

Humanitarian Assistance and Disaster Relief (HADR) in India's National Strategy

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Humanitarian Assistance and Disaster Relief (HADR) operations have attracted the attention of the global community in recent years. Building capabilities, interoperability and a conceptual framework for participation in these operations is gaining increasing urgency among Indian policymakers. The Indian armed forces have a wide experience of disaster relief operations both at home and abroad, where they have been the core of relief operations. Due to its sub-continental size, geographical location and its vulnerability to disasters, India has kept its forces ready to render assistance at short notice. In the six decades since independence, India has experienced a number of natural and man-made disasters such as floods, earthquakes, famines, industrial accidents etc. At the same time, India has partnered the global community in providing relief in affected regions. As India moves to occupy an important position in the global community, it is in the process of bolstering its capabilities to match the rising expectations. That India would play an important role is only to be expected keeping in view its values, its interest in the stability in the region, its economic and development needs and its geographical location.

However, there is a major divide in the methodology of providing assistance and relief between donor states due to differences of outlook and principles. Thus, donor states can be divided into two major groups: the Western nations that are members of Development Assistance Committee (DAC) of the Organisation for Economic Cooperation and Development (OECD) and nations that are not members of this group.

Although there is an international consensus with respect to disaster relief, there are divergent views regarding humanitarian assistance. The 1994 Oslo guidelines on "The Use of Foreign Military and Civil Defence Assets in Disaster Relief" state that "Humanitarian assistance must be provided with the core principles of Humanity, Impartiality and Neutrality (Para 20) and must also fully respect the sovereignty of states (Para 21)."¹

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The number of governments that are becoming involved in complex crises and natural disasters is increasing. In the mid-1990s, 16 donor governments officially pledged their support for the humanitarian crisis in Bosnia. A decade later, after the Indian Ocean tsunami, an unprecedented 92 countries responded with pledges of support.² This has given rise to debate on the “direction, purpose, principles and methodology of relief”, ranging from politico-economic to religious issues.³

India, on its part, since independence, has evolved from being a recipient of aid to becoming a donor state and is now part of the non-DAC members that account for up to 12 per cent of the total official humanitarian assistance rendered.⁴

The first part of this paper examines India’s role in Humanitarian Assistance and Disaster Relief (HADR) in the larger context of India’s contemporary strategic thought and practice, especially in the early part of the 21st century. This part will also focus on the symbiotic relationship between the emerging order at sea and India’s rising naval and maritime capabilities for meeting the HADR challenges emerging in the India Ocean Region. It will also survey the potential implications for HADR of developments in the Indian maritime dimension

The second part of the paper will analyse the differing views as well as the global discourse on HADR and will attempt to identify areas of convergence and divergence in the Indian, Asian and Western view points.

The third part attempts to present ways to bridge the divergence gap and seeks to identify common denominators which can enhance HADR.

India’s Role in HADR

The Indian concept of humanitarian assistance stems from India’s cultural and spiritual values that have been handed down through the generations and the principle of non-alignment espoused by Jawaharlal Nehru. According to Claudia Meier and C.S.R. Murthy, “The Indian government uses the terms ‘humanitarian assistance’ or ‘disaster relief’ for activities that assuage human suffering caused by natural disasters like cyclones, droughts, earthquakes or floods. This definition is narrower than the Western donors’ conception of humanitarian assistance, which also includes helping civilian populations affected by armed conflicts.”⁵

However, India has rendered aid in post-conflict scenarios in two instances—Sri Lanka and Afghanistan. This is in keeping with the neo-liberal approach adopted by India post-1991, according to which its interests take priority over working within the postulates of NAM. In this context the issue of regional stability and harmony takes precedence and India's rationale for rendering humanitarian assistance lies in the idea of establishing and maintaining friendly relations, and conceives the idea of rendering assistance as "extending sympathy" to the disaster affected or as a "goodwill gesture"⁶. This aspect stands to reason especially in light of the fact that the region around India is frequently affected by disasters. It also conveys India's ability to use this soft power for being recognised as a responsible nation. India's approach to rendering aid is thus based on three ideals⁷:

- Assistance is given for political or economic purposes which can be a highly effective means of improving relations.
- The wrong type of assistance can be counter productive.
- Conditional or tied bilateral aid, with strings attached in particular, can be degrading for the recipient.

