Iraq and the Shifting Sands of US Intervention Policy

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Walter Clarke retired from the US Foreign Service in 1994, after over 36 years of service, mostly in Africa and Latin America. While in the State Department, his assignments also included duty as State Department Advisor at the US Naval War College and later as professor in the Strategy Department at the US Army War College. While serving as deputy head of the US Liaison Office in Mogadishu for several months in 1993, Mr. Clarke saw that peacekeeping needed to be more effective for the affected victims of turmoil and to be performed more coherently by the intervening military and humanitarian participants. After retirement, Mr. Clarke became Adjunct Professor of Peace Operations at the US Army Peacekeeping Institute in Carlisle, Pennsylvania. As an independent consultant, he has participated in over 70 civil-military exercises and mission rehearsals around the world as planner, mentor and senior role player. He is co-editor (with Prof. Jeffrey Herbst of Princeton's Wilson Center) of Learning from Somalia: Lessons of Armed Humanitarian Intervention *(Westview, 1997) and is author and co-author of a number of articles on peacekeeping and comprehensive civil-military mission planning in academic and professional military journals. Mr. Clarke was recently named to the staff of the GCDMHA at the University of South Florida as a senior advisor.*

ABSTRACT

The decision of the US Administration to go to war with Iraq in March 2003 involved a number of significant departures from earlier US policies and planning for regional conflicts and associated peacekeeping operations. Part of the change resulted from the unilateralist implications of President Bush's new national security strategy of "pre-emptive engagement." Other differences from previous experience reflect a general disdain for the United Nations organization, its specialized agencies and partners, as well as international intervention standards and procedures, among certain prominent policy leaders of the Bush Administration.

Humanitarian concerns were reflected in the military tactics that led to a quick victory in Iraq, and an expected refugee and displaced person crisis did not occur. Instead, in the

uncontrolled vacuum that followed the fall of Saddam Hussein, the liberated Iraqi people rose up and destroyed a significant part of the surviving state infrastructure. Preparations for the post-war transition and rehabilitation proved totally inadequate for the failed state environment of Iraq. In this presentation, we will also examine certain serious planning and operational issues that arose between the military and civilian participants. We will look into efforts to assuage these problems at the operational level and the efforts of international humanitarian agencies and non-governmental organizations to work around the nearly unique legal obstacles created by the US Administration's approach to the Iraqi conflict. We propose a more comprehensive and coherent approach to post-war planning which could have relieved many of the tensions that currently surround US actions in Iraq and that could effect broader operational efficiencies in the use of US personnel and materiel resources elsewhere.

"Post-conflict planning was apparently started late and was poorly done. Its execution was even worse. The planning reportedly was based on some overly optimistic assumptions regarding the attitude of the Iraqi population and underestimated the difficulties of restoring some basic needs in the aftermath of the collapse of the tyrannical regime in Baghdad..."

Dr. Milan Vego, Professor of Operations, Joint Military Operations Department, US Naval War College, Newport, RI, August 2003

POST-COLD WAR PEACEKEEPING AND HUMANITARIAN OPERATIONS

Warfare generates misery for the civilian populations who live on the lands where wars are fought. Such situations are commonly referred to as "complex humanitarian emergencies" (CHEs), because they are man-made and can only be resolved through human intervention of some kind. The use of foreign military force in such situations is problematic because, in the end, success can only be defined in political terms; when the military is committed to a crisis, properly led, with the right policies and duly authorized by the international community, it can bring peace and provide a stable environment for non-violent settlement of disputes. With inadequate leadership and impunity on the ground, national military and paramilitary groups can ensure that no resolutions are available to normal leadership of civil society. Foreign militaries enter civil wars at their peril. Because governments in collapsing states are unable to bring peace and support to innocent people involved in man-made political emergencies, non-military international, regional and local agencies were created to help populations in trouble. This has led to the proliferation of international and regional humanitarian agencies, and non-governmental organizations usually termed NGOs.

Relations between the traditional military and these civilian agencies remain sensitive and are usually tentative. Civilians get in the way of military operations, and they are usually banished from the battlefield or decide to take cover until hostilities are ended. NGOs are frequently antagonistic to the military that has little patience for non-combatant "do-gooders." Even harder to accept is the fact that NGOs profess a neutral and impartial ideology that permits them to ignore political issues. Despite the differences in techniques and attitudes, the military and humanitarian forces know that each one depends upon the other: the humanitarian community needs a secure environment; the military knows (or

should know) that humanitarian work exists in a specialized world that requires longer-term commitment than the military is usually capable of sustaining.

NGOs have become a permanent part of what the author calls the "humanitarian battlefield." It is a battlefield because lives of all participants are at risk and both the civilian and military components are fighting to protect their spaces (Figure 1). To do their jobs, the humanitarian community attempts to maintain both neutrality (not taking sides) and impartiality (comforting the wounded and sick of all sides of the conflict or crisis). For the humanitarian community, the primary enemies on the humanitarian battlefield are relative intangibles (see below). For the military, the primary enemies on the battlefield are usually carrying weapons. Military literature is full of solutions to the civil-military dilemma. With all of the good will and superior training in the world, however, there is no way that the principal military and civilian actors on the humanitarian battlefield will ever attain the mythic "unity of effort." In my view, the most important lesson to be learned on the humanitarian battlefield is understanding of the special qualities and advantages that each side brings to the fight. Although the post-Cold War era has brought the two sides together more than ever before, we are still a long way from reaching this objective.
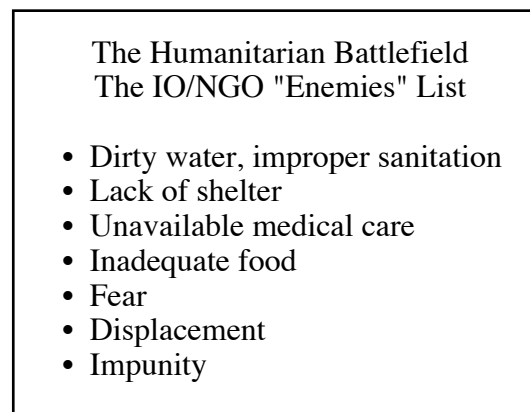
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The Humanitarian Battlefield
The IO/NGO "Enemies" List

• Dirty water, improper sanitation
• Lack of shelter
• Unavailable medical care
• Inadequate food
• Fear
• Displacement
• Impunity
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Figure 1: The Humanitarian Battlefield.

