

Humanitarian Intervention:

**Determining the Effectiveness of Outsourcing
Humanitarian Intervention during Humanitarian Crises**

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Abstract

At the end of the Cold War we witnessed a growing reluctance on part of many national powers to intervene in international crises. This unwillingness allowed for the development of Private Military and Security Companies (PMSCs). PMSCs have been deployed to provide a wide variety of security-related functions including combat, logistics, training programs, and armed guarding of personnel and infrastructures. Exploring the concept of outsourcing these military functions, others have applied the idea towards addressing humanitarian crises. PMSCs may face fewer geopolitical impediments that can hinder the efforts of many state actors. In certain humanitarian crises PMSCs may better address human suffering. Through detailed case analysis; I have found that the deliverance of aid even for PMSCs, depends on their compliance with the involved state's government. For example, focusing my research on the humanitarian crisis in Syria, it becomes apparent that President Bashar Al-Assad's leverage over aid deliveries is exacerbating issues within the country. Concluding that the principles PMSCs and NGOs must follow only allow them to work to the advantage of armed forces involved in a humanitarian crisis.

The United Nations in Syria

The UN and Civil War

In March 2011 after some teenagers were arrested and tortured for painting revolutionary slogans on a school wall pro-democracy protests erupted in the southern city of Deraa, Syria. After several attacks on demonstrators more people flocked to the streets. They demanded that President Bashar Al-Assad resign. The opposition started taking up arms to defend themselves, a civil war ensued. By June 2013 the United Nations (UN) released information stating that 90,000 people had been killed in the conflict, and that number was said to have doubled by August 2014. (Duval, 2014)

The civil war is now gaining the involvement of neighboring countries and world powers. The rise of Islamic State within Syria is also causing more interest within the global community and causing great concern. Since March 2011 the Human Rights Council within the UN has been investigating alleged human rights violations in the Syrian conflict. The Human Rights Council has provided evidence that both sides of the conflict have committed war crimes, and increased civilian suffering by blocking access to water, food, and health services. The UN has made allegations that Islamic State is waging a campaign of terror in northern and eastern Syria. They have performed public executions and mass killings of rival groups. Conversely, in August 2013, the use of chemical weapons had occurred and was documented to have been used on Syrian's by Syria's government. This motivated the United States to intervene and compelled to remove and destroy all chemical weapons. The UN and the Organization for the Prohibition of Chemical Weapons (OPCW) led joint missions to see to the destruction of

these weapons. By December 2014, 18 million Syrians have been affected by this crisis. The UN has appealed to the member countries for 8.4 billion dollars of aid to provide help to the Syrians. They only obtained about half the funding they needed. While Syria is still refusing to discuss opposition demands the government insists on focusing on fighting ‘terrorists’, a Damascus term used to describe rebel groups. The UN is in quite the predicament. Islamic State militants refuse to abide by ceasefires, and rebels fear the government will only redeploy forces if there is a truce to allow aid deliveries in beset areas only worsening the situation further. Four in every five Syrians are now living in poverty. (Duval, 2014)

UN Aid as weapon of war

While involved with a humanitarian crisis the United Nation’s Office for the Coordination of Humanitarian Affairs (OCHA) works off of a base of four principles. The four principles are that of neutrality, humanity, impartiality and independence. These principles are particularly important in the Syrian humanitarian crisis. Neutrality in this instance means that humanitarian actors must not choose sides in hostilities or engage in controversies of a political, racial, religious or ideological nature. These principles differ for humanitarian actors, the International Committee of the Red Crescent (ICRC) and the Syrian Arab Red Crescent function under separate legal contracts. Assad’s regime is aware of these principles under which NGOs operate. Assad has used this to his advantage by controlling the channel of emergency food aid to areas under his control. U.N. Agencies are reluctant to ignore Assad’s authority. Evaluations have been done of the World Food Program’s efforts of delivering food aid to the maximum number of Syrians in need. They have determined them to be “best served by maintaining close

relations with the Syrian government and negotiating behind the scenes over access.”
(Martinez, 2016)

The power Assad maintains over emergency food aid deliveries is crucial in controlling Syria. By controlling food security and limiting or denying access to necessities, Assad further undermines the resistance. Whether or not citizens oppose the regime they are forced to flee into areas under Assad’s control because it is their only chance for survival. The joint effort of emergency food aid along with targeting the production of food in opposition areas has allowed Assad’s regime to portray itself as the only governing body able to rule the country. This has been used to force pro-opposition areas into truces, specifically areas surrounding the capital city, Damascus. (Martinez, 2016)

(Figure 1 about here)

Major international players have shifted strategy to expand funding for partners distributing necessities inside opposition-controlled areas of the country. These efforts have been implicitly or explicitly guided by political goals. Many believe that ties to the regime are playing a factor. The UN is currently working with the Syrian Arab Red Crescent (SARC). Through the SARC the UN has been able to successfully deliver aid. The head of the SARC is Dr. Abdulrahman Attar, a wealthy-businessman who profited greatly when the regime liberalized the economy in the 90s, allowing those to wonder whether the relationship Attar has with Assad is hindering the delivery of aid to areas held by rebel forces since he is working directly with the UN.