Therefore, India follows the model of direct government to government aid. This direct assistance to the affected nation facilitates future bilateral dialogue between the affected nation and the donor nation. However, at times this may not be very effective due to the divergent perceptions of the affected nation. For example, when an earthquake affected both India and Pakistan in 2005, Pakistan was reluctant to accept direct government to government aid from India; and the latter does not render aid through non-governmental organizations (NGOs). The resultant conspicuous absence of any government aid from Pakistan helped certain terrorist groups such as the Jamaat-ud-Dawa in furthering their cause and garnering local support by rendering assistance.

India's strategic thought process has paved the way for a dialogue with her neighbours especially via the seas. The continental mindset forged in the past by the historical invasions by land and finally colonisation overshadowed the maritime outlook. There is now a resurgence of this outlook that is in tandem with the international order at sea and India is a proponent of maintaining this order. As a maritime nation with a reasonable maritime capability, the seas are the best medium for India to convey goodwill and her capability as a responsible nation. This was amply displayed during the evacuation of civilians from Lebanon

in 2006, and more recently from Libya. The number of civilians evacuated from Beirut included 514 citizens of Nepal, Sri Lanka, USA and Bangladesh.⁸ Earlier, the tsunami in 2004 highlighted the merits of India's strategy of rendering aid by the deployment of 32 naval ships, seven aircraft and 20 helicopters⁹ as part of five rescue, relief and reconstruction missions that covered the states of Andhra Pradesh, Tamil Nadu and the Andaman Nicobar Islands in India and also gave the same assistance to Maldives, Sri Lanka and Indonesia. Given the proximity and immediate response India's maritime assets were the first to reach the nations in distress. This reaction not only demonstrated India's ability to render a fast and capable response but also reinforced the fact that India's armed forces are a valuable benign force asset.

Drawing on the lessons learnt and in order to bolster its HADR capabilities the Indian Navy acquired a Landing Platform Dock (LPD) from the US in 2007. This was in light of the inability of the amphibious ships to reach the debris littered shores.¹⁰ The LPD, INS Jalashwa, is capable of carrying six helicopters and along with its landing crafts would be able to land relief supplies and manpower faster. Additionally, the Indian Navy is replacing its medium Landing Ship Tanks (LST[M]) with large LSTs, thus further increasing its relief capabilities. This aspect may draw the ire of nations with differing viewpoints on India's growing amphibious assets, however, the use of the military, especially the Navy can be seen in two clear ways. Firstly, it can be viewed as a positive signal to the international community that India is willing to put aside its political differences while rendering humanitarian aid and in doing so is paving the way for promoting future dialogue with the affected nation. Secondly, India's refusal to accept foreign aid but still render assistance to other littoral nations expresses India's belief not only in its own capabilities but also the fact that it has achieved a certain level of power whereby it has an important role to play in the security of the IOR as a whole.

However, there are certain issues that still require looking into. The response to disasters still remains sluggish. On December 23, 2005, the Government of India enacted the Disaster Management Act, which envisaged the creation of the National Disaster Management Authority (NDMA), headed by the Prime Minister, and State Disaster Management Authorities (SDMAs) headed by the respective chief ministers, to spearhead and implement a holistic and integrated approach to disaster management in India.¹¹ Despite the setting up of these institutions the response of the civil authorities remains sub-optimal and there is still a heavy reliance on the armed forces. In order to evolve a cogent national strategy and plan, so as to render timely assistance, the civil capacity and capability requires

to be bolstered. In order to do this, a study of the 2011 tsunami and subsequent nuclear disaster in Japan could be taken up as a case study that would enhance India's ability to render timely assistance both internally as well as externally.