The first peacekeeping operation involving US military forces in the post-Cold War era was *Operation Provide Comfort* in northern Iraq in the wake of the first Gulf War. This operation, which lasted only from 6 April through 24 July 1991, responded to the plight of upwards of a million Kurds who fled to the mountainous frontier between Iraq and Turkey following Saddam Hussein's savage repression of Iraq's Kurdish minority. Encouraged by US radio broadcasts, the Kurds believed that the Iraqi dictator's ignominious defeat in that war might permit them greater autonomy. Although essentially an *ad hoc* operation, authorized by a single UN Security Council resolution (UNSCR 688, 5 April 1991), *Provide Comfort* had two broad goals: to provide food, medicine and lodging to the hundreds of thousands of destitute displaced persons; and to provide some security against ground attack. Because Iraq had long been inhospitable to international humanitarian agencies and nongovernmental organizations, the several nations involved in this operation found themselves preparing the ground for the IOs/NGOs that responded to the crisis. The US military experience in *Operation Provide Comfort* was relatively short-term, but it did leave an impact on operational policies. The US military learned that it had obligations to provide security for agencies that do not fall under its command. Many service members left northern Iraq with the false notion that the military was always going to be the first to arrive at the

scene of an emergency. In fact, in succeeding peace operations, the military was usually the last to arrive.

Somalia's long civil war led to the expulsion of dictator Siad Barre from Mogadishu and the collapse of the Somali state in January 1991. In the absence of the Cold War, neither the White House nor the US military believed that the latest crisis in the Horn of Africa affected US interests. There was no desire to intervene beyond a "stand-off" relief operation, in which the US military commenced an "air bridge" to convey humanitarian goods into Somalia from Kenya in August 1992. It was only after President George H.W. Bush's defeat in the November 1992 elections that a decision was made to send troops to open the warehouses and protect humanitarian operations in Somalia. As in *Provide Comfort*, the US forces in Unified Task Force (UNITAF) were directed to assist humanitarian agencies in the provision of assistance. In 1992-93, the United Nations operation in Somalia (UNOSOM I) was not up to providing civil-military coordination. The relatively new UN Department of Humanitarian Affairs (UNDHA) had that responsibility, but it proved inadequate in Somalia. Again, the US military, working closely with the leadership of the US Agency for International Development (USAID) Disaster Assistance Response Team (DART) stepped in and provided guidance and facilitated protection for international humanitarian organizations (IHOs) and nongovernmental agencies (NGOs).

Despite successes in civil-military coordination in Somalia, the lessons learned were mostly negative. This operation was a hard sell for the White House, even under the military-friendly leadership of the first President Bush. The Joint Chiefs were not pleased with this new mission. Under the attentive eyes of CENTCOM, the Unified Task Force (UNITAF) was provided a relatively easy range of tasks: open the warehouses full of food that was kept from the starving; ensure security for the food deliveries and keep clear of local politics. UNITAF fulfilled the first two responsibilities within two or three weeks of its arrival. Its rules of engagement (ROE) prohibited interference in "Somali-on-Somali" violence, but they did not prevent a favorable relationship with Mohamed Farah Aideed, the strongest of the various warlords that had carved up Mogadishu. Although this relationship was justified on one level as force protection insurance, it greatly complicated, if not significantly compromised, the "nation-building" responsibilities of the follow-on UN-led UNOSOM II military force.   The resolve of the US for further peace operations was broken by the "Blackhawk Down" events of 3-4 October 2003, in which 18 US soldiers died in an attack on a meeting taking place the Olympic Hotel.

The US Army developed its policies on peace operations in a doctrinal publication based almost entirely on its experiences in Somalia (US Department of the Army, 1994). The manual takes a strongly negative approach towards such operations, setting almost impossible tests for determining the validity of any peacekeeping proposals. It has served to reinforce negative conservative and military opinions against peacekeeping, "nation-building" and the United Nations. Such was the US military experience in Somalia that the US did not commit itself in force again on the African continent after the withdrawal of the last UN forces from Somalia in March 1995. In August 2003, a few Marines entered Monrovia from a Marine Expeditionary Unit (MEU) offshore. The US did not respond to the genocide in Rwanda in 1994 until the events were nearly over, and only when it appeared that the massive refugee return flow back into Rwanda from the Congo would lead to another disaster, this time due to water-born diseases. Working directly with UN agencies and NGOs, the US military facilitated the transportation of water tank trucks, piping and purification equipment.

In subsequent significant US peacekeeping/humanitarian operations – Haiti, Bosnia, Kosovo, post-war Afghanistan – the tensions between military and humanitarian operators never disappeared. In Haiti, members of the US force complained that neither the Haitians nor the NGOs possessed their energy and efficiency. One officer participant responded strongly to the author's suggestion that the military should give the humanitarian community the "space" to do their jobs. The officer heatedly replied that had the US military not stepped in and built the various police stations and other public works, "the Haitians would still be working on them!" The author suggested that employing local labor leads to greater community identification with a project and provides, therefore, incentives to keep such works viable. The rest of the world does not operate on the same time schedule as the US military. Nation-building is a continuous project for the citizens of all countries; there is no "end-state." Efforts to restore civil society in failing states should be focused on building self-reliance and local initiative.

In Bosnia, where nearly everyone lamented the slow decision process in the US Government that led to the late arrival of US peacekeeping forces, the opportunity to take part in a substantial multilateral operation with our NATO allies provided very useful civil-military experience to the US force. Bosnia was the first "out of area" deployment for NATO forces, setting a precedent which is now widely accepted in today's undisciplined world. A German-led NATO force recently took over command in Kabul.

Kosovo set other less lauded precedents. When it was seen that Bosnian authorities planned to send the Albanian ethnic majority into exile, the US launched an air war over the province in the hope of destroying Bosnian military equipment and setting the scene for the end of Bosnian incursions. The United States was unable to obtain a supporting resolution to authorize the air war over Kosovo. However, while that conflict was drawing to a close, the Security Council provided *ex post facto* authorization for those operations, and a powerful mandate was provided for terminating the conflict and restoring some semblance of peace to that troubled political entity. The war in Kosovo began with a divided Security Council, but active conflict terminated with a broad coalition and a fairly clear understanding amongst participants where they wanted to go. The UN civilian commander had virtually unlimited powers to mold the political restoration process; the process was made more coherent through the establishment of "pillars" that guided efforts and measured success. The multinational force had clearly demarcated areas of responsibility. In the author's view, this framework would have been the perfect model for use in post-war Iraq. A similar model was developed in Afghanistan after that intervention; this crisis remains a work in process. Its success will be determined by the ability of the world community to allocate the necessary resources to see it through.