There is no doubt that humanitarian organizations have alleviated suffering and saved lives in Syria, but the crisis is not over. When organizations frame interventions in terms of neutrality they put themselves in a scenario that makes it impossible to successfully bring aid to those suffering in the most severe areas. By agreeing to stay neutral they are falling into the control of the entities causing the suffering.

These geopolitical issues have raised questions on the degree to which humanitarian aid gets where it is most needed. This invites an investigation into whether outsourcing these responsibilities to an outside entity, not tied down by neutrality principles such as the UN, is applicable. (Martinez, 2016)

Reforming the United Nations

The use of the UN Security Council to legally apply military force requires 9 confirming votes among the 10 non-permanent member countries. This vote needs to include the 5 permanent members confirming votes. These permanent members have the right to veto any such action pursued by the UN. In countless humanitarian crises these members have chosen to be “selective interveners”, allowing the UN to only intervene where these members see fit. There are three prominent failed humanitarian crises in the 20th and 21st centuries: Darfur, Rwanda and Bosnia. In each of these crises the UN was unable to obtain the Security Council’s vote. Left unable to send military aid, the interventions failed to end the conflict. This resulted in the loss of around 300,000 civilian lives in Darfur, 800,000 in Rwanda, and 100,000 lives lost in Bosnia. (Holmqvist, 2005)

Clearly we can see that the UN is still prevented from being effective in humanitarian interventions despite the lessons of Darfur, Rwanda and Bosnia. In August of 2000, the UN commissioned a report on UN peace operations, otherwise known as the Brahimi Report. This report identified issues in the world body that they could develop to better prepare for military intervention and peaceful operations. The report also claimed to never allow a humanitarian crisis as catastrophic as Darfur, Rwanda or Bosnia to happen again. (Miskel, 2005)

The report called for major political and financial support for such circumstances. This support would need to come from the 5 permanent members. Along with expanding the size and increasing the proficiency of the UN military planning staffs, the report called for enlisting civilian experts in law enforcement and other such functions. These included proficient Security Council resourcing for authorized peace operations, more realistic rules of engagement for military forces, greater investment in the preparation and training of peace forces, improving the clarity of agreements with national military units and also defining the specificity of Security Council resolutions, and overall reformation of the UN personnel system. These improvements would not be possible without a substantial increase in support from the permanent members. (Miskel, 2005)

Although aware of the UNs imperfections, there have been no strides in improving the UN response to global humanitarian crises. The need for such an entity is more prevalent if we look at all the conflicts in the news today, especially that which is happening in Syria allowing it to become the worst humanitarian crisis of our time with 190,000 killed and 4 million displaced. These shortcomings within the UN allow for the

contemplation of outsourcing such responsibilities to the private sector, which is composed of Private Military and Security Companies (PMSCs).

Outsourcing Humanitarian Intervention

Following the Brahimi Report came the Responsibility to Protect Doctrine (R2P). The International Commission on Intervention and State Sovereignty (ICISS) issued this doctrine in 2001. The ICISS has re-characterized the notion of sovereignty from the autonomy a state has to a responsibility it has to protect its citizens. This notion of sovereignty includes the responsibility to react to atrocities happening within a state's border. If a state is unfit or unwilling to respond it is then transferred to the international community. The international community then assumes the responsibility to prevent further crises from happening and the responsibility to help in rebuilding the state after a crisis. (Pattison, 2010)

A complete outsourcing of humanitarian intervention would be problematic. It should not replace the UN, regional organizations or states but rather supplement these agents. Outsourcing aid to the private sector completely allows for less oversight from the UN. This could allow private security companies to not be held accountable for their actions while intervening in a humanitarian crisis. Pattison (2010) defines humanitarian intervention as 'forcible military action by an external agent in the relevant political community with the predominant purpose of preventing, reducing, or halting an ongoing or impending humanitarian crisis'. Allowing private companies to avoid the limitations that prevent the UN from successfully intervening in such conflicts. When a state fails to protect its citizens from war crimes, genocide, ethnic cleansing, and crimes against

humanity, nonconsensual military intervention may be appropriate under the responsibility to protect under the notion of sovereignty. The consent only needs to be given at a time of constraint and private companies can take action despite the other factors within the state. (Pattison, 2010)

