assistance is designed to save lives, reduce suffering and protect health. But humanitarian assistance is only the first step. When the emergency is over, it is essential that relief work not be unduly extended, that it be forward looking, and not create dependencies that compromise simultaneous development action. After an open conflict, work to sustain livelihoods must be pursued as vigorously as lifesaving endeavors.

---

[1] The United Nations Development Program identifies the following as common features of complex crises: breakdown of legitimate institutions, violence targeted at civilians, larger scale displacement of people, increased poverty and vulnerability, regional dimensions, chronic crisis for extended periods often with a failure of a state, prolonged periods of low intensity conflict in certain areas of the country, unsustainable debt burden faced by countries concerned.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Development assistance is geared towards building or rebuilding the capacity of the affected society. Ensuring a speedy and smooth transition from the large-scale, short-term, externally driven humanitarian and military interventions that are typical in the midst of crisis, to the more grass-roots, longer-term, locally driven development interventions must take root in the transition out of conflict. This is not an easy task, but we have identified **three principles** that have proven critical in guiding countries through and subsequently out of an emergency footing:

- Emergency response, centered on saving live and reducing suffering, should simultaneously lay a foundation for returning to sustainable development by supporting local capabilities and participation, and reestablishing people's livelihood and self-sufficiency.
- Timely, effective assistance to countries emerging from crisis may make the difference between a successful and a failed transition.
- Recovery and development programs must include crisis prevention and mitigation activities to hedge against backsliding into conflict.

Constraints: Although our knowledge about managing complex emergencies has expanded, and we have begun to collect best practices from different events that have taught us how to respond, there are still many financial, bureaucratic and cultural constraints that impair us to respond in a robust way to the emergency development needs facing us today. In particular, how to support the interlinkage of humanitarian response and development assistance is further complicated by some of the following, more salient constraints:

- Limited development assistance resources and significant shortfalls in the short to medium term hinder transition programming. Current resources fall far short of requirements, essential to correcting the gaps in development assistance.
- Bilateral and multilateral development assistance (ODA) has declined by half over the last decade, in spite of growing demands of countries in transition.
- Congressional earmarking of development assistance funds places even further demands on already diminishing development assistance budgets as increasing needs to support democracy and economic growth are not being met.
- As the USG becomes more reliant on other donors and multilateral institutions to work in reconstruction programs, it also may compromise its potential for leadership in the reconstruction process.
- Multilateral institutions, such as the World Bank and the Inter-American Development Bank, while interested in post-conflict work, have yet to devise timely mechanisms for delivery of assistance.
- Under-investment in the transition phase compromises US leadership in high priority post-conflict situations.
- USAID has reduced its international presence through the closing of many overseas missions, many in countries deemed to be poor performers.
- US transition policy is split between rewarding countries deemed to be moving forward in their development versus those countries in transition from war to peace, where prospects for good performance is limited.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

The Right Tools: An integrated approach to economic, political and social rehabilitation in post-conflict situations has proven much more effective than ad hoc or serial attention to these factors. In 1994 USAID, recognizing the growing importance of this approach, established the Office of Transition Assistance (OTI) as a response to working in difficult regions, in countries emerging from conflict. Located in the Bureau for Humanitarian Response, OTI has grown into an important asset of USG response capacities in many post-conflict countries. Funded from the International Disaster Account (IDA), OTI can respond quickly to post-conflict situations because of the "not-withstanding" authority that attaches to IDA funds. Starting in Haiti, and working in Bosnia, Rwanda, Guatemala, Angola, Sierra Leone, Liberia, and more recently in Nigeria and Colombia, the office has pioneered the integration of best practices culled from other experiences into its own response mechanism. Through integrated programming, OTI demonstrated that development assistance can support political and economic decision-making at the community level, including equitable power-sharing and assistance to maintain livelihoods and markets, even in the early relief efforts. As a result of this leadership role, other governments have also begun the development of a quick response mechanism to jump-start development needs.[2]

Integrated Strategic Planning (ISP) has also helped to ensure that US resources for relief and development are channeled to the highest priority objectives, and that there is effective coordination among players, both inside and outside the USG. ISP was introduced as part of USAID's Greater Horn of Africa initiative. It has proven a useful planning tool, but it, like other programs, has experienced problems in compliance with agreed upon initiatives. It still lacks a consistent means of encouraging implementation and has not been widely applied to other regional programs. Nevertheless, it has advanced an important concept for ensuring the gaps between relief and development assistance programs are filled, and responded to in the process of development planning. Examples of the ISP approach include:

- Southern Sudan, where USAID provides not only food aid, but also supported the rehabilitation of livestock and agriculture, and also health and sanitation services.
- Northern Uganda, where USAID programs facilitated the resettlement of 80,000 internally displaced persons, worked to support the repatriation of 90,000 Sudanese refugees from Uganda, and provided food and agricultural assistance to 25,000 refugees.

