

Helping neighbours in trouble?

Disaster response in global governance.

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Introduction

Helping neighbours affected by a disaster would appear to be the most natural thing to do, if only because we hope the same neighbours will help us if we run into trouble.

What if neighbours are not individuals but states? States experience a range of specific constraints and avail of a range of resources unknown to individuals. Besides, the society of states obeys its own rules and follows its own etiquette. This paper focuses on the responses states provide to disasters outside their borders. One important dimension is of course the responses states provide to disasters within their borders. States can ignore disasters and their consequences, or provide ruthless answers, disregarding the suffering and expectations of people affected by these disasters. In contrast, states can be responsive and provide answers that meet the expectations of those affected.

In international society, the idea that regional answers could be best suited to disaster response was generally accepted with interest, at least initially (Job, 2000). The issue explored here is the extent and relevance of regional responses to disasters.

Disasters are traditionally categorised as 'natural' or 'man-made'. The first part of this paper questions the relevance of this dichotomy. In the second part, the evolution of global disaster response systems in recent times is traced. While the differences between the international mechanisms that underpin responses to natural disasters and man-made disasters are recognised, the main focus is on recent developments in global security that tend to minimise the differences between both types of responses. It is argued here that the evolution of global disaster response systems and their architecture leads to question previous distinctions in terms of the nature of disasters and corresponding legal frameworks.

The regional dimension is then introduced. Specifically, the issue here is the nature of regional governance. On the one hand, it is recognised that regional governance systems should not be regarded as closed/self-sufficient and should not be thought of as complete substitutes to global governance systems.

At the same time, stated improvements in regional security should be clarified – whatever the obviously contested meaning of security. If the global disaster response system is evolving and if regional arrangements are supposed to act as a buffer against the full pressure of this global governance system, how should we assess the performance of a regional organisation? The focus is here on major ‘natural’ disasters that have affected Asia in the past ten years, and ASEAN’s response to the Indian Ocean tsunami and cyclone Nargis in particular.

Natural and man-made disasters

The distinction between acts of God and acts of man is long-standing. An earthquake, a tsunami, a volcano eruption obviously belong to the first category, while an international conflict, an act of terror or a civil insurgency obviously belongs to the second. Nonetheless, the assessment is different if one focuses on the impact of disasters on human lives instead of the nature of the event. The secession of Slovenia from Yugoslavia did not result in large numbers of casualties, but the independence of Croatia and Bosnia-Herzegovina did. The number of casualties resulting from earthquakes in California over the past 100 years was low, but it was high in China, Iran or South Asia. Vulnerability is a key element. Low construction standards lead to higher numbers of casualties in earthquakes. Poor maintenance of dykes and levees lead to higher numbers of casualties due to floods. Low levels of immunization lead to higher number of casualties in epidemics like measles. Effective advance warning systems, when coupled with effective communication systems with communities living along vulnerable shorelines, help mitigate the impact of cyclones/hurricanes/typhoons and tsunamis.

This suggests a difference of degree rather than of nature (natural vs. man-made) when we talk about disasters. The issue is: to what extent are human casualties the result of an unpredictable event? To what extent are human casualties the result of inadequate preparedness, oversight, lack of resources, insufficient political will, etc?

Another important point is that there is no obvious distinction between domestic and global crises. One key dimension is the scale of the disaster; another is the capacity of a government to respond. The response to natural disasters is co-ordinated by the government of the country where it occurs, even though other state and non-state actors may be involved and play a significant role in the delivery of emergency assistance. Most disasters that elicit an international response happen in resource-poor countries. This is in particular the case in conflict situations, which trigger large-scale population displacements.

The response to major natural disasters: a global governance approach

The second reason why the distinction between natural and man-made disasters may not be relevant in the case of large-scale disasters is that these supposedly natural disasters often cut across political fault lines. The main geophysical disasters of the past five years in Asia include the Bam earthquake in Iran (2003), the Indian Ocean tsunami (2004), the Kashmir earthquake (2005), cyclone Nargis (2008) and the Sichuan earthquake (2008). Two of the regions most affected by the Indian Ocean tsunami (the Aceh province of Indonesia and the eastern coast of Sri Lanka) were areas affected by protracted civil insurgencies. Within the Red Cross and Red Crescent movement, while national societies (and the

international federation) usually have the responsibility to respond to natural disasters, the International Committee of the Red Cross steps in when a disaster happens in a conflict area. Similarly, within the UN system, UNDP usually has a coordinating role but UNHCR takes over in areas affected by violent conflict and civil insurgencies. The Kashmir earthquake similarly struck in a region that has been disputed for six decades, which led to three wars between India and Pakistan.