The post-Cold War experience in peacekeeping and humanitarian operations did not result in any unifying international doctrine for fixing broken states. However, there were procedures that were reasonably effective and accepted which involved internationalization through the various bodies of the United Nations, the establishment of safe and secure environments through the use of foreign troops, shared international responsibilities under the auspices of international public and private institutions and the provision of continuing assistance after the departure of foreign troops. The US "pre-emptive" action in Iraq was carried out as though the experiences of the previous decade had not happened.

"WORST CASE" AND "BEST CASE"
PREPARATIONS FOR GULF WAR II

"We don't have a single academic expert in America who understands how Iraqi politics work in 2003, not a clue."

August Richard Norton, Boston University,
Middle East SpecialistMarch 2003 (Swidey)

When, in September 2002, the US President announced to the American people that Saddam Hussein's regime represented an immediate threat to the security of the United States, the US Central Command (CENTCOM) found itself confronted with terminating one war in Afghanistan while preparing for another war in the Persian Gulf. The command, of course, was not surprised by this development. During the preceding year, it had begun to prepare the battlefield, hitting Iraqi communications nodes and other strategic targets in the northern and southern "no-fly" zones. Planning for the ground combat began in earnest in mid-2002.

During the Afghan war, representatives of the international coalition, the State Department, and other agencies and organizations flocked to CENTCOM headquarters in Tampa, Florida. Dozens of air-conditioned office trailers were rented to provide office space for these representatives. It was quite an impressive vision of a multilateral military enterprise that reminded the author of the airport in Mogadishu when he arrived there in 1993. The US-led Afghan coalition proved highly effective in defeating the Taliban and setting up a moderately effective administration. The US decision to concentrate its forces in the Kabul area, leaving the hinterland to limited mobile special operations forces, was an acknowledgment of our limited objectives there.

In a move which the author believes was a mistake, CENTCOM decided in mid-2002 to dismiss the humanitarian expert sent to Tampa by the State Department and to move its own humanitarian planning cell "forward" to Kabul. For the military, there is something amiss when the dreaded "C" word (s): collaboration, coordination, cooperation lead to diversion of military resources from war making ends . (Tomlinson, 16-7) Splitting the military warfare and humanitarian planning responsibilities is perfectly consistent with traditional military linear thinking: you arrange your objectives in priority order, you then task order according to objectives; then you have war, then something else called transition, or peace, or whatever. Then you reassemble and go home. To the logical military mind, the war fight is the part which requires the greatest concentration of resources, and is the part that they know best. In the author's mind, the linkage between wartime and peacetime planning is essentially broken by time and distance; comprehensive planning is not possible when planners work separately. We cannot depend on commanders alone to put the various pieces together.

The distributed planning process in CENTCOM was also the technique used as the command began its intensive planning for the Iraqi campaign. War planning began in earnest in September 2002. In the following weeks, an "exercise" in moving the headquarters to Qatar was held, and the war planners moved to Qatar and did not come home.

Post-war humanitarian and political planning for Iraq began on 9 April 2002, when the State Department initiated the "Future of Iraq Project" (FIP). Leading the effort was Thomas Warrick, a veteran GS employee in the Bureau of Near Eastern Affairs, an expert on Iraq.

Developed as an "intellectual exercise" that might serve to train and indoctrinate Iraqis in the best principles of government, the FIP generated a number of working groups, as follows:

- Democratic Principles and Procedures.
- Economy and Infrastructure.
- Defense Policy and Institutions.
- Education.
- Public Health and Humanitarian Needs.
- Civil Society Capacity Building.
- Transitional Justice.
- Water, Agriculture and Environment.
- Preserving Iraq's Cultural Heritage.
- Public Finance.
- Oil and Energy.
- Local Government.
- Anti-Corruption Measures.
- Foreign and National Security.
- Free Media.
- Migration.
- Public Outreach.

According to the State Department website, the project involved Iraqi exiles and outside experts who lived in the US, Europe, the Middle East and elsewhere. The members of the various working groups were selected for their expertise. The groups were not intended to be a shadow government, nor were they to predetermine the future membership of the Iraqi government. The working groups were charged with developing broad-based recommendations, but with the understanding that the drafts would be final only after all Iraqis had the opportunity to comment on them. The author has examined the final draft report on "The Transition to Democracy in Iraq," (Democratic Principles Workshop, 2002). It presents an interesting technical discussion of the Iraqi 1925 constitution and various changes now required. It also suggests developing an interim constitution, noting that Iraq already had a series of "interim constitutions" since 1925, including one in 1972 that remained valid until the fall of Saddam (p. 12). Any new "interim constitution" would have to be interim until the Iraqi people could decide on a permanent constitution. The report also discusses how to develop a transitional government, a transitional law and justice system, the encouragement of civil society, and reform of the army, legal and judicial systems. The report concludes with a vision of what an Iraqi constitutional state would look like.

The State Department "Future of Iraq Project" produced a number of such documents, most of which were concluded before the end of 2002. There was not a lot of public interest in the FIP operation until the project was near to conclusion. According to later press accounts, representatives of the NSC and the Vice President's Office did attend certain FIP sessions (Fineman). The Joint Chiefs were part of the FIP process; the JCS was interested in the collected thoughts of the international Iraqi exile community, but their civilian masters were not (Slevin and Priest, 24 July 2003).

The United States Agency for International Development (USAID) did extensive planning with the international humanitarian organizations and nongovernmental organizations. AID Administrator Andrew Natsios showed his usual energy and competence and smoothed the way for NGOs, some of whom had encountered bureaucratic resistance.

Because of the sanctions regime, it was necessary to obtain a permit from the Treasury Department to visit Iraq. Several NGOs complained of bureaucratic inertia; there was an ambiguous statement in early January by the State Department spokesman in reply to these complaints: "...We don't want everybody, everywhere..." It would be interesting to know who prepared the original guidance, but it was quickly "fixed." (State Department sources).