History of PMSCs in a Security Context

With the issues prevalent in the Syrian crisis, and others, it is evident that the global community must find a more effective way of implementing humanitarian aid. One potential option to supplementing UN forces along with other NGOs, or regional forces, is the outsourcing of humanitarian aid to the private sector. These are private entities that either work with, or entirely replace the role of regional forces or NGOs. They typically develop areas of expertise such as training in security and combat along with supplying logistical support and the building and maintaining of infrastructures.

These entities are called Private Military and Security Companies, abbreviated as PMSCs. They are also known as Private Military Forces (PMFs) and Private Security Contractors (PSCs). (Avant, 2004) The development of PMSCs started after the Cold War, when superpower militaries shrunk. However, the 1990s witnessed an increase in civil wars along with a growing unwillingness to intervene found among global powers. These parallel developments created opportunities for PMSCs for example the US military shrank by about 37 percent. The amount of military personnel prior to the Cold War was 2.17 million and dropped to 1.37 after. (Rostker, 2013)

So in order to make up for these reductions, many governments preserved defense capability by hiring private companies to supplement militaries already in place.

Cutbacks led to highly skilled soldiers seeking employment, which they found within PMSCs. Key examples of these are found within the U.S. companies Blackwater, and Dyncorp. Their skilled personnel are former U.S. Special Forces members. The British PMSCs Aegis, and ArmorGroup also hire former British Special Air Service soldiers. These skilled ex-soldiers allowed PMSCs a marketable product while the demand was high. (Nimkar, 2009)

For example, in the stabilization portion of Operation Iraqi Freedom, estimates suggest that 20,000 PSC (Private Security Companies) employees were deployed to provide a wide variety of security-related functions making private security the second largest portion of the allies of the operations in Iraq. Along with these security related tasks seen in Iraq, the use of PMSCs spread across an array of other functions. Including police training programs, military training programs, logistical support, combat support, armed guarding of infrastructure and personnel. The PMSC Aegis offers case studies on all services they have provided to countries throughout the years. Examples include security services such as emergency response, GPS tracking services, surveillance activities, and ground patrols. They were also used to supplement security forces during the 2012 London Olympic Games. (Aegis, 2015)

PMSC use for Humanitarian Crises

In contemporary times PMSCs can be seen supplementing NGOs like the UN in several prominent humanitarian crises. For example, in 2001 the South African firms

KZN Security and Empower Loss Control Services were hired to supply local intelligence to the UN Transitional Administration in East Timor. The firm DynCorp provided logistics, transport and communication services in the conflict. Not only are these PMSCs able to supplement regional forces or NGOs, in some cases they are able to intervene efficiently and effectively. Amounting to an effective approach towards what are usually time sensitive crises. (Holmqvist, 2005) In the Rwanda crisis the PMSC Executive Outcomes claimed that for 150 million dollars they could have troops on the ground in Africa within two weeks. (Pattison, 2010)

PMSCs offer an appealing option in assisting with humanitarian intervention because of the reluctance of many world powers to reconcile humanitarian conflicts outside of their sphere of interest; this unwillingness is referred to as the ‘Somalia Syndrome’. This concept originates from the United States experiences in Mogadishu in 1992. The US lost eighteen of their soldier’s lives while trying to supply aid to the people there. Along with the death of American soldiers, the body of one US soldier was dragged through the streets; this footage was widely seen on American TVs. President Clinton immediately withdrew US soldiers from Somalia. This created the notion that states are unwilling to risk their soldiers’ lives for humanitarian interventions that are not central to national interests. PMSCs can reduce this issue by presenting a financial incentive for an entity whose job is to perform these roles when contracted to do so. (Pattison, 2010)

People actively engaged in promoting human welfare and social reforms also report that NGOs will turn to the security firms because of the organizational shortcomings they face. In the year 2013 a record was set for violence against civilian aid

workers, 155 aid workers were killed, 171 were seriously injured and 134 were kidnapped. This is a 66 percent increase in the number of victims from the previous year. (Humanitarian Outcomes , 2014) While meeting the challenges within declining security environments PMSCs are well prepared with their background experience and skilled personnel, they would be able to protect aid workers and provide a secure environment. (Stoddard, 2009) PMSCs are also able to achieve more international cooperation because they are allowed to hire internationally. (Nimkar, 2009)

The idea of using the private military industry as a tool to assist in the delivering of aid is not a new concept. In the 20th and 21st Centuries PMSCs were often used in varying circumstances. These are outlined in figure 2. (Pattison, 2010)

(Figure 2 about here)

Applying PMSC use towards Syria

By considering the use of PMSCs in Syria, through the R2P Doctrine we can re-assert the principles on which NGOs base their work. We can then allow the aid to be directly given and received by civilians affected in the crisis. PMSCs will be prepared with the equipment and expertise to bring aid to all the areas affected, rather than the areas Assad has allowed the UN to bring aid. PMSCs will not be prevented by terms of neutrality. This would allow for the number of lives lost to drop significantly and would slow the exodus of the Syrian population.