Outside Partnerships: US humanitarian assistance programs are implemented primarily by non-profit US NGOs and international organizations. US NGOs have collaborated closely with local NGOs for years, transferring technologies and skills to enhance institutional capacity. This capacity is drawn upon both during crises and during the reconstruction process, and includes emergency management, vulnerability assessment, and development of early warning systems for disaster preparedness.

USG assistance to international organizations, agencies of the United Nations such as UNICEF, the United Nations High Commissioner for Refugees and the World Food Program, provide

[2] Currently, Canada, the United Kingdom, the Netherlands, the United Nations Development Program and the World Bank have also created units dedicated to post-conflict reconstruction needs.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

another dimension to the linkages that exist between humanitarian response and the notion of development which support US programming. Our relationship to these international organizations further underscores the changing nature of humanitarian response and development assistance. USG programs in the early phases after conflict are very much integrated to the work of international multilateral actors. A very clear example of such integration occurred in Guatemala, when the USG, the European Community and the United Nations Development Program also shared the responsibility to demobilize former combatants, and provide medium range assistance to former fighters and their families emerging from conflict.

NGOs continue to play a bridging function, as many who work on humanitarian assistance also work on development assistance, sometimes inside and frequently outside crisis settings. For example, in the period immediately following a conflict NGOs have been very helpful in restoring basic community services very quickly. The integral role that NGOs play in their flexibility to combine emergency response and development assistance programs has not been lost on other donors. Multilateral organizations such as the World Bank and the United Nations are giving increased emphasis to development work as part of their crisis prevention formula. This is obvious in the UN's comprehensive strategic framework for Afghanistan and Sierra Leone, but also for the World Bank's Comprehensive Development Framework. [3]

Converging Concepts - Relief and Development in the Post-Cold War World: USG development programming has rewarded countries where good performance has led to important structural and societal changes that have helped support economic reform, access to justice, and greater transparency of transactions. The lessons we have learned about how to support improvements in governance, at both the community and national level, are now being applied to those complex emergencies where reconstruction and building stronger political systems is central to peace and stability. Basic economic and social reconstruction activities – such as livelihood creation, micro-enterprise, and support for greater transparency in suing reconstruction funds – are increasingly important elements in our political development arsenal. Successes in bringing good development principles to post-conflict environments are evident in Mozambique, El Salvador and Guatemala.

Protecting Development Gains and the Role of Conflict Prevention: Both man-made and natural disasters seriously set back or even eliminate hard-won development gains. Preventing reversals is the central purpose of prevention initiatives such as those taken in support of improved governance and community participation in decision-making process. Supporting programming in good governance, building the capacity of the judiciary, or strengthening participation of civil society are increasingly seen as key to preventing the resumption of conflict in countries where unstable economies or other forms of inequities can fuel distrust and lay a foundation for violence.

Addressing the root causes - -often social and economic - - of conflict is the least costly and most effective way of addressing a potential crisis. Preventive measures can be taken both before the

[3] The growing consensus in the development community is reflected in such publications as the World Bank's Guidelines on Post Conflict Reconstruction (1998), the DAC's Guidelines on *Conflict, Peace and Development Cooperation*, and UNDP's recent paper about its growing emphasis on transition work, prepared for incoming UNDP administrator, Mark Malloch Brown.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

crisis erupts, but also to forestall the recurrence of an emergency. As President Clinton recently commented: "the costliest peace is less expensive than the least expensive war." But doing prevention, coupled with the growing demands of humanitarian emergencies, will require US development assistance to undergo a transformation. The types of changes will require a closer examination of how our current foreign assistance can respond more strategically to ongoing crises, while also taking into consideration the ongoing demands that development needs place on current resources. It will take further exploration about the types of skills and experiences future development officers will need to work in this ever complex field. But most important, it will take a strong voice for broadly defined development interests in senior policy councils of the US Government, who speaks for a holistic approach to reconstruction and transition, not just humanitarian concerns. We need advocacy for the importance of democracy and economic growth, for education, health and other social services – even at the possible expense of some political stability and short-term US economic interests. As many persons observed at a recent meeting about this subject at the Overseas Development Council, no single voice speaks for development today, nor does the development portfolio reside in one single agency. Indeed, it has been the lack of a voice for development as a central feature of our response to humanitarian crisis that has constrained our capacity as a government to think in a comprehensive fashion about how to include it in our response to emergencies and conflict.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