In September 2002, Douglas Feith, Under Secretary of Defense for Policy, established the "Special Plans Office" (SPO) to study post-war Iraq. The activities of this office are still not well known. Quite in contrast with the State Department FIP project, the SPO operated in secret, on a "need-to-know" basis, and few invitations were extended to take part. Center among the Iraqi exiles who were involved in the SPO operation was Ahmad Chalabi, exiled from his native Iraq since his childhood, and a leader of the Iraqi National Movement (INM). Chalabi believed that the Iraqi leadership would collapse under the pressure of an invasion, and that the invading forces would be universally welcomed as liberators. With Iraqi national institutions still in place, the invaders could simply install a friendly leadership (Chalabi, one assumes), weed out the Ba'athists and the worst collaborators of Saddam and then prepare for their departure. As a convicted felon (alleged banking fraud conviction in Jordan), Chilabi has detractors all over Washington. Both the CIA and State looked upon him as an opportunist. General Tommy Franks, Combatant Commander for CENTCOM, also provided representatives of his planning group, tagged "Task Force Four,"to the SPO. The image of the State Department and the Joint Chiefs working in one direction and the CPO and TF-4 working in another gives a picture of confusion that is totally atypical of what Americans expect of the US Government and military.

There is always a suspicion in dealing with exiles that their realities have little bearing on the actual situation in country. It has been the author's experience with many exiles over the years that their sensitivities — "situational awareness" — of what is happening in their home countries are dulled by nostalgia, bitterness and self-interest. In history, there are few, if any, examples of exiled politicians who were able to regain authority in their homelands. Those few successful ones (de Gaulle comes to mind) could not have done it without the use of foreign forces. In the case of Chilabi, it almost defies logic to imagine that someone who left the country as a child would be able to command a substantial following in that country. Although the CIA has a considerable history of encouraging exiles, it opposed crediting Chilabi with any special standing. There is also the problem of making judgments about anyone's chances in Iraq. Judity Yaphe, a former top CIA analyst now a senior fellow at the National Defense University, states the problem succinctly: "There's nobody in this country (the US) who really know the internal dynamics, the fabric of how Iraq works,"(Swidey).

In the meantime, several hundred military personnel were sent to Kuwait in late January. Working long days and nights, planning documents were developed for reestablishing public services, mobilizing the Iraqi civil service and installation of a friendly government. Particular importance was given to Iraq's lagging health sector. It was known that UN sanctions (and Saddam's parsimony) had caused substantial degradation in the health of the population. Planners believed that there was a strong possibility of a severe humanitarian crisis after the land campaign was completed.

The United Nations, which had been cold-shouldered by the US administration after the US failed to gain sufficient votes in the Security Council for a clear mandate for war in Iraq, established its humanitarian planning center at Larnaca, Cyprus in late 2002. It later opened a sub-office at Amman, Jordan, thinking that Jordan was likely to absorb the first rush of

refugees of war. Anyone who wished to develop an coherent view of humanitarian planning for Iraq would have to do a lot of traveling.

At the turn of the year, with the movement of personnel and materiel towards the Gulf, there was still no one responsible for coordinating the civilian post-war response. According to various press reports, on 9 January 2003, Douglas Feith, Under Secretary of Defense for Policy, placed a call to the Manhattan office of retired Maj. Gen. Jay Garner. Garner had distinguished himself in the first Gulf War as commander in the Kurdish North, and he was highly regarded by Defense Secretary Rumsfeld. Garner was asked to take charge of the civil side of the operations in Iraq. He came on board on 17 January, just 62 days before US forces crossed the berm into Iraq. On 20 January, the President decided which agency would be in charge of post-war Iraq. He issued a decree putting the Defense Department in charge and creating the Office of Reconstruction and Humanitarian Assistance (ORHA), with Jay Garner as chief. His chain of command went through Tommy Franks and CENTCOM. Garner quickly put an office together, borrowing liberally from the State Department. Peculiarly, Tom Warrick, the State Department coordinator for the Future of Iraq Project, was notified to report to ORHA, but, at the last minute, was told that his services were not required.

In his role as overall coordinator, Garner had his first general meeting of all US agencies involved in post-war planning on 21-22 February. The majority of coalition forces were already on the ground in northern Kuwait when the meeting took place. Garner held a "rock drill," a military term for a full review of all the operational issues. As one participant said, "The messiah could not have organized a sufficient relief and reconstruction effort in that short a time." (Fineman) Many, many gaps in planning and coordination were uncovered in the discussions. The poor state of planning for the humanitarian side of the operation contrasted strongly with preparations of the military side.

Convinced that Saddam could mobilize quickly elements of his store of weapons of mass destruction (WMD), the war plans included many contingencies. In a 7 July press conference, Undersecretary Feith later summarized the problems that were anticipated: "Iraqi destruction of the oil field, Iraqi chemical and biological weapons use, large-scale refugee flows across border, large numbers of internally displaced person, food shortages, large-scale ethnic bloodletting, Turkish-Kurdish fighting, a collapse of the Iraqi currency and a long list of other horribles" (Feith, 7 July 2003). The front line troops would be provided with the latest in chemical warfare gear, including airtight anti-chemical suits, detectors and cleaning facilities. Biologicals were also a concern; every military member in theater had received injections to counteract anthrax toxins. To be prudent, the troops were equipped and exercised against all conceivable "worst case" situations.

The story of the war need not be recounted here. The campaign was well-planned, a quick dash to Baghdad to cut the head off the snake, and then a series of follow-up battles to cover their flanks and to protect the rather tenuous supply lines.

The speed of the campaign, in fact, seemed to thoroughly confuse Iraqi leadership; the destruction of command and communication centers ensured that Iraqi force concentrations could not respond to tactical shifts by coalition forces. From the outset of the campaign, the Iraqi air force, still affected by its debacle in the first Gulf War, did not launch a single aircraft. It took only 19 days for US forces to subdue the major portion of Iraq's military and to have forces in Baghdad. On 9 April, US forces entered Baghdad.

Operation Iraqi Freedom also included some humanitarian considerations in the war strategy. The use of precision weapons avoided much collateral damage. The dash to Baghdad had the effect of freezing the civil population in place; there were no serious issues pertaining to displaced persons. Senior administration officials still say that "there was no humanitarian disaster" in Iraq. That may be true in a certain sense, but the chaos that followed the US victory in Iraq was not planned for, and the looting and burning of much of the infrastructure of government in Baghdad could have been avoided with wiser planning. Already in terrible shape after sanctions, Saddam's neglect, and precipitous decisions to dissolve the Iraqi army and fire everyone who belonged to the Ba'ath party, Iraq has been reduced to the condition of a failed state.