Both the Bam earthquake and cyclone Nargis touched a different kind of political fault line. The regimes governing Iran and Myanmar are rather isolated internationally. In particular, they are viewed by the US as hostile regimes that violate human rights, and therefore placed under various levels of sanctions. Understandably, international responses to these disasters are affected by these diplomatic fault lines. In particular, while over US\$1bn was pledged in assistance following the Bam earthquake, only US\$17m had materialized a year later. Whether responses to the Sichuan earthquake were affected by political factors is debatable: the region hardest-hit by the earthquake was close to areas inhabited by the Tibetan minority and unrest was reported in Tibetan areas in the months preceding the earthquake (as well as criticism in the West), but the efficient and organised response of the PLA in such disasters is usually expected. Nonetheless four out of five major natural disasters in Asia in the past five years clearly cut across political fault lines.

What is of interest here is that outside intervention pressure builds up when a country presents dual – or two-level vulnerability, e.g. both at the state level and at the level of the community affected by a disaster. Myanmar after cyclone Nargis is a typical example. To the long-standing criticism that the regime violates human rights systematically, a new line was added: the junta not only failed to provide aid to the people it rules but also denied entry to those willing to help in the aftermath of a huge disaster.

What is the evolution of disaster response systems at the global level?

At the local level, in the US, it has been argued that the thinking regarding disaster response changed following 9/11. Instead of focusing on the nature of disasters, the emphasis is now on the nature of the response. Whether it is a hurricane, an industrial accident or an act of terror, the most important point is an integrated, or more accurately a well-coordinated capacity to respond. In particular, on 9/11 as in the aftermath of Hurricane Katrina, people died because of poor communication between the various authorities and departments involved (Caruson & MacManus, 2008).

Many observers have noted the evolution of the international response system over the past two decades and in particular discussed humanitarian intervention (Weiss, 2004; Ignatieff, 2002; Schnabel & Thakur, 2000; Nederveen Pieterse, 1998; Teson, 1996; Ramsbotham & Woodhouse, 1996; Weiss & Minear, 1993) following the introduction of the concept of *droit d'ingérence*, or right of intervention (Kouchner & Bettati, 1987; Deng F, 1993). Humanitarian intervention was defined as the use of military forces to address violations of human rights. Such interventions were sometimes carried out with a UN mandate, sometimes without. NATO's intervention in Kosovo was criticised by many as an illegitimate intervention, as it was initiated without a UN Security Council mandate. In contrast, the intervention in

Afghanistan, in the aftermath of the 9/11 attacks, was approved by the UN Security Council. And in 2003, a US-led coalition invaded Iraq in the absence of UN approval.

While most Asian countries, like most countries elsewhere, disapprove of 'illegitimate' interventions, e.g. those without a UN mandate (Watanabe, 2003; Tay & Sukma, 2003), my argument is that such UN approval is just one dimension of so-called 'humanitarian' interventions and that other dimensions of the global security system should not be overlooked. Specifically, the evolution of that system over the past 20 years was marked by:

- The emergence of a mono-centric (or unipolar) security system following the end of the bipolar one.
- A less predictable environment, which may lead to miscalculations (e.g. the first Gulf War, for instance) or misrepresentations.
- An environment more influenced by regional factors and considerations (previously subsumed under the Cold War agenda)
- The increased importance of business interests in shaping national security interests
- The growing subordination of NGOs in general and humanitarian organisations in particular, to the security agenda.

Other features of the evolving global security system were also mentioned, in particular hierarchies and degrees of intervention. Bradol (2004) distinguished three basic configurations: military-humanitarian interventions, civilian relief interventions, and abstention. In the first case, a multi-faceted intervention was devised to get rid of the 'bad guys' (or regarded as such: Bosnia-Herzegovina, East Timor, Kosovo, Afghanistan, Iraq). In the second case, the security interests of major or regional powers were not seen as sufficiently affected by a crisis and its treatment was basically sub-contracted to civilian relief/humanitarian organisations (Angola, Sierra Leone, Sudan); alternatively, the crisis was taken seriously but no consensus between the major powers involved emerged in support of intervention (North Korea). In the third case, no major or regional power thought its interests would be better served by any kind of intervention and abstention would then be the rule (for example Algeria, Chechnya, Tibet, Colombia).

In addition modes of intervention have become increasingly diversified and flexible, characterised in particular by separate modules (interventions in 'kits'), overlapping mandates, rapid and fluid transitions between the various set-ups.

- Separate modules. These include the US military, the 'coalition of the willing', NATO, other regional forces (such as ECOMOG or AU), UN peacekeeping forces (with various mandates and levels of engagement), the UN humanitarian (civilian) machinery (UNHCR, WFP, UNICEF, UNOCHA) and its NGO sub-contractors, WHO's epidemiological set-up, the UN diplomatic set-up (special envoys) and the UN political-electoral set-up (with its own NGO and other sub-contractors). All these modules can be used on their own or in various combinations.

- Overlapping mandates. All these modules may have overlapping mandates (or orders). There may be differing interpretations, overlapping mandates or contradictions even within a single 'module' - as is the case with the UN humanitarian module (Minear & Weiss, 1995; Weiss & Gordenker, 1996).
- Rapid and fluid transitions (as in Afghanistan between US forces, NATO and the UN or in Sudan/Darfur between the UN, AU and NATO).

