

House of Commons
International Development
Committee

**PREPARING FOR THE
HUMANITARIAN
CONSEQUENCES OF
POSSIBLE MILITARY
ACTION AGAINST IRAQ**

Fourth Report of Session 2002–03

Volume I

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Contacts

All correspondence should be addressed to The Clerk of the International Development Committee, Committee Office, 7 Millbank, London SW1P 3JA. The telephone number for general enquiries is: 020 7219 1223; the Committee's e-mail address is: indcom@parliament.uk.

Footnotes

In the footnotes of this Report, references to oral evidence are indicated by 'Q' followed by the question number. References to written evidence are indicated by the page number as in 'Ev 12'. The oral evidence and written evidence will be published separately in Volume II (HC 444-II).

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FOURTH REPORT

The International Development Committee has agreed to the following Report:

PREPARING FOR THE HUMANITARIAN CONSEQUENCES OF POSSIBLE MILITARY ACTION AGAINST IRAQ

SUMMARY

This report examines the likely humanitarian consequences of military action against Iraq and the adequacy of the preparations for dealing with them. The wide range of scenarios as to how a conflict might develop greatly complicates the task of planners. Nevertheless, we consider that insufficient emphasis has been placed on the humanitarian implications of military action. The UK Government and the UN have been reluctant to plan openly for fear that this would be seen as condoning military action or accepting it as inevitable. The US Government, through USAID, has developed a plan in isolation from other agencies. The resulting lack of information-sharing and coordinated planning could lead to either duplication or gaps in the relief effort. A lack of funds which are immediately available could affect all the key humanitarian players. The potentially massive scale of the relief effort—leaving aside the costs of post-war reconstruction—could exceed the capacity of the international system.

Sixty percent of the Iraqi population depends on rations provided by the UN Oil-for-Food Programme (OFF). We do not believe that the OFF programme will be able to continue in the event of war. It is likely that the rationing and local delivery networks administered by the Iraqi Government will be destroyed or at best severely disrupted by any conflict. The international community will, therefore, have to take over food distribution, utilising pre-existing local delivery networks, where possible. No new UN Resolution would be needed for the UN family to provide humanitarian assistance as in Afghanistan. However, utilising the OFF programme would require a specific new UN Security Council Resolution. Large numbers of refugees and Internally Displaced Persons are expected. Some neighbouring states may be unwilling to accept refugees. If Iraq's already dilapidated infrastructure is damaged there will be far-reaching implications for transport and food distribution. Damage to the water supply could mean the loss of sanitation and irrigation services and lead to disease. Internal conflict is a serious threat as is the risk of the use of chemical and biological weapons. Humanitarian workers and Iraqi civilians have no protection against such attacks.

Insecurity and the threat of chemical and biological weapons mean that the military are likely to be the deliverers of humanitarian relief in the first instance. Military and humanitarian cooperation can be difficult and humanitarian agencies are concerned that their impartiality could be compromised. Traditional humanitarian actors should deliver humanitarian relief where possible, with the military limited to providing policing and protection. The UN should be prepared to play a major role after the conflict, thereby ensuring that the period of military administration is reduced to a minimum. Our overall conclusion is that we are not yet convinced that there is, to use The Prime Minister's words, "a humanitarian plan that is every bit as viable and well worked out as a military plan".

Introduction

1. The United Nations Security Council imposed comprehensive sanctions on Iraq following its invasion of Kuwait in 1990.¹ In 1991 the UN Security Council, concerned about the worsening humanitarian situation inside Iraq, adopted Resolution 986 which established the ‘oil-for-food’ (OFF) programme, designed to allow Iraq to sell oil to finance the purchase of humanitarian supplies. The programme was implemented in 1996 when a Memorandum of Understanding was signed between the United Nations and the Government of Iraq.² Oil-for-Food has been a lifeline for Iraq to such an extent that today, more than 60% of the population is dependent of food rations provided under the OFF programme.

2. Concerns have been raised about the apparent lack of preparation for the humanitarian consequences of any military action against Iraq. Comparisons have been drawn with the extent of humanitarian planning prior to military action against Afghanistan. But there are major differences: although the two countries have similar population figures (approximately 26 million) Afghanistan is a predominantly rural society while Iraq has a relatively urbanised population. Iraq, prior to 1991, was an upper-middle income country with the majority of its population in full employment. Iraqis had come to expect their government to deliver the basic public services. Afghanistan, on the other hand, was a failed state. The Afghan population had low expectations of their government to deliver basic services and as a result they had become largely self-reliant. This self-reliance, combined with an accepted risk of drought, meant that most rural Afghans had developed coping strategies for dealing with times of food shortage or crisis. In 1991, Iraqis had the cash and material assets to develop their own coping strategies. But a number of factors, including the impact of sanctions, has meant that more than 60% of the population of Iraq is dependent on the Government of Iraq for the majority, if not all, of their basic needs.

3. As we pointed out in our report on sanctions during in the last Parliament,³ not all the humanitarian distress has been the direct result of the sanctions regime. There has been a tendency to blame all such distress on sanctions in the absence of clear evidence. Saddam Hussein has been quite prepared to manipulate the sanctions regime and the exemptions scheme to his own ends, even if that involves hurting ordinary Iraqi people. The responsibility for the plight of the Iraqi people must ultimately lie with the Iraqi leadership.

4. This report examines the likely humanitarian consequences of any military action against Iraq and the adequacy of planning and preparations for dealing with these consequences. We begin by focussing on the effectiveness of, and constraints faced by, humanitarian agencies and organisations, as well as governments, in planning for the humanitarian response. We then look at the various consequences in more detail: food distribution and the role of the OFF programme, refugees, the effect of attacks on Iraq’s infrastructure, the risk of internal conflict and the use of biological or chemical weapons. We then ask who will deliver humanitarian relief, how the relief effort will be funded, what is needed, and how international humanitarian law applies.

5. During the inquiry we heard evidence in public from Rt Hon Clare Short MP, Secretary of State for International Development, with Mr Alistair Fernie, Head of Middle East and North Africa Department, and Mr Peter Troy, Head of the Humanitarian Programmes Team, Conflict and Humanitarian Affairs Department, at the Department for International Development, Mr Raja Jarrah, Programme Director, CARE International, Mr Roger

¹ The Committee reported on the impact of sanctions on Iraq in its Second Report of Session 1999–2000, “The Future of Sanctions”(HC67)

² Oil-for food programme—A fact-sheet, *UN Office of the Iraq Programme*, January 2003

³ The Committee reported on the impact of sanctions on Iraq in its Second Report of Session 1999–2000, “The Future of Sanctions”(HC67)

Riddell, Director, International Department, Christian Aid, Mr Mike Aaronson, Director General, Save the Children UK and Dr Al-Sharistani, Iraqi Refugee Aid Council. We also held a private meeting with Mr Ross Mountain, Assistant Emergency Relief Co-ordinator and Director of the United Nations' Office for the Coordination of Humanitarian Affairs, Ms Anupama Rao Singh, Deputy Director Field Support and Inter-Agency Collaboration Section, Programme Division, UNICEF, and Mr Nicholas Oberlin, Programme Adviser for Iraq, World Food Programme. We would like to thank all those who contributed written and oral evidence to the inquiry as such short notice. We would also like to express our gratitude to our specialist adviser, Mr Larry Hollingworth, but stress, as always, that the views contained in the report are those of the Committee alone.

The problems of planning—a multiplicity of scenarios

6. The main obstacle to planning for the humanitarian consequences of war in Iraq is the range of the possible scenarios. These stretch from quick and effective air strikes resulting in Iraqi surrender and the welcome into Baghdad of coalition troops as liberators, to a long drawn out ground war with the possibility of use of chemical, biological or nuclear weapons. Planners do not know what it is they are planning for and may be planning for the best rather than the worst-case scenario. Clare Short told us: “The danger is that there is not full preparation for the risks. There is preparation for what is the hopeful scenario but that is not good enough—what happens if something goes wrong and we need more effort?”⁴ Non-Governmental Organisations (NGOs) have also expressed concern that not enough is being done to prepare for the humanitarian consequences of war.⁵ There are constraints on planning which have heightened the concern of NGOs and other commentators. These constraints include: government and UN reluctance to plan openly; the apparent and perceived lack of information sharing between the key players; and a lack of immediately available resources for preparation.

7. There has been a lack of information on contingency planning from the UK Government. The Archbishops' Council noted the absence of assurances from the Prime Minister about humanitarian action in Iraq and compared this with statements which Tony Blair made in advance of the attack on Afghanistan. It also noted the lack of announcements from DFID about the state of the Government's humanitarian contingency planning.⁶ In the case of Afghanistan, three years of drought ensured that DFID was involved in humanitarian relief even before military action took place. DFID has been responsive to humanitarian need in Iraq over the last five years. But there remains a noticeable contrast between Iraq and Afghanistan in terms of the prominence given to humanitarian issues in the build up to possible military action.