Some mistakes were made in targeting that complicates the post-war environment. US forces were already in the outskirts of Baghdad when Iraq's radio and television broadcasting center was destroyed. As a result, in the weeks that followed the end of hostilities, the only TV broadcasts that were available to the Iraqi public were on *al-Alam*, an Arabic language station broadcasting from Iran. It is stridently anti-US in tone. One of the most crippling problems affecting the reconstruction process has been the lack of a telephone system. The Iraqi telephone system was destroyed well into the war; had it been available to the Iraqi public after the war was over, it would have done much to relieve anxieties about the whereabouts and welfare of relatives. (See Rodenbeck) One of the major complaints of the civilian component of the occupation has been the lack of adequate local and international communications.

The transition from war to peace could not have been much uglier. US soldiers had not been prepared to defend Baghdad's public buildings, whether they be the Ministry of Foreign Affairs or the National Museum. Journalists reported soldiers standing by without instructions as looters and arsonists reduced to ashes all symbols of the previous regime. Despite Secretary Rumsfeld's characterization of the chaos as representing the "untidiness" of war, the failure to provide some cover to state infrastructure shocked the world and was the source of considerable embarrassment to the US effort. Worse yet, the razing of Baghdad by its liberated citizens froze the post-war political process. Because of lack of security, Jay Garner had to delay his arrival in Baghdad until 21 April. The power vacuum exacerbated the lawlessness of the period; one local leader (later arrested) took the opportunity to proclaim himself mayor of Baghdad and to post notices of employment opportunities. The White House decided to hasten the planned replacement of Garner, and on 6 May, the President appointed retired diplomat Paul Bremer as his special envoy to Iraq. He arrived in Baghdad on 12 May as the head of the newly-constituted Coalition Provisional Authority (CPA). The ORHA was dissolved, and many of its staff were absorbed into the CPA. Bremer reports to the White House through Secretary of Defense Rumsfeld.

In some telling comments, Paul Wolfowitz, Deputy Secretary of Defense, admitted to the press after a quick visit to Iraq in July 2003 that the administration had "underestimated the problem"of the post-war (Slevin and Priest). In that same article, Richard Haass, president of the Council on Foreign Relations and until recently, head of the Policy Planning Office in the State Department, observed that while the military is often accused of planning for the wrong war, "the administration planned for the wrong peace." What appears undeniable in retrospect is that while anticipating the worst cases in the war fight (WMD use, broken dams, oil fields on fire, etc.), the US administration anticipated a "best case" situation for post-war Iraq (See Fineman).

THE INTERNATIONAL DIMENSION OF POST-WAR IRAQ

As this article is being completed, there has been an apparent course change in US relations with the United Nations. This decision, seemingly an agonizing one for certain senior officials, has been inevitable since outset of the Iraqi operations. The world expects the United States to be a law-abiding member of international society. By turning its back on the United Nations, the US showed a careless disregard for the international standards that the country worked so hard and so long to establish. Lacking a proper mandate from the Security Council, the US sets a poor example for the maintenance of international peace and tranquility. It also complicates our ability to negotiate with France and Germany, who have chosen to make Iraq a matter of principle.

Many observers believe that it is already too late to create an effective multilateral framework along the lines of previous UN-mandated operations: "...the US is providing more than 90% of the military manpower and money required for the reconstruction. This will change only if the US proves ready to share power, as we did in Kosovo, Bosnia and even Afghanistan. We must yield enough authority to NATO, the World Bank and the UN to give other nations a stake in the reconstruction that is commensurate with their contributions, while preserving enough American influence to keep the mission on course." (James Dobbins, 17 July 2003.) In a similar perspective from before the conflict began by two highly-respected former diplomats: "From the beginning, the United States and its allies should begin laying the groundwork for a short-term, international- and UN-supervised Iraqi administration, which includes strong international participation (perhaps along the lines of the relationship between Lakhdar Brahimi and the Afghan Interim Authority), with an eye toward the earliest possible reintroduction of full indigenous Iraqi rule" (Djerejian and Wisner, 6).

It is one of the disappointing ironies of the US administration's coolness towards the United Nations organization at the conclusion of major combats in Iraq that it fails to realize that "legitimization" is one of the major political functions of the UN. The UN Security Council and General Assembly have conferred sovereignty and recognition to many dozens of countries in the past 50 years. UN recognition of the de facto US-UK control of Iraq through a Security Council resolution, would also facilitate the development of the rule of law in Iraq.

Despite the enormous presence of the United States on the world scene since it because a world power during the Second World War, Americans tend to be quite insular and skeptical in their attitudes towards the outside world. Americans also have little knowledge and curiosity about history. Most Americans are the descendants of immigrants, and, allowing for some usually good-natured competition between immigrant groups, we are detached from non-US history. We are traditionally a people who look ahead rather than backward.

This characteristic also applies to relatively recent history, including such major events as the Second World War. In the termination of that conflict, the winning powers were persuaded that an international organization was needed to regulate relations between states; a forum was developed to ensure that quarrels between states could be mediated through open debate. The UN Security Council was created to prevent the kinds of events during the 1930s which led to the global cataclysm of The Second World War. Among the events

leading to that war were unilateral military moves by the German army into the Saar, Czechoslovakia and ultimately, Poland. Other precursors included the movements of Japanese troops into Manchuria, Korea and China. The Italian campaign in Ethiopia in 1935 saw a modern army opposing troops armed with swords and leather armor. These historical events appear to be totally lost on that small but highly vocal portion of the US population that hates the UN and would be pleased if it disappeared, or at least, departed from the shores of the United States. The internet fairly sags from the weight of the number of web sites devoted to disparaging the United Nations.

The role of non-governmental organizations has also come under attack from the radical fringes of US politics. Groups with firm ties to prominent officials in the current US administration such as the American Enterprise Institute (AIE) has recently taken NGOs to task for their unregulated "global governance" and lack of accountability to national authorities (Lobe, 13 June 2002).