RESOURCES FOR HUMANITARIAN ASSISTANCE

Humanitarian Assistance	Funding Levels ($ in millions) [a] FY1999	FY2000	FY2001	Funding Availability	FY 1999 Dedicated staff Total Pos.	Domestic Direct hire	Domestic PSCs	Overseas Direct hire	Overseas PSCs	Cost Est. ($mM)	FY 2000 Dedicated Staff Total Pos.	Domestic Direct hire	Domestic PSCs	Overseas Direct hire	Overseas PSCs	Cost Est. ($mM)
DEPARTMENT OF STATE																
Bureau of Population, Refugee and Migration (PRM)					103	85		16	2	13.5	113	92		19	2	13.8
Appropriation accounts:																
Migration and Refugee Assistance (MRA)	639.9	622.6	628.2	Annual												
Migration and Refugee Assistance - Supplemental	266.0			2 year												
US Emergency Refugee and Migration Assistance (ERMA)	195.0	12.4	20.0	No-year												
Sub-total	1,100.90	635.0	648.2													
ERMA carryover from previous FY	[62.8]	[172.8]		No-year												
AGENCY FOR INTERNATIONAL DEVELOPMENT					291	65	79	17	130	35.8	310	65	85	20	140	37.0
Bureau for Humanitarian Response (BHR)																
Appropriation accounts:																
International Disaster Assistance	388.0	202.0	220.0	No-year												
PL 480 - Title II: grant funds	986.2	800.0	837.0	Annual												
PL 480 - Title III: grant assistance	25.0			Annual												
Sub-total	1,399.2	1,002.0	1,057.0													
Disaster Assistance Borrowing Authority	[50.0]	[50.0]	[50.0]	Annual												
TOTAL (appropriated funds, only)	2,500.1	1,637.0	1,705.2		394	150	79	33	132	49.1	423	157	85	39	142	50.8
DEPARTMENT OF DEFENSE																
Overseas Humanitarian, Disaster, and Civic Aid (OHDACA)	362.0 [b]	30.2 [c]	39.4 [c]	2 Year												
Drawdown Authorities																
Section 506(a)(2)	[75.0]	[75.0]	[75.0]	Annual												

[a] Enacted levels, including FY 1999 Emergency Supplemental funds.
[b] Includes $335 million in supplemental funds and $27 million in humanitarian assistance funds.
[c] Funding for humanitarian assistance purposes only (excludes funds for demining).

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Department of State

Bureau of Population, Refugees and Migration (PRM)

Authorization: Foreign Relations Authorization Act
Appropriation: Foreign Operations, Export Financing, and Related Programs

Migration and Refugee Assistance Act of 1962, as amended
Public Law 87-510

Includes provisions:

... to continue membership for the United States in the International Organization for Migration (Section 2 [a]).

... for contributions to the activities of the United Nations High Commissioner for Refugees for assistance to refugees under his/her mandate or persons on behalf of whom he/she is exercising his/her good offices, and for contributions to the International Organization for Migration, the International Committee of the Red Cross, and to other relevant international organizations (Section 2 [b][1]).

... for assistance to or on behalf of refugees who are outside the U.S. designated by the President (by class, group, or designation of their respective countries of origin or areas of residence) (Section 2 [b][2]).

... to establish the United States Emergency Refugee and Migration Assistance Fund for the purpose of meeting unexpected urgent refugee and migration needs. Total amount in the Fund may not exceed $100,000,000, at any one time, although annual appropriations have been made notwithstanding this limitation. Funds remain available until expended (Section 2 [c][2]).

- Requires a Presidential Determination (PD).
- Requires informing the appropriate Committees.
- Requires publication of the PD in the Federal Register.
- Administration of the Fund is delegated to the Secretary of State under Executive Order 11077.
- This Fund is in addition to other amounts available under the MRA account.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

... for the President to furnish assistance and make contributions under this Act notwithstanding any provisions of law which restricts assistance to foreign countries (Section 2 [f]).

... for the President to allocate or transfer to any agency of the United States Government any part of any funds available for carrying out the purposes of the MRA Act (Section 3 [b]).

... for compensation, allowances, and travel of personnel, including members of the Foreign Service whose services are utilized primarily for the purposes of the MRAA, and without regard to the provisions of any other law, for printing and binding, and for expenditures outside the United States for the procurement of supplies and services and for other administrative and operating purposes, and for other administrative costs including employment of personnel and contractors overseas (Section 5 [a] [1-7]).

Administration of the Migration and Refugee Assistance Act of 1962 - Executive Order 11077, January 22, 1963, 28 F.R. 629; as mended by Executive Order 11922, June 16, 1976, 41 F.R. 24573; and by Executive Order 12608, September 9, 1987, 52 F.R. 34617.