Divergent Views

India conforms to the typically Asian view of HADR being apolitical, decentralised and most often taking a bilateral government to government approach. Naturally, this conflicts with the Western approach which meshes civil and military mechanisms and also involves NGOs. Another issue gaining impetus as a divergent view is the Responsibility to Protect (R2P)¹² or as it is viewed in the eyes of Asia, intervention. R2P gained momentum in the 1990s and could be considered a post-Cold War necessity. Prior to the 1990s, the polarisation of states into the two power blocs led by the United States and the Soviet Union and the resources this détente required left very little for humanitarian concerns. Another issue was that of public desire: with the world observing the state of affairs between the two superpowers and the proxy wars that went on, there was very little desire to engage in anything else. The final factor, and one that still exists to some extent, is the divide within the P5 in the UN Security Council.¹³ With the P5 ability to veto actions during the Cold War it was not possible to engage in humanitarian interventions during the Cold War. Two decades after the end of the Cold War, this divide is still visible in the Security Council, between the USA, the UK and France on one side and China and Russia on the other. Since the 1990s there has been a shift from inter-state conflict to intra-state conflict as a number of hitherto suppressed internal conflicts exploded in the aftermath of the Cold War.¹⁴

The issue of respecting sovereignty lies at the heart of divergence. In this regard Asian states tend to adhere to the 1994 Oslo Guidelines stringently. The Oslo Guidelines state that "Humanitarian Assistance must be provided with the core principles of Humanity, Impartiality and Neutrality (Paragraph 20) and must also fully respect the sovereignty of states (Paragraph 21)."¹⁵ The Asian states fully respect Paragraph 21, despite any concerns they may have about the apathy, ineptitude or state treatment of civilians in a state undergoing a *complex* humanitarian emergency (CHE). Western states on the other hand claim that the very nature of complex humanitarian emergencies excludes them from following Oslo Guidelines.¹⁶ The issue of sovereignty could be seen to arise from the fact that most Asian states are weak economies compared to the West and therefore, would have no political will or desire to advocate a policy of intervention. Even states like China would hesitate in doing so as it could undermine its own domestic

humanitarian problem.¹⁷ In as much as the West is considered the advocate of democracy, human rights, and the rule of law—the so called Western values—some Asian countries reject intervention by Western countries as an imposition of Western values on Asians, or more Western dominance.¹⁸ Asian states, therefore, endorse aid based on mutual benefits through direct bilateral dialogue that is often seen as acceptable as the recipient state is more likely to feel like a partner rather than inferior and there is no influence on the state's sovereignty.¹⁹

The concerns are mainly over issues of non-interference that are integral to the Asian community and the issue of the R2P's implementation²⁰ and where should it apply. A typical case of disagreement occurred when Cyclone Nargis hit Myanmar. Although France wished to invoke R2P, China and Russia vetoed such an action. China argued that “the situation in Myanmar was a natural disaster and not a matter of international peace and security, which placed the crisis outside the remit of the Security Council.”²¹ Russia stated that “without having determined a threat to peace, interference in Myanmar's domestic affairs was not legitimate” and stressed that presumable violations of human rights could not serve as a justification for illegitimate interventions and violations of the principle of sovereignty.²² However, according to the West, there was a tenuous link to R2P because “if the Myanmar/Burma government was deliberately withholding aid to people who are facing the immediate risk of death, it may be guilty of crimes against humanity.”²³ The intervention in Libya by NATO citing R2P, while there was no clarity on the issue in NATO's 2010 Strategic Concept, is another case in point. The legitimacy for the Libya campaign was drawn from Article 20 of the Strategic Concept that stipulates²⁴:

Crises and conflicts beyond NATO's borders can pose a direct threat to the security of Alliance territory and populations. NATO will therefore engage, where possible and when necessary, to prevent crises, manage crises, stabilise post-conflict situations and support reconstruction.

This issue, however, resulted in a divide amongst the NATO members. These examples illustrate how R2P can be used by states to intervene citing moral justification and also demonstrates the lack of consensus over the scope of R2P.

India, Russia and China are among the few nations that question the “morality” of R2P vis-à-vis sovereignty. In contrast the majority of nations, including the Non-aligned and G 77 are of the opinion that oppressive regimes do not come under this ambit and therefore, the sovereignty issue does not arise in such cases of R2P.