In the buildup to the war with Iraq, the Administration had the full support of the United Kingdom, but it was unable to persuade the other three "permanent" members of the UN Security Council to agree to authorize the war with Iraq. Politicians who either do not understand the mediating role that the US and its WWII allies planned for the UN or are not ready to forgive any form of opposition to their war plans for Iraq depersonalized the US diplomatic failure in New York by referring to the UN as "them" as though somehow the US is not a full member of the UN. Responding to charges of administration "unilateralism," and its failure to secure a UN mandate authorizing operations in Iraq, Undersecretary of Defense Douglas Feith retorted that "it is also unsatisfactory...to assume that the UN or any other international organization is inherently more legitimate, wiser or more proper a check and balance on the President than are the institutions envisioned in the US Constitution" (Feith, Douglas, 7 July 2003).

The absence of a UN mandate has been cited by a number of potential partners as a preoccupation that prevents the deployment of their national units to assist the allied force in Iraq. This position by prospective interested coalition partners, including India, which was apparently ready to contribute a full division to Iraq, is in full conformity to Chapter VII of the United Nations Charter.

If the elimination of Saddam Hussein's bloody rule in Iraq made the world a better place, then the United States must persuade the world that it acted in a way that was proportional to the threat that Saddam posed to the world community. "Fear and awe" are operational concepts that are very effective when going to war. They are absolutely antithetical to any kind of civilized discourse between nations.

Given the institutional and philosophical reluctance of the United Nations and its specialized agencies to be seen as instruments of a military operation, the UN found itself in a considerable dilemma at the outset of military operations in Iraq. From the UN perspective, the US had turned away from the UN Charter after US diplomacy found opposition on the Security Council. Yet it could not turn away from the expected plight of the civilian victims of war. There had to be a way to assist the prospective victims without being identified as part of the wartime coalition.

In what appears to the author to be an unprecedented action, the UN Office for Coordination of Humanitarian Affairs (OCHA) published on 21 March 2003 in New York a

document "General guidance for interaction between United Nations personnel and military actors in the context of the crisis in Iraq" (See sources). In this document are laid out the fundamental ground rules for all interactions between UN personnel and all military forces in Iraq, "including Iraqi forces." As a manifesto to be used by the military forces, the document restates the traditional principles of humanitarian aid, including operational independence (freedom of action), unrestricted access to all "vulnerable populations," neutrality and impartiality in aid distribution, and the need for security for UN personnel.

The document lists a number of permissible actions by UN staffers, including communications and liaison links with the military for discussion of security information, provision of location data for UN facilities and programs in Iraq to facilitate understanding of UN humanitarian plans and intentions, deconfliction of humanitarian convoys and airlifts to avoid potentially dangerous confrontations, information on population movements, post-strike locations and munitions use, and safe areas and safety zones.

Other areas in which UN personnel are permitted to work with the military are cross-border passages, air operations clearances, ID cards and NGO liaison. Invitations could be extended to military personnel to attend UN coordination meetings on "specific agenda items of concern." Participation in information sharing and facilitation is also permitted at military-sponsored Humanitarian Operations Centers (HOC).

The impermissible action list demonstrates more sharply the sensitivity of the international humanitarian community to its image. The following actions are to be avoided:

- Collocation of any UN personnel with military forces or in HOC facilities, including:
- No UN staff to be physically collocated or to establish offices within HOC facilities;
- No UN emblems to be displayed with HOC facilities;
- No standing invitations for military representatives to UN coordination meetings;
- No publication or disclosure to the media of the details of liaison arrangements or individual communications, unless specifically authorized by the (UN) Headquarters duty officer (HC/DO) or in accordance with the media guidance issued by the Steering Group on Iraq;
- The use of any military assets for humanitarian operations should be exceptional and only a last resort. UN guidelines for the use of military assets were also issued in March 2003 (See: www.reliefweb.int/mcdls/mcdu/mcdu.html).

In this first version of the ground rules for working on the same battlefield with the military, OCHA takes exception to the very close relations that prevail for the US Agency for International Development (USAID) Disaster Assistance and Response Teams (DART). Since the beginning of post-Cold War US participation in peacekeeping and humanitarian operations, the US military has used DART teams for initial response and planning. DART teams, usually composed of eight to ten members have special facilities to cut through red tape and to write checks for immediate response to disasters of all kinds. The following language was used in the initial guidance, but without comment, it was somewhat revised and then removed in later editions:

> *"Liaison with US Disaster Assistance and Response Team (DART). Given the mixed military and civilian characteristics of the DART teams the UN needs to carefully consider the manner in which it cooperates with these teams. While UN agencies may be able to benefit from the findings of early DART assessments (and mindful that any UN assessments could only take place subject to prior security clearance of a UN deployment by the UN Security Coordinator [UNSECOORD]), too close an affiliation with the teams may undermine the perception of the UN's neutrality and impartiality. Therefore, UN agencies should establish a principled yet pragmatic relationship with the DART teams."*

An updated version of the General Guidelines was published on 9 April, less than three weeks after the first one. Although restructured, the rules and guidelines remain, including the special guidance regarding association with DART teams. Version 03 of the General Guidelines was released on 8 May 2003. With major combat ended, the new guidelines maintain the same scrupulous concerns about working alongside the military. However, the new document now includes a section entitled "Practical guidance for interaction with the Office of Reconstruction and Humanitarian Assistance" (ORHA). Seemingly much encouraged by the establishment of a predominantly civilian office, the guidelines describe the functions of ORHA and specifies that the "humanitarian pillar" of the ORHA will the "main entry point" for UN humanitarian liaison and communication with the "Occupying Power" and its civilian and military representatives.

OPERATIONAL ASPECTS OF COMPREHENSIVE PLANNING

The US military focuses a great deal of its exercise and training time on resolving the issues created by the presence of representatives of international humanitarian and nongovernmental organizations on the battlefield. Each US regional combatant military command seems to handle these vital relationships in a different manner. Only one US regional command, in the author's view handles its relations with international humanitarian and nongovernmental organizations in a positive manner. The US Southern Command (SOUTHCOM) includes a database of prospective humanitarian workers in its deliberative planning process. This is attributable to a number of factors, not the least of which is that SOUTHCOM is required to be ready for natural disasters. Its headquarters maintains regular liaison with the UN and other private agencies that is likely to be working with on the humanitarian battlefield.

In another regional command, the author was once briefed on one significant unit's information and psychological programs (Psyops) and was surprised to see among the list of prospective "enemies" on the battlefield were included NGOs and representatives of the press. At the National Defense University (NDU), the nation's premier war college, the author was recently informed by a staff member that no one may mention prospective civil-military cooperation with entities of United Nations humanitarian agencies. This attitude does not bode well for future military operations. On another level, however, the State Department budget continues to include funding for UN specialized agencies.