8. It appears that both the UK Government and the UN are reluctant openly to plan for the consequences of war for fear that this could be seen as either condoning military action, or accepting the inevitability of war.⁷ There are also understandable reasons for keeping information confidential, particularly when it is of a sensitive military nature. However, the US Agency for International Development (USAID) seems to be less affected by such constraints on open planning and information sharing. USAID has described the measures it is taking and gives details of its Disaster Assistance Response Team (DART).⁸ Although the USAID plans lack detail, they identify likely humanitarian relief requirements and state the Agency's intention to deliver assistance to meet these requirements.⁹ Almost every day, details of the likely military plan appear in the media; rarely is there any leak of the plan for

⁴ Q6

⁵ Ev 45, Q37

⁶ Ev 34

⁷ Ev 17

⁸ USAID contingency plans for humanitarian assistance to Iraq, *USAID Fact Sheet*, 24 February 2003

⁹ *Ibid.*

humanitarian operations. **We recommend that DFID immediately issues a statement outlining its basic humanitarian contingency plans. This would be a useful source of information for humanitarian actors and would also provide reassurance that adequate importance has been attached to the humanitarian consequences of military action.**

9. The UN told us that they had been planning since February 2002, and that detailed planning began in October 2002. In contrast to UK NGO perceptions of a lack of cooperation, the UN informed us that NGO consortia¹⁰ have taken part in “low key meetings” and that closer cooperation between NGOs and UN Agencies has taken place at the field level. The UN told us that it needed and valued the support of NGOs, although we note that there are differing views between NGOs and the UN on the adequacy of information sharing. We understand that sectoral tasks have been allocated to the appropriate UN agencies—in certain cases with NGO involvement.

10. Despite the UN’s claim that it has involved NGOs in planning, NGOs have emphasised the difficulties they have experienced in the absence of information from the UK Government or the UN.¹¹ CARE International, one of the few NGOs operating in central and southern Iraq, told us it has had no formal meetings or information sharing with DFID since the beginning of December 2002.¹² HelpAge International has spoken of the “vacuum” in which multilateral and NGO planning is taking place because of the lack of information about UK Government or other donor planning.¹³ Although some NGOs have reported that DFID has made efforts to increase information sharing with NGOs, there is some information it cannot share and this has meant that NGOs are unable to assess overall preparedness.¹⁴ Clare Short stressed during oral evidence that there were scenarios in which NGOs would not be able to participate in the delivery of humanitarian relief inside Iraq.¹⁵ Later she told the House of Commons that “NGOs would not be operational in the early stages, as they are not the first call to get things right”¹⁶ Nevertheless, we believe that communication between the UK Government, other donors, the UN, international and local NGOs is important. Some NGOs are operational and will play a role in delivering humanitarian relief, at least in the long term, if not during military action itself.¹⁷ Concern has also been expressed about the lack of visible preparations on the ground in Iraq.¹⁸ **Notwithstanding the difference of opinion between UN and NGOs, and understanding the need for confidentiality, we urge DFID and the UN, where possible, as a principle to provide confidential briefings to NGOs to facilitate effective planning.** Even if the military is the main deliverer of humanitarian relief in the first instance, cooperation and coordination with agencies and NGOs will be necessary in the longer term. Given the likely scenario that a US military administration will be established in the shorter term following any conflict, we believe that there should be immediate cooperation between the UN and the US in planning the likely UN role in meeting the humanitarian needs of the Iraqi people.

11. The UN has established a Regional Coordination Office in Larnaca, Cyprus as a focal point for its humanitarian activities. The UN Steering Group on Iraq, with the endorsement of the UN Secretary General, appointed a Humanitarian Coordinator for Iraq with effect from 1 February 2003.¹⁹ He will operate from the Regional Coordination Office in Cyprus. But despite the appointment, there is concern about the lack of leadership in co-ordinating

¹⁰ ICVA, InterAction and SCHR

¹¹ Ev 33, Ev 37 [HelpAge International], Ev 45

¹² Q53

¹³ Ev 38

¹⁴ Ev 17

¹⁵ Q5

¹⁶ HC Deb, 26 February 2003, col 244

¹⁷ Ev 14, Q45

¹⁸ Q33

¹⁹ Ev 32

the planning and preparation of the humanitarian response to possible military action. The Director of Save the Children Fund UK told the Committee:

there is a general lack of preparedness and there is a general lack of leadership within the international community, for all sorts of reasons, so, frankly it would be wrong to count on an effective response...the fact that the UN has not been prepared to take a leadership role contributes to that.²⁰

Concern over the adequacy of preparations is undoubtedly linked to the lack of information sharing. Tearfund argued that DFID could have been more proactive in promoting joint preparedness planning between Disaster Emergency Committee (DEC) members, MoD, FCO and other relevant actors.²¹ USAID has stated that its Disasters Assistance Response Team will “serve as a central point of contact, exchanging information, and coordinating humanitarian assistance among... NGOs... UN agencies, international organizations... and the US military”.²² USAID has also funded the Joint NGO Emergency Preparedness Initiative which is based in Jordan and will support coordination of planning and preparedness activities amongst US agencies.²³ This is in addition to the Humanitarian Operations Centre in Kuwait.²⁴ **There is a pressing need for a mechanism for coordinating the UK humanitarian response so that UK NGOs can be connected with the UN, the military and local NGOs to facilitate information sharing between all relevant actors.**

12. Adequate preparations require appropriate resourcing. The UN has launched a consolidated appeal to raise \$93 million and the DEC and NGOs are likely follow suit with appeals to the public.²⁵ But UN Agencies and NGOs need immediate access to money to allow them to start preparatory work. DFID has allocated £3.5 million (on top of its regular funding to UN agencies which includes some provision for emergency preparedness) to support UN humanitarian contingency planning and pre-positioning of supplies.²⁶ But evidence affirms that the UN itself is underfunded.²⁷ Clare Short pointed in particular to a “funding strain” on the World Food Programme (WFP).²⁸ Discussion with the UN revealed that it has had difficulty quickly accessing funds, especially in the early stages of planning. Some money is now becoming available but the lead time is shrinking and the lack of available funds is likely to have a significant impact of the UN’s preparedness once any military action starts. The UN and NGO finances are limited and are already strained by other global crises.²⁹ Those NGOs which gave evidence told us that they did not have enough money available to them to make the necessary preparations.³⁰ The Iraqi Refugee Aid Council, for example, has stated that it obtained permission to set up camps for refugees along Iraq’s borders, but had been unable to do so for lack of funds.³¹ A forum of NGOs working in northern Iraq warned: “Without urgent clarification by donors and the release of funding now, there will be limited ability by agencies to respond”.³² **It is clear is that the scale of funds needed will be massive, given the dependency of the majority of the Iraqi population on the OFF programme which delivers \$5 billion worth of commodities into the country in each six month phase, the food element of which costs \$250 million a month to maintain.**

²⁰ Q37

²¹ Ev 45

²² USAID contingency plans for humanitarian assistance to Iraq, *USAID Fact Sheet*, 24 February 2003

²³ Ev 46

²⁴ This is run by the military rather than Office for the Coordination of Humanitarian Affairs (OCHA)

²⁵ Qq3, 55

²⁶ Ev 2

²⁷ Ev 13

²⁸ Q8

²⁹ Ev 13, Ev 45

³⁰ Qq56–57

³¹ Q55

³² Ev 35

The likely consequences and how they might be managed

Food distribution and the oil-for-food programme

13. Since 1991 most Iraqis have had to depend on food aid for their survival. Food aid comes in the form of rations financed by the oil-for-food programme (OFF) which generates funds from oil revenues to be spent on humanitarian needs. Limits were set on the amount of oil that Iraq could sell but the ceiling was removed by the Security Council in 1999. Receipts from the sale of oil are paid into a UN bank account and the spending monitored closely. Supply and delivery of humanitarian supplies is contracted out commercially. At the end of the delivery chain are small locally-run ration shops. Aside from government-contracted and local delivery mechanisms a number of UN agencies are involved, particularly in those areas of northern Iraq which comprise the Kurdish-controlled governorates. The OFF programme costs \$250 million per month for the food component alone. OFF is vital to the survival of Iraqi civilians. The head of DFID's Middle East and North Africa Division told us: "It is the biggest food distribution system in the world. It is bigger than the whole of WFP operations elsewhere in the world and it is largely run by Iraqis".³³

14. Malnutrition is widespread, though nutrition has improved in recent years. UNICEF has estimated that 22% of children under five are chronically malnourished.³⁴ As CARE International highlighted in its written evidence "60–70% of people in southern and central Iraq depend on government food rations, supplied under the Oil-for-Food programme, and some 40% have no other source of food".³⁵ The situation in northern Iraq is similar: most households are too poor to buy locally-produced items, at least 20% are completely dependent on rations and poor families often have to sell a portion of their rations to buy other essentials.³⁶ A written submission from a group of NGOs operating inside northern Iraq even emphasised the development of a "dependency culture" amongst Iraqi civilians who have limited coping strategies.³⁷ The OFF programme has, it seems, developed an efficient distribution system but it has also created dependency, undermined agricultural initiatives and encouraged migration to the urban centres. In the last few months, the Iraqi Government had been doubling the volume of rations in its food parcels and the WFP have distributed three months' food in advance. But these supplies consist mostly of dried goods which will be difficult to prepare without clean water or electricity or fuel for cooking.³⁸ Poorer Iraqi families are unlikely to be in a position to stockpile food and may sell rations to provide for other basic needs.³⁹ It is also possible that, in the event of conflict, the Iraqi government may divert food to the military.⁴⁰ **If delivery of food through OFF does breakdown it will affect the 60% of Iraqis to whom the programme currently delivers, two-thirds of whom have no other source of food.**⁴¹ **Even in northern Iraq, where the WFP have trebled the ration to allow stockpiling, a food crisis would spread to northern Iraq within three months and would be severely worsened by a likely influx of internally displaced persons.**⁴² **Humanitarian contingency planning must take**