The use of PMSCs would not only improve the humanitarian side of this crisis but allow for the more direct handling of security related issues as well. A PMSC, if involved

could work towards creating a safe secure environment for NGOs and other regional forces to implement aid to the areas in need. They would work above issues of geo-political concern and be a separate force not tied down by geo-political considerations. This would be guaranteed by the UN's close, rigorous monitoring of the crisis and the work the PMSC is doing within the state.

Some PMSCs have had ethical issues brought against them in the past, for example, the American PMSC Blackwater caused much controversy in Iraq after civilians were killed while they were implementing the US military in 2007. However, in 2006 meetings began within the Swiss Government and the International Committee of the Red Cross to discuss the problems within the use of PMSCs. They gathered governments, academics, and civil society organizations to determine a more effective way of outsourcing intervention. Since then, progress has been made and the industry for PMSCs has issued a transnational system of principles governing these contractors. These principles clarify the responsibilities of states along with establishing the norms of appropriate behavior for private security providers. To ensure these principles are met this system has established mechanisms to enforce these provisions. Through writing them into contract requirements with the entity outsourcing security, they are held accountable. (Avant, 2016)

Justification for further research

In order to limit future atrocities such as those in Darfur, Rwanda, Bosnia or today in Syria, further research is needed to determine the effectiveness of interventions led by an expanded private sector. Since the UN is legally, politically and militarily hindered in

acquiring military commitments. I believe the use of PMSCs may be found to be more effective in preventing and ending humanitarian crises when geopolitical issues are at play. PMSCs are able to avoid the setbacks faced by the UN and other NGOs and include international efforts by recruiting personnel worldwide. PMSCs also contain the expertise and equipment required to effectively intervene in humanitarian conflicts and are able to do so in a more time effective manner.

The Syrian death toll has risen to almost 250,000 today and the amount of refugees has risen to 3.88 million. (Duval, 2014) A one sided aid delivery model has proved to be unconstructive and only reinforces the idea that the UN is playing into Assad's regime. This notion calls for action, one of UNHCR's communications coordinator responded to the accusations that they are working with the Assad regime by saying that the UN "has a purely humanitarian mandate and does not have a political agenda...the key for us is to deliver aid to all vulnerable populations that is why we appeal to all sides to enable humanitarian access to reach all populations in need." (Martinez, 2016) But why is the suffering still occurring?

As Stephen O'Brien the Emergency Relief Coordinator and Under-Secretary General for Humanitarian Affairs states "To reaffirm humanity, we must counteract the politicization of aid. In today's conflicts life saving assistance is often used as a tool or a weapon...All humanitarian action must seek not only to end suffering and meet the immediate needs, but to keep people safe and from harm and enable them to live with dignity." (OCHA, 2015) The international community has a responsibility to step up to these shortcomings faced within the UN. The use of PMSCs is occurring and it is only growing. As the world faces more and more conflict, as we progress, we have the

responsibility to use all means necessary to save innocent lives. The supplementing of humanitarian intervention by the private sector could be our most viable option.