Humanitarian agencies are concerned about the planning of the Defense Department to "embed" humanitarian assistance in US military operations. For these agencies, notion of

combining military and humanitarian operations represents tendencies towards "increasing militarization of humanitarian aid" This could represent an increasing risk that "aid organizations will become subordinated to a prescribed political and military logic" (Runge, 2003, pp 2-3).

Whatever direction the Defense Department takes in developing its relationships with non-US agencies, there is little evidence that its positions are being communicated adequately to the war fighters. The author has access to a number of e-mail messages from civil affairs officers in Iraq. In March, one civil affairs officer wrote: "...the military here has no clue about the humanitarian relief strategy, or where there even is one..." Many administration officials complain that things are going much better than portrayed in the press. But civilians on the scene in Baghdad complain that, until recently, there were no professional public affairs people sent to the assistance of the CPA. There has been little proof of comprehensive planning for the current operations in Iraq.

In a collaborative effort developed in the State Department Bureau of Population, Refugees and Migration (PRM), Assistant Secretary of State Arthur "Gene" Dewey made the effort to travel between the various planning centers prior to the outbreak of hostilities. The model used for his survey is reproduced as TBA A to this paper. Looking at the various issues that require military support to humanitarian efforts, Dewey solicited the views of NGOs and the military command preparing for combat in Iraq on issues of point security, area security, general security requirements, logistics, communications, civilian displacement, military targeting, information, coordination and the role of military civil affairs. The responses of the Coalition Forces Land Component Command (CFLCC) to these specified and implied tasks are shown in the tab. This kind of contractual approach shows a way to achieve meaningful cooperation and understanding at the operational level. This approach would be a useful one for the Cornwallis Group to explore. It may be that such arrangements cannot be obtained at the strategice levels but are feasible for those people who are condemned to struggle on the same battlefield.

RANGE OF SPECIFIED/IMPLIED TASKS
IN SUPPORT OF HUMANITARIAN ACTION
(Updated March 11, 2003)

SECURITY

POINT SECURITY

1. Relief supply warehouses.
2. Food distribution points.
3. Medical immunization points.
4. Relief agency motor pools, maintenance sites.
5. Water purification sites.
6. Human rights monitoring teams.
7. Forensic experts at crime scenes collecting evidence.
8. Be prepared to protect eminent visitors from US, IO, NGO ranks.

NON-GOVERNMENTAL ORGANIZATION (NGO) VIEWS

- NGOs may want to start operations without point security – more risk to have uniforms with them than to be on their own, unless circumstances prove otherwise. But, if they need, they do want it.
- Military needs to consider protection for hospitals, police stations, prisons, property records, party lists, etc.
- Need to identify ethnic fault lines now as these areas more prone to security problems.
- NGOs will not want to share warehouse space with military – will prefer to use UN facilities.

COALITION FORCES LAND COMPONENT COMMAND (CFLCC) VIEWS

- Protection of relief warehouses is already a specified task.
- Points on food distribution through human rights monitoring cannot be covered in early days. Later on some of these can be covered, perhaps using Iraqi civilian police. CFLCC noted that human rights monitors without troops may not be effective.
- CFLCC will provide point security to US visitors, sometimes IOs/NGOs.
- CFLCC noted that policy guidance has not been received on what laws police will follow.

AREA SECURITY

1. Convoy escort of high value, critically-needed relief supplies.
2. Area security around threatened IDP camps/clusters.
3. Backup police in ethnically tense neighborhoods.
4. Help pre-empt scorched earth practices (as in the 1996 Serb burning of Sarajevo's suburbs) and use of larger WMD such as torched oil fields.
5. Assure rear area security, where relief workers must operate, either through direct civil policing, or in backstopping reliable indigenous police forces.
6. Sweeps for mines and main humanitarian LOCs.

NGO VIEWS

- Again, need to look at ethnic fault lines in advance in order to protect vulnerable populations.
- Need to prepare for asylum seekers at borders and allow them access/movement.
- Are there plans for screening of persons fleeing cities?

CFLCC VIEWS

- Convoy security (as above) will be provided or military will provide actual delivery.
- Area security around IDPs will be provided.
- All other points will be met to the best of their ability. Military demining will be conducted but to military standards of removal, which are less complete than humanitarian demining standards.

GENERAL SECURITY

1. Assist in disarming combatants and in demobilization.
2. Provide regular intelligence updates on security conditions.
3. Evacuation of TCNs.
4. Assistance where possible to civilian humanitarian workers in avoiding, coping with, and escaping from a WMD environment.

NGO VIEWS

- Human rights monitors from UN — UNHCR may be better suited to perform protection functions than UNHCHR.
- Child protection officers may also be needed.
- Issues in north with PKK, especially border security.
- What will military do for CBN victims?

CFLCC VIEWS

- Will assist in disarming, but waiting for policy guidance on whom to include in disarmament.
- Intel updates through HOC.
- WMD decontamination - unable to provide these services, hoping units in Kuwait (such as Czech unit) will assist. CFLCC has some ability to help in food and water sampling to check validity of Chem/Bio contamination reports/rumors.

LOGISTICS

RETAIL

1. In general, only in extremis due to extreme security and/or difficulties.

2. Retail transportation assistance while civilian agencies are in the process of arranging contracts with civilian truckers and air transporters.
3. Fuel – while civilian pipelines are being extended to areas of relief need, be prepared to advance fuel supplies to civilian agencies, to the extent the military safety level permits, and with the proviso of repayment. Be prepared to assist in transport of fuel on an emergency basis.

WHOLESALE

1. Transport (usually by air) of high priority relief articles (e.g., measles vaccine, oral re-hydration, and water purification teams/kits) and/or outsize cargo such as water tankers.
2. De-confliction of military and civilian competing infrastructure, port, transport, service requirements (This should be done in the HOC, and the CMOCs).
3. Standardization of local national salaries, fees, infrastructure lease, and contractual procedures to avoid military overbidding and undercutting essential civilian requirements in these areas.