³³ Q10

³⁴ *Report of Forum to discuss humanitarian contingency plans should there be a war with Iraq*, chaired by Caroline Spelman MP, 26 November 2002

³⁵ Ev 12

³⁶ Ev 21, Ev 37

³⁷ Ev 36

³⁸ Ev 12, Ev 16

³⁹ Ev 21

⁴⁰ Ev 34

⁴¹ Ev 12, Ev 15

⁴² Ev 16

account of the serious risk that at least 40% of the population will be without any source of food in the absence of OFF rations.⁴³

15. But the key question is whether OFF will continue to function if military action starts. In central and southern Iraq, at least, the Iraqi Government is heavily involved in administration of the OFF programme and their involvement could well cease if military action starts. Furthermore, the sale of oil would be likely to stop, which would halt the funds going into the programme. There is also some concern that retreating Iraqi troops may sabotage oil wells, as happened in the Gulf war, thus halting oil production.⁴⁴ Even in a best case scenario, where any military action is quick and effective, there is still a high risk of disruption of the oil flow. Clare Short seemed confident that OFF would continue despite military action but she was aware of the risk that it would not:

if Oil-for-Food can keep working that is one scenario, but if it were to completely break down then where is the food coming from? It would have to be procured and if there is a lot of military activity you get blockages of ports and so on. It will be a very complex problem with very great dangers and it will require enormous concentration and resources to make sure that food gets through.⁴⁵

Written evidence from DFID emphasised that the continuing functioning of the network of 40,000—50,000 local Iraqi distribution points could not be depended on in the event of military action and stated: “Military planning aims to minimise the impact on civilian infrastructure critical for the delivery of humanitarian assistance”.⁴⁶

16. USAID has recently indicated the importance of ensuring that the OFF delivery system continues to function, even in the event of military action: “USAID will... work with international organisations to maintain the country-wide ration system on an emergency basis”.⁴⁷ One possible solution is that USAID and its partners will provide the necessary funds to maintain OFF in the absence of oil revenues, and re-coup the expenditure after the conflict. However, because the OFF programme, its administration, and operation are all mandated by UN Security Council Resolutions, a new Resolution will be necessary to allow OFF to continue with a revised administration. There are two possible scenarios: first, a UN Security Council Resolution to allow OFF to continue. This will take from six to eight weeks to implement. **Hence a new Resolution on OFF is needed to allow the UN Secretary General to take executive control as soon as hostilities begin.** The second scenario assumes that OFF will cease to operate and necessitate the provision of a replacement system. This will take two and three months to implement. **It is to be noted that the current mandate for OFF ends on June 3rd 2003.** CARE International were concerned that any use of OFF funds for humanitarian operations should bridge a gap rather than provide the primary source of funding because of the precedent that may be set.⁴⁸ The Director of USAID, Andrew Natsios, told a US Senate panel that the intention was to protect the existing food distribution system which, he noted, had an efficient computerised rationing network.⁴⁹ Whether the network will be able to function in the event of a loss of electricity or the use of weaponry designed to target computer systems remains to be seen.

17. The UN expressed some scepticism concerning the USAID statement that a seven month supply of food stocks was available.⁵⁰ By their assessment, current supplies were more likely to last for two to three months. The UN were concerned that current OFF

⁴³ Q29

⁴⁴ Q55

⁴⁵ Q8

⁴⁶ Ev 32

⁴⁷ USAID contingency plans for humanitarian assistance to Iraq, *USAID Fact Sheet*, 24 February 2003

⁴⁸ Q55

⁴⁹ US has secret plans to ensure food distribution to Iraq: USAID Chief, *Agence France-Presse*, 25 February 2003

⁵⁰ USAID contingency plans for humanitarian assistance to Iraq, *USAID Fact Sheet*, 24 February 2003

contracts would be hindered as a result of conflict. At present it is the Government of Iraq which pays, outside of OFF, for internal transport, and the salaries of civil servants engaged in humanitarian distribution tasks as well as those working in infrastructure support.

18. NGO witnesses were pessimistic about the prospect of the OFF programme continuing in the event of military action. They foresaw problems not only at the upper echelons of the OFF programme administration, but also in the middle—if there is disruption to lorries and roads—and at the bottom if civilian-run ration shops are affected by any bombardment.⁵¹ They were worried that the supply pipeline could break down if commercial suppliers, fearing that they will not be paid, stop sending supplies, or if ports are closed.⁵² We heard in evidence that “[OFF] is a programme that depends on a very complex chain and, for example, the prospect that people might send grain from faraway places, from Australia or wherever, knowing that there is a war with all the questions about whether it would get through and whether they would get paid I think, to be honest, the likelihood of existing mechanisms being sustainable in the event of conflict is actually pretty remote”.⁵³ The Director of Save the Children Fund, giving evidence to the Committee immediately following Clare Short commented: “it seemed to me that everyone is hoping that somehow it [oil-for-food] might continue in the event of military action, but frankly I think that is just completely unrealistic”.⁵⁴

19. The distribution of food through government-controlled outlets has contributed to a situation in which, by contrast with Afghanistan, there is no widespread network of NGOs operating in Iraq. Few international agencies or organisations have worked regularly in central and southern Iraq. NGO operation has to be authorised by the Government of Iraq (GoI), and NGOs operating in northern Iraq are therefore seen by the GoI as working illegally.⁵⁵ The Red Cross and Red Crescent is present and has worked under the auspices of the government. Although some international NGOs operating in Iraq have partners there, such relationships are limited, as is the number of local Iraqi NGOs.⁵⁶ Dr Al-Shahristani, representing IRAC, warned that the existing network would not be able to distribute food to all those that would need it.⁵⁷ The Government of Iraq procures food and basic medical supplies in bulk and is responsible for the distribution in the 15 central and southern governorates and to the UN warehouses in northern cities. The WFP is responsible for food distribution on behalf of the Government of Iraq in the northern governorates through a chain of 11,000 food agents. But even if the WFP were practically able to take over food distribution, there are concerns about its funding. DFID’s Head of Humanitarian Programmes Team told us: “we are talking about a six-month programme of food assistance over \$300 million to \$578 million, so there are pipeline and funding issues and potential difficulties over delivery as well”.⁵⁸

20. Perhaps the most hopeful option for food distribution in the absence of the OFF programme is to utilise the existing Iraqi delivery network, replacing the current central government supply with an alternative. But to do so will require significant pre-positioning of supplies. Clare Short told us that the UN was drawing down on some of its resources in order to pre-position stocks.⁵⁹ While the NGO witnesses were confident that a new supply could be channelled through existing delivery networks, they were concerned about the lack of evidence of pre-positioned stocks: “It would be a matter of plugging in a supply from elsewhere rather than from the central government and there should be sufficient supplies

⁵¹ Q30

⁵² Q29

⁵³ Q29

⁵⁴ Q29

⁵⁵ Ev 38

⁵⁶ Q31

⁵⁷ Q33

⁵⁸ Q8

⁵⁹ Q3

pre-positioned to be able to be plugged in and quite frankly we have not been able to see such preparations".⁶⁰ **As we have already commented, there may be problems with the delivery of existing Government of Iraq contracts. Detailed planning around how a replacement supply of food to OFF can be provided is necessary as is consideration of how such a supply can be channelled through existing delivery mechanisms. Consideration has also to be given to alternative food distribution options, given the risk that local delivery outlets may not be operational.**

Refugees and internally displaced persons

21. With so many unknowns concerning how military action may develop, predicting numbers and movement directions of potential refugees and internally displaced persons (IDPs) is largely guesswork. Clare Short told us: "It seems to me there is no way anyone can predict how many refugees there could be because there are so many different scenarios" and highlighted the need for "flexible planning".⁶¹ During the Gulf War 1.8 million persons fled their homes and many travelled to Iran, where some remain today.⁶² Estimates of how many people may leave Iraq this time range from between 500,000 to 2 million persons.⁶³ UN estimates are that there will eventually be around 900,000 refugees.⁶⁴ Refugees International, using the UN 'medium impact scenario' which predicts a two or three month conflict involving ground troops, estimates that 1.45 million people will try to leave Iraq and 900,000 persons will be displaced within Iraq.⁶⁵ NGO witnesses thought that Iraqis would not move from their homes unless they had to and that they were likely to try to wait for the food distribution to re-start.⁶⁶ Although it is difficult to predict the scale of what may happen, it is inevitable that there will be some movement of people within Iraq and along its borders.