India's stance was made clear by India's Permanent Representative, Hardeep Puri, in a speech made at the UN General Assembly on July 24, 2009 when he said²⁵:

Sovereignty as responsibility has, however, always been a defining attribute for nation states where safeguards for protection of fundamental rights of citizens are constitutionally provided...These measures [R2P], Mr. President, not only have to be used as a last resort but have to be in conformity with the provisions of the UN Charter...responsibility to protect should in no way provide a pretext for humanitarian intervention or unilateral action...

Bridging the Gap

There are two issues that have to be bridged: firstly, the aspects related to aid rendered for natural disasters and secondly, the aspects of *humanitarian assistance* that are not due to natural disasters. These clear-cut demarcations must be recognised and the nuances related to each clearly understood in order to find a common denominator. Although there is agreement on the relief to be provided, especially during natural disasters that require the involvement and commitment of the international community, there are certain issues that require a better understanding and synergy.

The increasing number of donor states has allowed recipient states to choose the type of assistance required and from which nation. This wide ambit presents significant challenges to the way in which the international humanitarian system is financed, managed and coordinated.²⁶ This increase in the number of donor nations with differing strategic aspirations is changing the manner in which humanitarian assistance has been shaped and influenced by different regional groupings. Therefore, it is possible that some nations could use the opportunity to advance their political and economic influence and further their foreign policies. However, the main problem is the differences in the mode of rendering assistance, which depends on the donor concept, and these vary from region to region. In this debate two major groups— DAC donors and non-DAC donors—play a major role. The DAC group is dominated mainly by Western states while the majority of the non-DAC countries are from three regions—Asia, the Gulf and Central Europe. This wide global spread creates opportunities that could be harnessed to formulate a cooperative framework that would benefit the international community and foster global goodwill.

Firstly, an international framework on how assistance is to be rendered could be discussed and brought into force. This would take into cognisance the core competence and capabilities of nations and lay out the responsibilities for these nations. For example, some states may not have the capability of providing assistance on ground, but could provide economic assistance through an accepted route. In this aspect accountability would be a major factor, for which the government to government channel would be considered appropriate. Secondly, it would identify regional players who would be central in engaging with the states requiring assistance, but who may be wary of accepting assistance from states with differing strategic aspirations and governance models. This aspect could also obviate the factor of perceived extra-regional influence. Regional groups like the Association of Southeast Asian Nations (ASEAN), South Asia Association for Regional Cooperation (SAARC), European Union (EU) and African Union (AU) could also play a major role, as this would strengthen relations and foster better understanding and help in settling disputes among nations. This could be translated into the maritime domain where territorial and economic issues are gaining dominance. Maritime engagement in terms of HADR and search and rescue (SAR) exercises could be the starting point to establish a better international order at sea.

Therefore, R2P in its present form requires to be reviewed for better international acceptance. In view of the various differences it is difficult to assess how much the general change of opinion actually reflects a desire to institutionalise R2P within a region. In Asia there is a question of whether there are any effective regional mechanisms to invoke R2P. The possibilities include ASEAN or SAARC²⁷, but both of these presently have their own problems. ASEAN, though a possible candidate, has entrenched within its accords the fundamental principle of non-interference, the principle of non-use of force, and the principle of consensus-based decisions.²⁸ This effectively prevents ASEAN members from accepting the three pillar strategy²⁹ of R2P, although there have been apparent signs of shift as reported by the Asia-Pacific Centre for R2P.³⁰

The debate on R2P will continue unless the issues in the GCR2P report are addressed. According to the Report, some pertinent issues that require to be resolved to reach an international understanding are:

- Solving the problem of poverty and under development before seeking to prevent atrocities.
- Implementation of R2P without selectivity or double standards.

- Refraining from using veto in R2P situation by UNSC permanent members.
- Misuse of R2P to claim legitimacy for unilateral action. Although this was rejected on the grounds that the world summit outcome document ruled out unilateral intervention and called for collective action in conformity with the UN charter, it should still be re-examined.
- UN work on the first and second pillars.
- Ratification of human rights treaties and adoption of accountability measures.
- Strengthening of the UN and regional organisations in terms of early warning mechanisms, stand-by abilities and mediation capabilities.