NGO VIEWS

•   Humanitarian daily rations (HDRs) — 3 million not enough to have much impact. Are there any more in the production pipeline? Is there money in DoD to ramp up production?
•   Military may need to deliver food in areas of insecurity.
•   Need to get hold OFF food deliveries in transit for use in Iraq.
•   NGOs hope military will consider certain NGO shipments high priority for use of roads, even during times of heavy military usage.
•   Military may be called upon by NGOs to transport goods and personnel during times of insecurity, etc.
•   Questions on whether Un Qasr will have room for NGO supplies.
•   Standardized salaries would be nice, but may be unrealistic.
•   All actors should pay attention to hiring Iraqis from cross section of ethnic groups.

CFLCC VIEWS

•   Kuwait may supply free fuel to humanitarians - they are doing so now for the coalition forces. Shortage of tankers may be issue – most /all in Kuwait already used to supply coalition.
•   Issue of water applies mainly to the South. Coalition has assets (military landing craft, four reverse osmosis units from the UK) to assist in getting potable water to South.

- Military very interested in salary standardization but not sure realistic. They are now planning on local wages at $10 per month.

COMMUNICATIONS

1. Cooperate in harmonizing frequencies.
2. Be prepared to advance selected items of equipment (to be returned or repaid) while civilian pipeline in catching up.

NGO VIEWS

- May need military assistance in getting repeaters up.
- Still not getting radio equipment into Iraq because of OFAC restrictions.
- UN should work on communications standards for NGOs.

CFLCC VIEWS

- Frequencies already harmonized.
- Advancement of equipment could be done on a case by case basis.

CIVILIAN DISPLACEMENT

1. Do no harm. Respect and enforce international humanitarian law.
2. Extend services to relieve acute hardship where needed and where possible.
3. Communicate information on movements, with priority to relief needs of persons on the move, to civilian relief agencies, especially UNHCR, IOM and UNICEF.
4. Facilitate, not block, movement of asylum seekers to and through international borders.

NGO VIEWS

- Ensure that family separation is not increased by military procedures.
- Identification of unaccompanied children and child soldiers and then informing civilian actors (UN, etc) would be important function for military in forward areas.

CFLCC VIEWS

- CFLCC noted that there may not be a lot of internal control in the short term.
- Did not see any problem for refugees or IDPs fleeing. Did not indicate extensive screening/vetting of refugees would be done or inhibit flight.

MILITARY TARGETING

1. Avoid collateral damage to both persons and infrastructure.
2. Assure civilian input to targeting that avoids micro-managing and slowing up the process, but assures a quality check before the target is cleared and the ordnance is punched off.
3. A political-military-humanitarian quality control is required to balance military exegencies with civilian infrastructure and humanitarian necessities.

NGO VIEWS

- Try to get military not to use landmines, even ones that "self-destruct." Evidence is that they don't destruct reliably.

CFLCC VIEWS

- Targeting done this time highly, highly accurate. All bullets covered. NGO view on landmines not accurate on their inability to self destruct.

INFORMATION OPERATIONS

1. Assure political-military sign-off on psyop themes and individual products.
2. Provide both hardware and software support to IOs in the articulation the humanitarian message and operations.

NGO VIEWS

- Need to be prepared to deliver CBRN messages to dispel rumors.
- Need to be working on HA messages now.
- Need to make messages culturally sensitive.
- Need to prevent hardliners, spoilers from manipulating local media.
- Media/IO can be used to assist family reunification.

CFLCC VIEWS

- Okay with above.

COORDINATION

1. Ensure that the HOC, and CMOCs, retain their essentially civilian character, and do not degenerate them into "military" operations centers.
2. Give at least equal standing to a civilian co-chair of the HOC and the CMOCs.
3. Use Army Civil Affairs persons as the secretariat for the HOC and the CMOCs.
4. Ensure that military representation in the HOC and CMOCs is drawn from the <u>operator</u> class, and not be left up to Civil Affairs alone.
5. Keep the physical locations outside the "wire" to ensure easy access for civilian agencies.
6. Both civilian and military operators need to keep in mind that the center of gravity of humanitarian action is the multilateral, mainly, UN, system. The task of the military, DART teams, NGOs and other participants is to make that multilateral system work. Their main purpose is to extract maximum productivity out of the multilateral system on behalf of Iraq's innocent civilian beneficiaries and the national taxpayers that are funding the effort.

NGO VIEWS

- Important to get UN into HOC and CMOC structures to give a civilian face.
- Need declassified information from military, through the HOC, quickly during/after action.
- What will HOC/CMOCs look like inside Iraq?

CFLCC VIEWS

- Perhaps ORHA will be civilian co-chair of HOC. Want to push ORHA to more visible role in HOC and diminish visibility of military.
- Mil representation in HOC is from operator level already.
- HOC is outside wire.
- CFLCC agrees with primacy of UN/IOs/NGOs for humanitarian assistance.

ROLE OF ARMY CIVIL AFFAIRS

1. To make military commanders smart on the UN and other parts of the multilateral relief system, as well as on their NGO implementing partners.

2. Civil affairs personnel will concentrate on two major functions:
3. Conducting community-based assessments to provide a situation analysis concerning economic opportunity, security, ethnicity, infrastructure, emergency need. To provide this information to UNHCR and other international organizations concerned with advising civilians concerning their displacement and their eventual return to their homes.
4. Identifying, in the course of these assessments, light infrastructure projects for implementation by civilian relief and development agencies, that will help facilitate return and sustainment of refugees and displaced persons, and forestall movement in the first place whenever possible.
5. In general, Civil Affairs persons will not implement humanitarian or light infrastructure projects. If, exceptionally, they were to do so, they would need to be in uniform to distinguish them from the mandated humanitarian actors. In sum, Civil Affairs personnel will concentrate on project identification – not implementation.

NGO VIEWS

- Add to CA taskings the identification of vulnerable groups and gap filling until UN/NGO actors arrive. Pass these taks to UN/NGOs ASAP.
- Reach out to teachers, nurses, women to get holistic picture of local environment. Don't simply rely on local (male) leaders for information.
- As information is collected, good to disaggregate by age and gender.
- US military has highre level of responsibility due to the 4th Geneva convention.
- Demarcation of mine fields by military key.
- Military may need to move money into Iraq for NGOs initially.
- Need to guard against sexual exploitation by US military.

CFLCC VIEWS

- Phase III emphasis for CA will be on assessments and emergency projects. ODHACA funds will be available and will be used for heart/minds and emergency projects.
- Overal CFLCC agreed with majority of PRM and NGO points and was receptive to the list. List left with CFLCC C9 commanders.

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