Refugees

22. Those trying to flee Iraq will be classified as Internally Displaced Persons if they do not cross an international border and remain in camps in border regions or experience difficulty in leaving. The most pressing factors influencing people's decisions to try to leave Iraq might include fear of chemical or biological attack or news that international staff are withdrawing from the country.⁶⁷ Some areas of Iraq are heavily mined and the danger, particularly to fleeing refugees, was recognised by Clare Short, with one DFID official commenting that: "At the moment there is no United Nations Mine Action Service programme within Iraq...".⁶⁸ However, we are informed that this task has now been given to the UN Mine Action Service. The likelihood would be for many fleeing civilians to head towards Iran because of its proximity to the populated areas of Iraq.⁶⁹ We recognise, along with Clare Short, that Iran has shouldered much of the refugee burden in the past.⁷⁰ Iran still has 2.4 million Afghan refugees, and 200,000 Iraqi refugees from the Gulf War also remain inside its borders. Iran's policy in the event of conflict is to persuade Iraqi refugees to remain within Iraqi territory and to attend to their needs inside safe areas inside Iraq. Iran is not alone in attempting to implement a policy of keeping potential refugees in camps on

⁶⁰ Q33

⁶¹ Q15

⁶² *Report of forum to discuss humanitarian contingency plans should there be a war with Iraq*, chaired by Caroline Spelman MP, 26 November 2002

⁶³ Ev 13

⁶⁴ Unofficial UN Report, *Likely humanitarian scenarios*, Office for the Coordination of Humanitarian Affairs, 10 December 2002

⁶⁵ *Avoiding a humanitarian catastrophe in Iraq*, Refugees International, 5 February 2003, Unofficial UN Report, *Likely humanitarian scenarios*, Office for the Coordination of Humanitarian Affairs, 10 December 2002

⁶⁶ Q34

⁶⁷ Ev 37 (HelpAge), Q34

⁶⁸ Q18, see also Ev 35

⁶⁹ Q35

⁷⁰ Q18

the Iraqi side of their borders. Turkey is also planning and preparing camps along its border.⁷¹ There are also fears in the northern governorates that Turkish troops will enter northern Iraq and remain indefinitely, in order to forestall any move to establish a separate Kurdish state.⁷² Syria is the only country that has expressed willingness to take refugees, though refugees may have difficulty reaching Syria, Saudi Arabia or Jordan because of the desert terrain.⁷³ Some refugees may also head for Kuwait, particularly if there are rumours that there will be sufficient food and relief materials for them at the Kuwaiti borders.⁷⁴

Internally displaced persons

23. Iraq already has between 700,000 and 900,000 IDPs.⁷⁵ There are likely to be around 900,000 newly displaced persons in the event of a conflict.⁷⁶ UNHCR estimates that there will be approximately an equal population movement between the northern and southern regions.⁷⁷ Christian Aid's Roger Riddell told us that the local authorities were preparing for a possible influx of a million IDPs in the north and were discussing with UNHCR the setting up of ten camps for a population of about four million.⁷⁸ Although sites for camps of IDPs are being identified, a group of NGOs operating in northern Iraq voiced concerns about the lack of water and sanitation facilities at these sites, and the lack of co-operation between the UN and NGOs operating in the area.⁷⁹ Health services will be needed in refugee/IDP camps as the risk of disease, trauma and injury (including injuries following use of chemical weapons) is high. Healthcare services could provide vaccinations against smallpox and other diseases which could potentially be used in a biological attack. **Planning for sites for IDP and refugee camps must include planning for the provision of water, sanitation, and health care. Food and non-food items such as tents should be pre-positioned at camp sites. Camp planning must also take careful consideration of the risk of injury from unexploded ordnance and landmines.**⁸⁰ IDPs may be located in inaccessible rural areas and therefore be difficult to assist. As Clare Short highlighted, there may also be a lack of water or shelter in areas such as these: "There is a very serious issue of potential refugee movements in desert type areas with not enough water that have been thought about, and I am not sure anyone has got solutions in place. That could be very serious".⁸¹ The question of who will be responsible for internally displaced persons in the event of a conflict remains—the UN has not designated, other than the Office for Coordination of Humanitarian Affairs (OCHA), a lead agency to be responsible for IDPs, appearing to leave the responsibility to the International Committee of the Red Cross (ICRC) to take the lead.⁸² As IDPs can be classified as civilian victims of a conflict, providing them with assistance does fall within ICRC's remit. UNHCR will take responsibility for assistance to displaced persons who make it to camps within Iraq, in addition to its traditional tasks of caring for refugees who have crossed an international border.

⁷¹ Avoiding a humanitarian catastrophe in Iraq, *Refugees International*, 5 February 2003

⁷² Kurds: We will resist Turkish Troops in Iraq, *ABS-CBN News*, 1 March 2003

⁷³ Q3

⁷⁴ Q35

⁷⁵ Ev 43

⁷⁶ Avoiding a humanitarian catastrophe in Iraq, *Refugees International*, 5 February 2003

⁷⁷ Unofficial UN Report, Likely humanitarian scenarios, *Office for the Coordination of Humanitarian Affairs*, 10 December 2002

⁷⁸ Q34

⁷⁹ Ev 36

⁸⁰ Ev 16, 23, 36

⁸¹ Q9

⁸² Q19, HC Deb, 26 February 2003, col 245

Infrastructure

24. The humanitarian implications of an attack on Iraq's already dilapidated infrastructure could be considerable.⁸³ Any targeting of transport infrastructure will affect both food distribution and the movement of people. Attacks on electricity supplies are likely to affect water provision and sanitation as well as heating and cooking facilities.⁸⁴ Other sources of fuel, such as gas or kerosene, are likely to become unavailable.⁸⁵ DFID's memorandum stated that electricity, transport and other infrastructure essential to the delivery of basic services could be severely damaged—affecting, for example, provision of clean water, the pumping of sewage, and the delivery of food and the functioning of hospitals.⁸⁶ There may also be longer-term implications if electricity supplies are targeted affecting the water and irrigation systems: “damage to Iraq's electricity network would cut off vital irrigation systems. Iraq depends on irrigation channels that are 5000 years old. If the land salinates it could cease to be available for agricultural production. So a long war would have serious consequences”.⁸⁷

25. The few NGOs operating in Iraq are preparing as best they can for these possible consequences of a breakdown and the humanitarian implications which may follow. The risk of deaths as a result of disease will be high. The lack of safe drinking water is a nationwide problem and typhoid is already in evidence.⁸⁸ During the Gulf War, 15,000—30,000 refugees died from measles, diarrhoea, typhoid and cholera.⁸⁹ An unofficial UN OCHA report from December 2002 warns:

The expected increase in the instances of diarrhoeal disease and respiratory infections resulting from the conditions experienced in a post-conflict scenario, for example the absence of potable water and contaminated air ... as well as over-crowding, traumatic injuries, and a lack of refrigeration, would translate into an increased demand and consumption of medical supplies and drugs, rendering the existing stocks inadequate.⁹⁰

DFID has told us that UN agencies are also pre-positioning humanitarian supplies and some NGOs are also involved in pre-positioning of commodities that will be needed in the event of serious infrastructure damage such as bottled water and medical supplies.⁹¹ The Red Cross and Red Crescent has pre-positioned medical supplies and vaccines in central and southern Iraq as part of its programmes in the region. The World Health Organisation and UNICEF have pre-positioned stocks in the north. Logistic support for tented camps is still to be completed. USAID have stated that they are pre-positioning supplies in warehouses across the region including blankets, plastic sheeting, personal hygiene kits, WHO emergency health kits, water jugs, containers and treatment units.⁹² Clare Short has spoken of her attempts to influence military strategy into considering humanitarian implications and seeking to minimise the humanitarian impact: “We are discussing and trying to ensure that targeting takes account of the frailty of the infrastructure and the needs of the people of Iraq... We are trying hard to get them to listen... I cannot guarantee our success but we are

⁸³ Ev 34

⁸⁴ Unofficial UN Report, Likely humanitarian scenarios, *Office for the Coordination of Humanitarian Affairs*, 10 December 2002

⁸⁵ Ev 36

⁸⁶ Ev 1

⁸⁷ George Joffe of London University King's College, *Reuters AlertNet*, Monday 24 February

⁸⁸ *Report of Forum to discuss humanitarian contingency plans should there be a war with Iraq*, chaired by Caroline Spelman MP., 26 November 2002

⁸⁹ Marti Ahtissari Report, *United Nations* 1991, *Op. cit.* Report of Forum to discuss humanitarian contingency plans should there be a war with Iraq

⁹⁰ Unofficial UN Report, Likely humanitarian scenarios, *Office for the Coordination of Humanitarian Affairs*, 10 December 2002

⁹¹ Ev 2, 13

⁹² USAID contingency plans for humanitarian assistance to Iraq, *USAID Fact Sheet*, 24 February 2003

engaging with those issues”.⁹³ Such negotiations will be difficult as military and humanitarian objectives will in some instances be irreconcilable. **Military planning should seek to minimise humanitarian consequences. However, it is inevitable that there will be damage to Iraq’s infrastructure. It is therefore essential that sufficient medical supplies are available to deal with any outbreak in disease. Vaccination programmes should be carried out now to minimise casualties. Provision must also be made to address the potential lack of clean drinking water and sanitation services.**

Internal conflict

26. Iraq is an ethnically and religiously diverse country. The overall majority of Iraq’s population (55%) are Shia’s Arabs, but historically they have been marginalised by the dominant Sunni Arabs who make up 17% of the population.⁹⁴ Sunnis dominate the Ba’ath Party, the government and the armed forces. Tribal and kin identities can overlay religious identities. Kin networks and patronage have been a major feature of Saddam’s regime.⁹⁵ The third major group, the Kurds, account for between 15% and 22% of the population. The Kurds have long been in conflict with the existing government. After the Gulf War the northern provinces of Iraq were established as semi-autonomous Kurdish governorates under the protection of US and British no-fly zones. Other ethnic minorities present in Iraq include the Turkomans, Assyrians and Christian minority groups. Iraq’s history contains traditions of both cross-cultural integration and of systematic repression and discrimination against particular ethnic and religious groups.⁹⁶ Since the Gulf War there have been conflicts between Kurdish factions which resulted in large population movements and since 2001 rumours of Islamic insurgents have brought insecurity to some areas.⁹⁷