What are the consequences for the governance systems that respond to disasters?

- First, a lack of visibility. It is becoming increasingly difficult to figure out who does what in such contexts.
- Second, as a natural consequence of the first point, a lack of accountability. If nothing is clear, who can be held accountable?
- Third, a low level of predictability. If many actors are involved and few feel bound by often unclear and contradictory rules, the predictable outcome is fluid evolutions, and unpredictability.
- One may add: a decreasing level of relevance, if the point is to provide aid to populations in danger.

What are the consequences for the governance systems that tackle major natural disasters?

Most issues highlighted in the case of conflict situations are relevant in the case of major natural disasters. For instance the response to the Indian Ocean tsunami was characterized by flexible modes of intervention, separate modules, overlapping mandates and rapid transitions between the various set-ups. The rapid intervention of the naval forces of several countries made co-ordination more difficult. As the naval forces of various countries, including the United States, India, Australia and Singapore, converged towards the areas affected by the tsunami, the US President announced that a core group of nations immediately able to provide assistance would co-ordinate the response to the tsunami and called on India, Japan and Australia to join the US in that response. However, the core group was dissolved within days and the UN officially put in charge of the co-ordination of the relief effort. Nonetheless, many observers noted that the UN did not do a good job in terms of co-ordination in Aceh.

What are the implications for regional response systems to disasters?

Regional security arrangements were long seen through the prism of integration, with the European Union as the implicit model. However, the integration model was also seen as not necessarily relevant to other regions (Caballero-Antony, 2005). In the absence of integration, regional arrangements may be seen as both complements to and buffers against global governance systems (Job, 2000; Hentz, 2003; Armstrong, Lloyd & Redmond, 2004; Chipman, 1997). The point is then to devise regional security

systems that help minimise the disrupting effects of global governance systems while building confidence among players in the region.

ASEAN and the organisations it has spun (ARF, ASEAN + 3 and the East Asian community) are the most relevant institutions in the region in this regard. While ASEAN took the lead in the diplomatic process in the aftermath of the tsunami, the concrete external response to the disaster bypassed the organisation and was primarily provided by the core group (US, Japan, India and Australia) and its naval forces, as well as bilateral contributions, including from ASEAN members and other Asian countries. An important outcome of the diplomatic process led by ASEAN, though, is that the tsunami and the responses to the disaster did not lead to increased tensions between the countries of the region. But it also exposed the weak capacity of the region to respond to such major disasters on its own, e.g. to take the lead in terms of concrete responses (Guilloux, 2008).

Similarly, ASEAN's diplomatic efforts following cyclone Nargis seemed to be rather ineffective. ASEAN did not manage to talk to the junta for more than two weeks following the disaster. US pressure, either directly or through the UN, appeared to have more impact. Meanwhile, as Western ships were dispatched off the affected coastline but denied entry to Myanmar's ports, ships from the Indian Navy were able to deliver aid to Myanmar within days of the disaster on the basis of existing bilateral agreements.

This suggests that, in the absence of sufficient trust between the states of the region, the pattern seen after both the 2004 tsunami and cyclone Nargis may represent the best compromise between them: balancing the potentially disruptive effect of outside intervention with the potentially disruptive scenario of neighbouring countries taking advantage of a state's weakness in the aftermath of a disaster. Clearly, such calculations are associated with state rulers and elites more than with the populations affected by disasters. This points to the necessity to examine not just the boundary above current regional arrangements (e.g. global governance systems) but also the boundary below (e.g. the impact of disasters on local communities).

In this regard, the need to involve civil society organisations was highlighted (Caballero-Antony, 2005). Targeting the best outcomes for the affected populations through a regional approach requires explicit anchoring in civil society. Various efforts have been made and networks set up, in particular Asian Disaster Reduction & Response Network (ADRRN). However, Asian humanitarian organisations face a range of challenges when they try to respond to disasters in the region, including distrust from governments in the region, weak interactions with regional organisations, constraining institutional frameworks and insufficient human resources (Guilloux, 2008). These challenges compound the difficulties all humanitarian organisations face in adjusting to rapidly evolving global response systems and understanding the complexity of the political situation in areas affected by disasters.

In conclusion, the rapidly evolving global governance systems that seek to respond to disasters represent a challenge for regional organisations. Not all regional organisations follow the EU's integration model or seek explicitly to minimise outside intervention in regional security issues. The specific challenge for organisations like ASEAN is twofold. On the one hand, they have to keep re-adjusting to an ever more intrusive global security system. On the other hand, their legitimacy is likely to

be bound by their effectiveness on the ground and their capacity to involve civil society organisations in more meaningful ways. Recent events like the Indian Ocean tsunami and cyclone Nargis suggest that there is still a long way to go for ASEAN in both respects.

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