Appendix A

Figure 1

Besieged towns in Syria

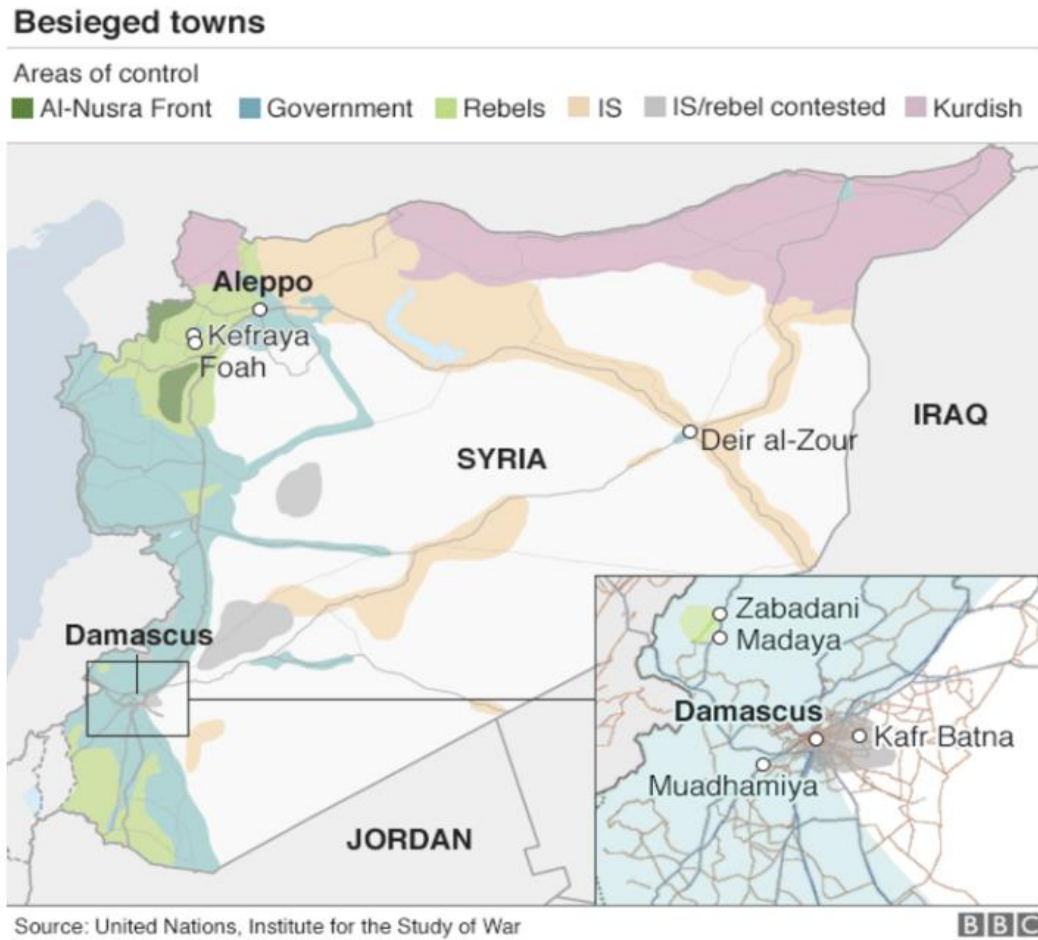


Figure 2**PMSC use within 1991-2015**

COUNTRY	PMSC USED	RATIONALE	NUMBER OF PEOPLE AFFECTED	PMSC RESOURCES USED	DURATION OF CRISIS
SUDAN	PACIFIC A&E	GOV. IS FRAGILE PLAUGED BY MILITIAS	259,232 DISPLACED	HUMANITARIAN AID (DRILLING WATER HOKES, BUILDING INFRASTRUCTURES)	2013-2015
DR OF CONGO	PACIFIC A&E	CONFLICTING POLITICAL AGENDAS, CONFLICTS OVER RESOURCES	5.4 MILLION KILLED	MILITARY PERSONNE IN AREAS SUCH AS COMMUNICATIONS, LOGISTICS & ENGINEERING	1996-2003
SIERRA LEONE	EXECUTIVE OUTCOMES (E.O)	RUF PLAUGED GOV. CREATED INSTABILITY	50,000 KILLED	MILITARY COMBAT REINFORCEMENT	1991-1995
EAST TIMOR	KZN SECURITY & EMPOWER LOSS CONTROL SERVICES	TO AID U.N. TRANSITIONAL ADMINISTRATION	200,000-300,000 REFUGEES	TRANSPORTATION, COMMUNICATION SYSTEMS, AND DEFENSE SYSTEMS	1999-2001
ANGOLA	E. O.	COUNTRY ENGAGED IN CIVIL WAR	500,000 KILLED	COMBAT, LOGISTICS, SECURITY, TRANSPORT & COMMUNICATION SERVICES	1992-1997
CROATIA	MILITARY PROFESSIONAL RESOURCES INC (MPRI)	MILITARY CONSULTING	20,000 KILLED	MILITARY CONSULTING	1994-2003
RWANDA	MPRI	REFORM DEFENSE	800,000 KILLED	LOGISTICS, TRANSPORT & COMMUNICATION SERVICES	1991-1995
IRAQ	AEGIS, DYNCORP, BLACKWATER	TO AID REGIONAL FORCES	36,5000 KILLED	COMBAT, LOGISTICS, SECURITY, TRANSPORT & COMMUNICATION SERVICES	2003-2007

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