27. Some commentators have predicted that major political change in Iraq could inevitably lead to civil disturbance and possible internal conflict as new power balances emerge.⁹⁸ The tensions over the Kurdish region are well known and both Iraqi and Turkish governments have had a history of, at times, repressive policies towards the Kurds—giving rise to concern about Turkish involvement in this conflict. The Kurds may even resist Turkish involvement because of fears of Turkey’s motives of preventing Kurdish independence or disarming Kurdish militiamen.⁹⁹ There is a risk that a Kurdish/Turkish ethnic conflict could develop in the aftermath of a conflict and tensions are already running high.¹⁰⁰ The Kurds are not a unified group; there are internal divisions. Save the Children stated in written evidence:

Co-ordination between the Kurdish parties cannot be taken for granted in the event of a disruption to the current humanitarian and political situation...At the same time, other potential parties, such as Turkish military forces, to a possible conflict in North Iraq are viewed with profound suspicion, which would preclude any effective co-operation on emergency response.¹⁰¹

28. There is certainly potential for localised ethnic tension both in north and south Iraq, although the cross-cutting mix of identities to which an Iraqi may feel affiliate: tribal, kin, religious etc. may reduce the potential for widespread ethnic conflict.¹⁰² Scarce resources

⁹³ Q13

⁹⁴ Ev 41

⁹⁵ Ev 42

⁹⁶ Ev 41

⁹⁷ Ev 21

⁹⁸ Ev 42

⁹⁹ Kurds: We will resist Turkish Troops in Iraq, *ABS-CBN News*, 1 March 2003

¹⁰⁰ *Ibid.*

¹⁰¹ Ev 22

¹⁰² Ev 36, Ev 42

may be a greater threat to security than ethnic conflict, or may aggravate ethnic tension.¹⁰³ The most pressing concern is that military action would lead to a breakdown of central authority as different groups try to establish themselves or take control over areas of the country. Clare Short told us:

It would be a nightmare if different groups started breaking [Iraq] up and the national borders in the surrounding area might be changed, that would lead to chaos and very, very great dangers of terrible humanitarian suffering. Everyone is clear that Iraq must remain a country within its existing borders and that the military have to prepare to prevent the outbreak of ethnic conflict.¹⁰⁴

There has been some discussion of the potential use of safe havens (particularly in the Basra area) to protect groups of civilians from attack, ethnic or otherwise, and to encourage IDPs to gather in areas where assistance can be delivered to them.¹⁰⁵ **In preparing to prevent the outbreak of ethnic conflict in Iraq the UK Government should remember the experience of Afghanistan where an initial “my enemy’s enemy is my friend” approach led the US to support regional power holders, thereby fuelling warlords and creating barriers to security and stability. The best case scenario for military action would involve Iraqi surrender with central authority structures remaining intact. However, it is essential that in planning for the possible humanitarian consequences of military action the worst case scenario, involving ethnic conflict, is considered. Safe havens could be a useful mechanism for preventing ethnic conflict but it essential that there is clear identification of who will be safe inside havens and how they will be protected.**

Chemical, biological and nuclear weapons

29. The use of chemical and biological weapons by Saddam was raised as a very real risk in much of the evidence.¹⁰⁶ There have even been suggestions that targeted nuclear weapons may be used against Iraq.¹⁰⁷ Some have suggested that a ring of chemicals may be used by Iraqi forces to control population movement particularly towards the north.¹⁰⁸ The Iranian Government has expressed concern about the fears of contamination following this sort of attack if people flee across its borders. As with all the factors we have discussed in this report, it is impossible to foresee what will happen. Even so, reports are that chemical, biological or nuclear attack is the event most feared and least prepared for in Iraq and the surrounding regions.¹⁰⁹ The Kurds, who have been targeted in the past, are particularly fearful of a chemical or biological attack and have requested help with protective clothing and equipment.¹¹⁰ Neither Iraqi nor international humanitarian staff are trained to deal with this kind of attack, though IRAC have run some training programmes for health workers.¹¹¹ In the event of such an attack it is likely that the military would take over operations and international staff would be withdrawn. **Ideally, international and Iraqi health workers would be trained in how to deal with the human impact of chemical or biological weapons and would receive the same immunisations against biological weapons that are offered to military personnel. The UN has discarded the option of providing protective suits for its staff because they will be impractical. In any case UN staff would be withdrawn at the outset of any chemical or biological attack. Specialist**

¹⁰³ Ev 34, Ev39

¹⁰⁴ Q20

¹⁰⁵ HC Deb, 26 February 2003, col 244

¹⁰⁶ Ev 1, 13, 40, 46, Qq 1,4,15,20,27,33,34,35

¹⁰⁷ Ev 13

¹⁰⁸ *Op. cit.*, Report of Forum to discuss humanitarian contingency plans should there be a war with Iraq,

¹⁰⁹ Ev 40, Q33

¹¹⁰ Ev 23, 38. Ann Clwyd MP, a Member of the Committee, also reported this concern following a visit to northern Iraq in February 2003

¹¹¹ Q53

clothing and equipment are prohibitively expensive, putting them beyond the reach of most agencies. Every effort must be made to ensure that information on the supply of protective clothing is provided. Giving information on weapons capability is an extremely difficult area for the military but it is one where there needs to be serious cooperation between the military and UN agencies and NGOs.

Who will deliver humanitarian relief?

The Role of the UN—during and after a conflict

30. **Even without a further UN Security Council Resolution authorising military action, the UN will still be able to operate in Iraq under its humanitarian mandate.** Clare Short thought that a lack of UN authorisation for military action would not prevent a humanitarian relief effort and that UN agencies would “still take it as their duty to engage if they could reasonably engage”.¹¹² The UN stated that they have a mandate to operate, that there was a need to be involved and that they did not need a UN Security Council Resolution for every crisis as they worked to their mandate. It is possible that the UN position as a deliverer of humanitarian assistance might even be made easier if there were no UN authority for war because it would allow the UN to carry out humanitarian duties without being seen as a party to the conflict. The importance of UN involvement was stressed by NGO witnesses: “certainly in the south of Iraq the number of international and local NGOs available would not meet the humanitarian need without the punch that the United Nations has operationally”.¹¹³

31. The involvement of the UN post-conflict is a more complicated issue. Clare Short told the House of Commons on 26 February that her “greatest worry is that there is not yet agreement that the UN should have the lead role in a post-conflict Iraq”.¹¹⁴ Without UN post-conflict involvement, NGOs may have difficulty operating but may also face a dilemma over whether they can continue to operate in accordance with humanitarian principles. CARE International’s Programme Director told us: “If there is not a credible, co-ordination and leadership position by the UN for the humanitarian relief and rehabilitation activities in the aftermath of a war, it could be very difficult for most NGOs to even justify being there at all, let alone being operationally effective”.¹¹⁵ If there is any prolonged military occupation after a war, UN and NGO operation would be difficult if they are seen as closely affiliated with the occupying force. One UN Agency confirmed that it was not looking too far ahead, principally because of the restrictions on funding but also because of lack of clarity as to its role in the post-emergency stage. Any role for the UN outside its mandate would require discussion at the Security Council and a UN Security Council Resolution. We agree with Clare Short’s assertion that “the complexity of all of this if there is not a unity internationally will be dreadful and the possibility of things being well prepared will be much more difficult”.¹¹⁶ **It is important that the UN should have the lead role in a post-conflict Iraq as soon as possible. There is a real danger that donors and NGOs would not play a full part in the post-conflict reconstruction of Iraq if the country were administered by a military governor.**

A new UN Security Council Resolution

¹¹² Q3

¹¹³ Q38

¹¹⁴ HC Deb, 26 February 2003, col 242

¹¹⁵ Q38

¹¹⁶ Q18

32. Clare Short and NGOs all argued the need for a further Security Council Resolution which should explicitly provide for the provision of humanitarian relief.¹¹⁷ Clare Short told us:

there is a genuine commitment in our Government to think through and try to have the humanitarian considerations fully taken on board, and my own view is if there is to be a second Resolution it is massively desirable for the world, and indeed for the people of Iraq, that there is united and considered UN-authorized action, if there is to be action, and that any such authorisation would have to take account of the needs of the people.¹¹⁸

A second Security Council Resolution has been proposed but it is designed mainly to reinforce Resolution 1441. The draft makes no provision for humanitarian relief. We believe that the Resolution should take account of the likely humanitarian consequences of military action. Subsequent to any armed conflict, a further Resolution will be needed to make provision for changes to the OFF programme to allow for its continuation during and after a conflict. It should also set down what the UN's role will be after a conflict. In Afghanistan we saw the importance of the role played, in the early days, by the UN Special Representative in balancing different interests and championing and safeguarding the rights of civilians before, during and after military action. Iraq will also benefit from a Special UN Representative. We believe that an appointment should be made immediately, regardless of the plans of the US military for the post-conflict stage.

Role of NGOs

33. Clare Short did not see NGOs as the deliverers of humanitarian relief in the first instance.¹¹⁹ In response to this one NGO commented that although its capacity would be limited in the event of use of “non-conventional” weapons, it and other NGOs did have the capacity to provide humanitarian relief in major conflict situations.¹²⁰ In central and southern Iraq there are few international NGOs working with a limited number of national NGOs. However, throughout the region there are many more. Indeed we were told that there are forty NGOs operating in Jordan alone which, together with NGOs in Iran and Kuwait, have been very helpful in UN planning. The International Committee for the Red Cross will remain operational even in the event of war as its mandate is to assist civilian populations in times of armed conflict.¹²¹ The ICRC is likely to be the main organisation responsible for IDPs as part of its mandate for the protection of civilians.¹²² It is possible that any military action may result in the withdrawal of international staff and there have been reports that this has started happening in some areas.¹²³ The conditions under which NGOs would withdraw vary, they include any threat to the safety of staff or if their neutral position was compromised.¹²⁴ It is likely therefore that in the early stages, the military will be the primary providers of humanitarian relief.