Immigration and Nationality Act
Act of June 27, 1952; 66 STAT. 163; 8 U.S.C. 1101 et. seq.

Section 101 (a) 42 (A) and (B) - Definition of the term "refugee".

Section 207 - Annual admissions of refugees and admission of emergency situation refugees.

Section 412 - Authorization for programs for domestic resettlement of and assistance to refugees.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

US Agency for International Development

Bureau for Humanitarian Response (BHR)

Authorization: Foreign Assistance Act of 1961 (PL 87-195)
Appropriation: Foreign Operations, Export Financing, and Related Programs

Chapter 9 - International Disaster Assistance (IDA)

Section 491 - Policy and General Authority

… not withstanding any other provision of this or any other Act, … for assistance to any foreign country, international organization, or private voluntary organization … for international disaster relief and rehabilitation including assistance relating to disaster preparedness, and to the prediction of, and contingency planning for natural disasters abroad.

… the President shall insure that the assistance reaches those most in need of relief and rehabilitation as a result of natural and manmade disasters.

Section 492 - Authorization

… up to $50,000,000 in any fiscal year may be obligated against appropriations under this part (Part I and Chapter 4 of Part II) … for use in providing assistance in accordance with the authorities and general policies of section 491. Amounts subsequently appropriated under this chapter with respect to a disaster may be used to reimburse any appropriation account in which obligations were incurred under this subsection with respect to that disaster …

Section 493 - Disaster Assistance - Coordination

… authorizes the President to appoint a Special Coordinator for International Disaster Assistance whose responsibility shall be to promote maximum effectiveness and coordination in responses to foreign disasters by United States agencies and between the United States and other donors.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Appropriations: Annual appropriations have made disaster assistance appropriations available for reconstruction assistance in addition to relief and rehabilitation.

Food Aid Programs administered by USAID:

Agricultural and Trade Development Act of 1954 (PL 480)

Title II - Emergency and Private Assistance Programs

... grants by which the USAID provides agricultural commodities and transportation to meet emergency and non-emergency needs.

- Assistance to meet emergency food needs may be made available notwithstanding any other provision of law.
- Agricultural commodities provided under this Title may be provided directly or sold (monetized) and the proceeds used to transport, store or distribute agricultural commodities provided under this Title, or to implement development activities in the recipient country or countries in the region.

Title III - Food for Development

... a program under which agricultural commodities are donated to least developed countries (as defined by the statute) and the revenue from the sale of those commodities used for economic development purposes.

- The Administration has not requested funds under Title III for the past two years.

For both International Disaster Assistance and Migration and Refugee Assistance:

Section 506(a)(2) of the Foreign Assistance Act of 1961

... the drawdown of articles and services from any USG agency for the purposes and under the authorities of the Migration and Refugee Assistance Act of 1962 or International Disaster Assistance. An aggregate value of not to exceed $75,000,000 in any fiscal year of defense articles, defense services, and military education and training, may be used

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

under this authority (out of a total authority of $150 million).

- Requires a Presidential Determination.
- Cannot pay for commercial contracts.
- Limited to articles and services that can be provided by US armed services.
- Must compete with counter-narcotics and law enforcement programs for use of resources.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Department of Defense

Overseas Humanitarian, Disaster, and Civic Aid

Armed Forces Legislation
Title 10 United States Code

Chapter 20 - Humanitarian and Other Assistance

Section 401 - Humanitarian and civic assistance provided in conjunction with military operations.

... enables US personnel to carry out humanitarian and civic assistance activities in conjunction with other military operations.

- Must promote the security interests of both the United States and the country in which the activities are to be carried out;
- Must benefit the operational readiness skills of the participating military personnel;
- Must be approved by the Secretary of State.

Section 402 - Transportation of humanitarian relief supplies to foreign countries.

The Denton Program - transportation on a space available basis on U.S. military aircraft of humanitarian relief supplies to foreign countries furnished by a non-governmental source.

Section 404 - Foreign disaster assistance.

The President may direct the Secretary of Defense to provide disaster assistance outside the United States to respond to manmade or natural disasters when necessary to prevent loss of lives.

- Assistance may include transportation, supplies, services and equipment; requires Congressional notification within 48 hours after the commencement of disaster assistance activities.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037

Section 2547 - Excess non-lethal supplies: humanitarian relief.

Excess non-lethal DOD property for humanitarian relief purposes.

- Department of State is responsible for distribution.

Section 2551 - Humanitarian assistance.

Funds authorized for humanitarian assistance shall be used for the purpose of providing transportation of humanitarian relief and for other humanitarian purposes worldwide.

From The National Security Archive, The George Washington University, The Gelman Library, 2130 H Street, NW, Washington, DC, 20037