¹¹⁷ Qq 3, 7, 18, 46

¹¹⁸ Q7

¹¹⁹ HC Deb, 26 February 2003, col 244

¹²⁰ Ev 18

¹²¹ Iraq: ICRC statement at Humanitarian Meeting, 15–16 Feb 2003, *International Committee of the Red Cross*, 18 February 2003

¹²² HC Deb, 26 Feb 2003, col 245

¹²³ Ev 35

¹²⁴ Qq 1, 38, 45

Military and civilian/humanitarian cooperation

34. The few NGOs involved in Iraq feel they have a responsibility to the Iraqi people but are concerned about how they would be perceived if they co-operate with the military in delivering humanitarian relief, particularly in a post-conflict setting under a military occupation. NGOs emphasised the importance of humanitarian principle of neutrality and were concerned about the effect of military cooperation on the relationships of trust they have established with local people.¹²⁵ There is particular concern amongst NGOs about the blurring of humanitarian and military boundaries, especially in the eyes of the local population. CARE International's Raja Jarrah told us:

in the turbulent post-war situation, or immediate post-war situation, where violence is being perpetrated by all sorts of actors, not just formal armies, then any action that fudges the distinction between military and civilian activities is always going to be problematic for humanitarian agencies because it makes us complicit and targets, and makes us identified in the eyes of ordinary people with possible vigilantes. One of the important issues for us in separating civilian and military action is the safety and security of staff.¹²⁶

NGO concern about co-operation with the military is partly about being perceived locally as linked with the military. But it is also one of compromising NGOs by drawing them into military planning. A degree of information-sharing between the military and NGOs is necessary and desirable if it relates to security conditions, conditions in shared space or general estimates about the scope of the emergency but, as a joint NGO Steering Committee for Humanitarian Response put it: "Information should not be shared if it could, in any way, endanger communities or risk staff security"—for example, by helping the army identify targets or by destroying the local trust relationships of NGO staff. Finally, NGOs told us of the moral problem they would have if, immediately after the conflict, they had to operate under a foreign military administration which was not accepted as legitimate by Iraqi civilians.¹²⁷ Clare Short recognised the same difficulty in relation to the UN: "the question of if there is an action and afterwards if the present regime falls or is removed in some way how will the country be managed and where will the leadership be if the UN is not settled. We have talked about the UN agencies engaging anyway but I think the complexity of them engaging if there is military leadership will be very difficult."¹²⁸

35. The NGO witnesses accepted that military participation in humanitarian relief may well be the only option.¹²⁹ A recent position paper from a group of NGOs stresses that direct military implementation of humanitarian assistance should only take place under exceptional circumstances and should be a stop-gap measure until appropriate humanitarian agencies are able to do the work.¹³⁰ Mike Aaronson, Director of Save the Children, was uncompromising in his belief that the military could not be an impartial humanitarian actor while it was engaged in conflict and emphasised that, in a conflict, military and humanitarian objectives would inevitably be blurred but the military would have to give priority to give military objectives.¹³¹ He rejected the comparison with the situation in Kosovo; in that situation the military was not providing assistance to the people it was attacking but rather to the people on whose behalf it was fighting.¹³² **We do, however,**

¹²⁵ Ev 14, Qq 40, 49, Position Paper on Humanitarian—Military Relations in the Provision of Humanitarian Assistance, *Steering Committee for Humanitarian Response*, July 2002

¹²⁶ Q49

¹²⁷ Q40

¹²⁸ Q19

¹²⁹ E.g. Q50

¹³⁰ Position Paper on Humanitarian—Military Relations in the Provision of Humanitarian Assistance, *Steering Committee for Humanitarian Response*, July 2002

¹³¹ Q47

¹³² Q52

believe that one area in which the military could play an important role is policing and protection. We urge the military to develop plans to provide such protection, where requested, for humanitarian work if they have not already done so. There have been reports of a plan which will include the deployment of UN peace keeping forces, or monitors.¹³³ We endorse this proposal.

36. **Military/humanitarian cooperation is an extremely difficult area. But the difficulties have to be resolved now before any fighting begins.** The main issue revolves around what type of administration will follow an Iraqi collapse. If, as has been widely suggested, there is to be a US military administration for anything other than the shortest period necessary for purely practical reasons, then some of the humanitarian agencies believe they will be placed in a difficult position regarding their mandate and principles. It could be said that there is something odd about a line of reasoning which finds it acceptable for humanitarian actors to engage in a country ruled by Saddam but not acceptable to engage in the same country if administered (however temporarily) by a US Army General. The issue though is whether humanitarian agencies are perceived as conferring legitimacy. **This underlines the case for having a lead role for the UN planned for the aftermath of hostilities.**

How will humanitarian relief be funded and what is needed?

37. Predicting how much money will be needed to deal with the potential humanitarian consequences is, like so much surrounding this potential conflict, largely guesswork. The UN consolidated appeal started at US\$37 million and jumped to US\$93 million.¹³⁴ A UN interagency preparedness paper issued in February 2003 states: “the agencies have agreed that some US\$123.5 million would be necessary to sustain UN activities and to further expand the operational scope of contingency planning for a three month period”.¹³⁵ Whatever the predictions, the cost will be massive both in providing for humanitarian needs during a conflict and for reconstruction following any military action. It is not yet clear how and when these needs might be met. Iraq, despite being an oil-rich country, owes over US\$ 4 billion in foreign debt and war reparations.¹³⁶ The cost of repairing infrastructure is also likely to be heavy. Since the Gulf War the UK Government has contributed £115 million in aid to Iraq, £100 million through the UK’s humanitarian relief to Iraq and £15 million through the EC.¹³⁷ DFID have also told us that they expect to spend a further £8 million, during this financial year, on their ongoing humanitarian relief project for Iraq which is funded from its Iraq aid framework line.¹³⁸ DFID’s £100 million contingency budget has also been identified as a possible source of funding.¹³⁹ **However, based on the evidence we heard, the scale of the humanitarian need may well exceed the capacity of the international system.**¹⁴⁰ The likely impact of a breakdown in the existing OFF food distribution system—which costs US\$250 million per month for the food and transport element alone—would leave a minimum of 10 million people without any source of food.¹⁴¹ In light of the scale of humanitarian relief needed, it is unlikely that the funds so far identified by DFID will cover all the costs. Although USAID has stated its intention to keep food distribution systems running, precise information about how this might be funded and the legal basis of funding arrangements for a programme established by UN Security

¹³³ UN leaders draw up secret blueprint for postwar Iraq, *The Times*, 5 March 2003

¹³⁴ Q3

¹³⁵ Updating Funding Requirements for Humanitarian Preparedness Measures, UN Inter-Agency Preparedness Planning for Iraq and Neighbouring Countries, United Nations, 14 February 2003

¹³⁶ Ev 22

¹³⁷ Ev 31

¹³⁸ Ev 31

¹³⁹ Ev 3

¹⁴⁰ Qq 29, 55

¹⁴¹ Q29

Council Resolution, has not been given.¹⁴² Christian Aid felt that: “there remains a lack of clarity as to where funds would come from to pay for an emergency food relief operation for several million people in the absence of oil revenues”.¹⁴³ DFID is aware that the enormous scale of aid needed may be beyond the capacity of the international system:

The upper estimates, which presume collapse of the OFF and significant damage caused by conflict, would create needs well beyond the financial scope of the international community’s current humanitarian budgets. This emphasises the need to refine the military options to reduce these risks—including minimising disruption to the Iraqi oil revenues which pay for OFF. It will also be important to share the costs of humanitarian assistance across a wider group of countries and multilateral agencies as possible, which will be made much easier by an appropriate UN mandate.¹⁴⁴

38. Although there is potential for an international round of pledging, the lack of available funds is already having an adverse effect. Discussion about resources earlier in the report highlighted that necessary funds were not immediately available to allow planning and preparations for the likely humanitarian consequences of military action to take place. Save the Children wrote that “at present there is no funding and little preparedness planning...”¹⁴⁵ NGOs may face a lack of funds but, far more worryingly, so does the UN. Save the Children reported that its existing £60,000 budget line from DFID has been spent on purchasing supplies and establishing distribution logistics but that these preparations will only be sufficient for 2000 families from what may be as many as 1 million displaced people.¹⁴⁶ Christian Aid cited an unofficial UN OCHA report which states: “all UN agencies have been facing severe funding constraints that are preventing them from reaching the minimum level of preparedness” and goes on to say that “the collapse of essential services in Iraq... could lead to a humanitarian emergency of proportions well beyond the capacity of UN agencies and other aid organisations”.¹⁴⁷ **Despite pledges being made to a UN emergency fund at a conference in Geneva on 15–16 February, the indication is that the scale of humanitarian need will drastically outweigh the funds available and that there is a severe lack of funds available immediately for planning and preparation.**¹⁴⁸ Even if there is a successful international appeal, funding shortfalls could remain. CARE International’s Raja Jarrah said:

We fear that there will be a gap between what is needed and what is provided. The evidence from Afghanistan in terms of what was pledged by the international community and what has come, shows that the gap remains enormous. If the international community is to focus on Iraq, we want them to focus for the long term to assist in the humanitarian disaster which, as I indicated, will last for a considerable length of time.¹⁴⁹

39. The pressure on the international system arising from global humanitarian crises is enormous. Clare Short commented that: “there is a real problem here of the enormous strains on the international humanitarian system, which are very considerable, we have got so many crises around the world, both in funding and in the capacity of people and institutions to provide food and reach people who are in need”.¹⁵⁰ DFID’s written evidence rightly emphasised that it would be wrong to divert resources away from one crisis to

¹⁴² USAID contingency plans for humanitarian assistance to Iraq, *USAID Fact Sheet*, 24 February 2003

¹⁴³ Ev 18

¹⁴⁴ Ev 31

¹⁴⁵ Ev 20

¹⁴⁶ Ev 22

¹⁴⁷ Ev 18

¹⁴⁸ Ev 18

¹⁴⁹ Q55

¹⁵⁰ Q3

another.¹⁵¹ Whilst we are satisfied that resources will not be diverted away from existing crises, we remain concerned about the media's inability to give coverage to more than one humanitarian crises at a time. DFID have told us that use of funds from its contingency reserve for Iraq would not affect its overall aid budget but: "could reduce DFID's capacity to respond to other emergencies which have not yet occurred or supplement existing funding to ongoing emergencies".¹⁵² **We are concerned that the international system lacks the financial and resource ability to cope with multiple crises around the world and echo the statement made by CARE International that: "We are, as the Secretary of State's written evidence pointed out, very, very worried about the loss of publicity of very serious humanitarian disasters which are in place at the moment in Southern Africa, in East Africa and we now have West Africa with the disruption in Côte d'Ivoire".**¹⁵³

Refugee and international humanitarian law

Refugee law

40. Refugees are protected by the 1951 Convention Relating to the Status of Refugees. Internally Displaced Persons are protected by under aspects of International Humanitarian Law (IHL) and more general international law, codified in UN guidelines on internal displacement.¹⁵⁴ DFID's Head of Humanitarian Programmes Team told us that: "The High Commissioner for Refugees has written to all of the neighbouring countries to remind them of their responsibilities with regard to refugees and potential refugees. It is their responsibility".¹⁵⁵ But Iraq's neighbours may not be willing to accept the entire responsibility for the large number of refugees that a war is likely to produce. The Government of Iran has accepted Iraqi refugees in the past and is planning for another possible influx. But the extent to which its plan for refugees can be materialized will partially depend on the level of fulfilment of international commitments. The Iranian Government faces the continued presence of more than 2.5 million refugees from neighbouring countries and limited contributions from the international community have pushed Iranian resources to their limit. Iran is a signatory to the Refugee convention but this is not the case for all Iraq's neighbours. NGO representatives told us during oral evidence: "not all of the neighbours have signed the Refugee Convention... ...Syria, Jordan, Kuwait and Saudi Arabia have not, so clearly there are some big issues about who would allow people across the borders and what our stance would be not only as humanitarian agencies, but as concerned governments, if people were not allowed to seek refuge in neighbouring countries".¹⁵⁶ Dr Al-Sharistani of the Iraqi Refugee Aid Council commented that: "the stated policy of the Iranian and the Kuwaiti Governments that they will put up camps at the borders on the Iraqi sides and they would not like to see Iraqis move across the borders so they would not have to consider them as refugees".¹⁵⁷ **We call on the UN to clarify with Iraq's neighbours their attitude to accepting refugees in the event of armed conflict, whether or not they have signed the refugee convention.**

International Humanitarian Law

41. International Humanitarian Law attempts to limit the impact of military action on non-combatants and is largely based on the four Geneva Conventions of 1949 which have been ratified by the UK, USA and Iraq.¹⁵⁸ The 1977 Additional Protocols have some relevance

¹⁵¹ Ev 3

¹⁵² Ev 31

¹⁵³ Q55

¹⁵⁴ Iraq: war, law and humanitarian protection, Report of meeting of the *Overseas Development Institute* debate on 22 January 2003

¹⁵⁵ Q16

¹⁵⁶ Q35

¹⁵⁷ Q36

¹⁵⁸ *Op. cit.* ODI debate on 22 January 2003

but have not been ratified by the USA or Iraq. Those elements of IHL that are most relevant seek to enforce a distinction between civilians and combatants, and to direct hostilities only against combatants. Under IHL, forces are prohibited from making indiscriminate attacks, must distinguish between military targets and civilians and are obliged to take all precautions to ensure that targets are military, refraining from launching attacks that would have a disproportionate effect on civilians.¹⁵⁹ CARE International emphasised in its written evidence that: “international humanitarian law requires the warring parties to attend to the needs of civilians”.¹⁶⁰ In the event of a post-war military occupation, the occupying force will have the primary responsibility for ensuring sufficient access to food and water for Iraq’s civilians and this will undoubtedly play a part in defining the overall shape of any humanitarian response.¹⁶¹ NGOs are concerned that governments are not adequately prepared to fulfil their responsibilities in this area but recent statements from USAID indicate that they are preparing to deliver on their responsibilities.¹⁶² **Although Clare Short told us that humanitarian considerations must be paramount, there are still concerns that this will not be the case.**¹⁶³ **Christian Aid’s Roger Riddell said: “I am worried about a line of questioning which suggests we do the war and then worry about the humanitarian consequences afterwards. The Geneva Conventions require that those who engage in military activity focus on civilians right from the start”.**¹⁶⁴ **Clare Short told the House that the: “simplistic view that we should get on with the war, after which my Department and a few people can clean up, is ill-informed. I and my Department have been fully engaged in trying to get the world to face the humanitarian risks and make preparations”.**¹⁶⁵ **The Prime Minister told the House that there needs to be: “a humanitarian plan that is every bit as viable and well worked out as a military plan”.**¹⁶⁶ **We fully concur, but have yet to be convinced that this is the case.**

Conclusions

42. It is essential that the same emphasis should be placed on the humanitarian implications of war against Iraq as on the military planning. It would appear that the military have gone ahead with their planning on the assumption that someone else will come along to clear up afterwards. We do not believe it is acceptable to wait until the war is over before turning to face the humanitarian consequences. Military planning must seek to minimise the damage to civilian infrastructure. Health, sanitation, irrigation and vital food distribution networks will suffer if Iraq’s already dilapidated infrastructure is destroyed. Despite USAID’s claims that food distribution will continue through oil-for-food, statements of intent are insufficient without acceptance of the financial and legal implications. The lack of funding that is immediately available has affected the ability of the UN to prepare. The international system may not have the capacity to cover the costs of delivering food up to 15 million people and reconstructing Iraq’s infrastructure.

43. The role of the UN in coordination is central to the humanitarian effort. The current lack of coordinated leadership in dealing with the humanitarian issues, and poor information-sharing, has hampered effective planning and preparation. Military action against Iraq will have major humanitarian consequences and may involve the use of chemical, biological and even nuclear weapons. There is a risk of ethnic conflict and state fragmentation in the immediate post-war period. We are concerned about how these issues would be managed in the absence of immediate post-war UN leadership. We recognise that

¹⁵⁹ *Ibid*, Protecting Iraq’s civilians, *Oxfam briefing paper* February 2003

¹⁶⁰ Ev 14

¹⁶¹ *Op. cit.* ODI debate.

¹⁶² USAID contingency plans for humanitarian assistance to Iraq, *USAID Fact Sheet*, 24 February 2003

¹⁶³ Qq 25, 38, 51

¹⁶⁴ Q51

¹⁶⁵ HC Deb, 26 February 2003, col 244

¹⁶⁶ HC Deb 3 February 2003, col 36

some NGOs may perceive their neutral humanitarian position as being compromised if they operated under a military occupation. The military may inevitably have to play the primary role in providing humanitarian assistance during the conflict and will undoubtedly be present after it ends. A lead role planned for the UN in the immediate aftermath of hostilities may protect humanitarian space and facilitate cooperation between the military and humanitarian agencies without compromising the latter's impartial position.

LIST OF MAIN CONCLUSIONS AND RECOMMENDATIONS

- (a) **We recommend that DFID immediately issues a statement outlining its basic humanitarian contingency plans. This would be a useful source of information for humanitarian actors and would also provide reassurance that adequate importance has been attached to the humanitarian consequences of military action (paragraph 8).**
- (b) **Notwithstanding the difference of opinion between UN and NGOs, and understanding the need for confidentiality, we urge DFID and the UN, where possible, as a principle to provide confidential briefings to NGOs to facilitate effective planning (paragraph 10).**
- (c) **There is a pressing need for a mechanism for coordinating the UK humanitarian response so that UK NGOs can be connected with the UN, the military and local NGOs to facilitate information sharing between all relevant actors. (paragraph 11).**
- (d) **It is clear is that the scale of funds needed will be massive, given the dependency of the majority of the Iraqi population on the OFF programme which delivers \$5 billion worth of commodities into the country in each six month phase, the food element of which costs \$250 million a month to maintain. (paragraph 12).**
- (e) **If delivery of food through OFF does breakdown it will affect the 60% of Iraqis to whom the programme currently delivers, two-thirds of whom have no other source of food. Even in northern Iraq, where the WFP have trebled the ration to allow stockpiling, a food crisis would spread to northern Iraq within three months and would be severely worsened by a likely influx of internally displaced persons. Humanitarian contingency planning must take account of the serious risk that at least 40% of the population will be without any source of food in the absence of OFF rations. (paragraph 14).**
- (f) **A new Resolution on OFF is needed to allow the UN Secretary General to take executive control as soon as hostilities begin (paragraph 16).**
- (g) **It is to be noted that the current mandate for OFF ends on June 3rd 2003 (paragraph 16).**
- (h) **As we have already commented, there may be problems with the delivery of existing Government of Iraq contracts. Detailed planning around how a replacement supply of food to OFF can be provided is necessary as is consideration of how such a supply can be channelled through existing delivery mechanisms. Consideration has also to be given to alternative food distribution options, given the risk that local delivery outlets may not be operational (paragraph 20).**
- (i) **Planning for sites for IDP and refugee camps must include planning for the provision of water, sanitation, and health care. Food and non-food items such as tents should be pre-positioned at camp sites. Camp planning must also take careful consideration of the risk of injury from unexploded ordnance and landmines. (paragraph 23).**
- (j) **Military planning should seek to minimise humanitarian consequences. However, it is inevitable that there will be damage to Iraq's infrastructure. It is therefore essential that sufficient medical supplies are available to deal with**

- any outbreak in disease. Vaccination programmes should be carried out now to minimise casualties. Provision must also be made to address the potential lack of clean drinking water and sanitation services (paragraph 25).
- (k) In preparing to prevent the outbreak of ethnic conflict in Iraq the UK Government should remember the experience of Afghanistan where an initial “my enemy’s enemy is my friend” approach led the US to support regional power holders, thereby fuelling warlords and creating barriers to security and stability. The best case scenario for military action would involve Iraqi surrender with central authority structures remaining intact. However, it is essential that in planning for the possible humanitarian consequences of military action the worst case scenario, involving ethnic conflict, is considered. Safe havens could be a useful mechanism for preventing ethnic conflict but it is essential that there is clear identification of who will be safe inside havens and how they will be protected. (paragraph 28).
 - (l) Ideally, international and Iraqi health workers would be trained in how to deal with the human impact of chemical or biological weapons and would receive the same immunisations against biological weapons that are offered to military personnel. The UN has discarded the option of providing protective suits for its staff because they will be impractical. In any case UN staff would be withdrawn at the outset of any chemical or biological attack. Specialist clothing and equipment are prohibitively expensive, putting them beyond the reach of most agencies. Every effort must be made to ensure that information on the supply of protective clothing is provided. Giving information on weapons capability is an extremely difficult area for the military but it is one where there needs to be serious cooperation between the military and UN agencies and NGOs (paragraph 29).
 - (m) Even without a further UN Security Council Resolution authorising military action, the UN will still be able to operate in Iraq under its humanitarian mandate (paragraph 30).
 - (n) It is important that the UN should have the lead role in a post-conflict Iraq as soon as possible. There is a real danger that donors and NGOs would not play a full part in the post-conflict reconstruction of Iraq if the country were administered by a military governor (paragraph 31).
 - (o) A second Security Council Resolution has been proposed but it is designed mainly to reinforce Resolution 1441. The draft makes no provision for humanitarian relief. We believe that the Resolution should take account of the likely humanitarian consequences of military action. Subsequent to any armed conflict, a further Resolution will be needed to make provision for changes to the OFF programme to allow for its continuation during and after a conflict. It should also set down what the UN’s role will be after a conflict. In Afghanistan we saw the importance of the role played, in the early days, by the UN Special Representative in balancing different interests and championing and safeguarding the rights of civilians before, during and after military action. Iraq will also benefit from a Special UN Representative. We believe that an appointment should be made immediately, regardless of the plans of the US military for the post-conflict stage (paragraph 32).
 - (p) We believe that one area in which the military could play an important role is policing and protection. We urge the military to develop plans to provide such protection, where requested, for humanitarian work if they have not already done so. There have been reports of a plan which will include the deployment

- of UN peace keeping forces, or monitors. We endorse this proposal. (paragraph 35).
- (q) **Military/humanitarian cooperation is an extremely difficult area. But the difficulties have to be resolved now before any fighting begins (paragraph 36).**
 - (r) **This underlines the case for having a lead role for the UN planned for the aftermath of hostilities. (paragraph 36).**
 - (s) **Based on the evidence we heard, the scale of the humanitarian need may well exceed the capacity of the international system. (paragraph 37).**
 - (t) **Despite pledges being made to a UN emergency fund at a conference in Geneva on 15–16 February, the indication is that the scale of humanitarian need will drastically outweigh the funds available and that there is a severe lack of funds available immediately for planning and preparation. (paragraph 38).**
 - (u) **We are concerned that the international system lacks the financial and resource ability to cope with multiple crises around the world and echo the statement made by CARE International that: "We are, as the Secretary of State's written evidence pointed out, very, very worried about the loss of publicity of very serious humanitarian disasters which are in place at the moment in Southern Africa, in East Africa and we now have West Africa with the disruption in Côte d'Ivoire". (paragraph 39).**
 - (v) **We call on the UN to clarify with Iraq's neighbours their attitude to accepting refugees in the event of armed conflict, whether or not they have signed the refugee convention. (paragraph 40).**
 - (w) **Although Clare Short told us that humanitarian considerations must be paramount, there are still concerns that this will not be the case. Christian Aid's Roger Riddell said: "I am worried about a line of questioning which suggests we do the war and then worry about the humanitarian consequences afterwards. The Geneva Conventions require that those who engage in military activity focus on civilians right from the start". Clare Short told the House that the: "simplistic view that we should get on with the war, after which my Department and a few people can clean up, is ill-informed. I and my Department have been fully engaged in trying to get the world to face the humanitarian risks and make preparations". The Prime Minister told the House that there needs to be: "a humanitarian plan that is every bit as viable and well worked out as a military plan". We fully concur, but have yet to be convinced that this is the case (paragraph 41).**

PROCEEDINGS OF THE COMMITTEE RELATING TO THE REPORT

MONDAY 10 MARCH 2003

Members present:

Tony Baldry, in the Chair

Alistair Burt
Ann ClwydChris McCafferty
Mr Robert Walter

The Committee deliberated.

Draft Report [Preparing for the humanitarian consequences of possible military action against Iraq], proposed by the Chairman, brought up and read the first time.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraph entitled 'Summary' read and postponed.

Paragraphs 1 to 42 read and agreed to.

Postponed paragraph entitled 'Summary' read again and agreed to.

Resolved, That the Report be the Fourth Report of the Committee to the House.

Ordered, That the Chairman do make the Report to the House.

Several papers were ordered to be appended to the Minutes of Evidence.

Several papers were ordered to be reported to the House.

[Adjourned till Tuesday 11 March at Two o'clock

LIST OF WITNESSES

Wednesday 12 February 2003

Rt. Hon. Clare Short, a Member of the House, Secretary of State for International Development, Mr Alistair Fernie, Head of Middle East and North Africa Department, and Mr Peter Troy, Head of Humanitarian Programmes Team, Conflict and Humanitarian Affairs Department, Department for International Development Ev 4

Mr Raja Jarrah, Programme Director, CARE International, Mr Roger Riddell, Director, International Department, Christian Aid, Mr Mike Aaronson, Director General, Save the Children UK (SC UK) and Dr Al-Shahristani, Iraqi Refugee Aid Council Ev 24

LIST OF MEMORANDA INCLUDED IN THE MINUTES OF EVIDENCE

1. Department for International Development Ev 1 and 31
2. CARE International Ev 12
3. Christian Aid Ev 14
4. Save the Children UK Ev 20

LIST OF APPENDICES TO THE MINUTES OF EVIDENCE

1. CPAU, The Archbishops' Council of the Church of England Ev 33
2. A Forum of International NGOs working in Northern Iraq Ev 35
3. 4RS Ev 37
4. HelpAge International Ev 37
5. Minority Rights Group International Ev 41
6. Tearfund Ev 45
7. Kurdistan Children's Fund/ Kurdistan Save the Children Ev 47

LIST OF UNPRINTED MEMORANDA AND PAPERS

Copies of the following memoranda and papers have been placed in the House of Commons Library, where they may be inspected by Members. Other copies are in the Record Office, House of Lords, and are available to the public for inspection. Requests for inspection should be addressed to the Record Office, House of Lords, London SW1A 0PW (tel: 020 7219 3074). The Record Office is open to the public from 9.30 am to 5.00 pm on Mondays to Fridays.

1. Report of Forum to discuss humanitarian contingency plans should there be war with Iraq, 26th November 2002
2. Letter to the Committee from Tim Carstairs, Director for Policy, MAG
3. Oil-for-Food Programme: A Factsheet, February 2003
4. Letter to the Chairman of the Committee from Barbara Stocking CBE, Director, Oxfam
5. Oxfam Briefing Paper, Number 40: Protecting Iraq's civilians
6. Refugees International Report, 'Avoiding a humanitarian catastrophe in Iraq'
7. SCHR Position Paper on Humanitarian-Military Relations in the Provision of Humanitarian Assistance
8. USAID Factsheet: 'USAID contingency plans for humanitarian assistance to Iraq'
9. UN Inter-Agency Preparedness Planning for Iraq and Neighbouring Countries: Updated Funding Requirements for Humanitarian Preparedness Measures, 14 February 2003

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