Conclusion

International outlook in the post-Cold War period heralded a change in geopolitics and a rise in strategic aspirations of nations which has posed many challenges. Disasters of the magnitude of the 2004 tsunami have created opportunities for resolving misunderstandings and can pave the way for fostering international goodwill in the form of a regional and international cooperative framework. A comprehensive and mutually acceptable approach to HADR and R2P could forge a common denominator.

India's willingness and growing capability to be a partner in disaster relief offers an opportunity to discuss the best ways to align these intentions and resources to the common good and most importantly, to align our concepts and methodologies. India as a responsible regional and international player would continue to follow its policy of non-interference, yet render the assistance that is sought on mutually acceptable grounds. India would have to work out a methodology by which civil authorities supported by the armed forces, where required, would be able to render timely assistance, both internally and externally, in a constructive and streamlined manner. A study of natural disasters, actions taken and lessons learnt would help in developing a national disaster strategy and plan. In doing so India would look to forging bonds with nations which would help foster stability and the peaceful settlement of disputes.

Notes

1. See "Guidelines on the Use of Foreign Military and Civil Defence Assets in Disaster Relief", Oslo Guidelines, Rev. 1.1, November 2007, p. 7.
2. See Adele Harmer and Lin Cotterrell, "Diversity in Donorship: The Changing Landscape of Official Humanitarian Aid", Humanitarian Policy Group Research Report 20, September 2005, available at <http://www.odi.org.uk/resources/download/234.pdf>, accessed on July, 26 2011.
3. Ibid.
4. Ibid., p. 16.
5. Claudia Meier and C.S.R. Murthy, "India's Growing Involvement in Humanitarian Assistance", GPPi Research Paper No. 13, March 2011, pp 6, available at http://www.gppi.net/fileadmin/media/pub/2011/meier-murthy_2011_india-growing-involvement-humanitarian-assistance_gpipi.pdf, accessed on July, 26 2011.
6. Ibid. p. 7.
7. See Gareth Price, "Diversity in Donorship: The Changing Landscape of Official Humanitarian Aid: India's Official Aid Programme", Humanitarian Policy Group Background Paper, September 2005, p. 3.
8. Indian Naval Press Release, "Op Sukoon: The Beirut Sealift (July 2006) Evacuation of Indians from Beirut, Lebanon", available at http://indiannavy.nic.in/Op_sukoon_lebanon.pdf, accessed on July 31, 2011.
9. See Vijay Sakhuja, "Indian Naval Diplomacy: Post Tsunami", available at <http://www.ipcs.org/article/navy/indian-naval-diplomacy-post-tsunami-1640.html>, accessed on July 31, 2011.
10. See "India Says 'Not Yet' to Another Assault Ship from US and to Hawkeye II, Too", *India Strategic*, August 2007, available at <http://www.indiastrategic.in/topstories20.htm>, accessed on July 31, 2011.
11. See <http://ndma.gov.in/ndma/evolution.html>, accessed on January 15, 2012.
12. The scope of R2P is restricted to four crimes—genocide, war crimes, ethnic cleansing, and crimes against humanity.
13. See Theo Farrell "Humanitarian Intervention and Peace Operations", in John Baylis, James J. Wirtz, and Colin S. Gray (eds), *Strategy in the Contemporary World*, Oxford University Press (2002; Third edition 2010), and Gareth Evans 'From Humanitarian Intervention to the Responsibility to Protect', Keynote Address by Gareth Evans, President of International Crisis Group and Co-Chair of the International Commission on Intervention and State Sovereignty 2001, to Symposium on Humanitarian Intervention, University of Wisconsin-Madison, March 31, 2006.
14. See Michael C Williams 'Humanitarian intervention and the Use of Force', paper presented during the Second Transatlantic Editors' Roundtable, April 29/30, 1999, London, UK, available at <http://www.cap-lmu.de/transatlantic/topics/editors2.php>, accessed on July 27, 2011.
15. Oslo Guidelines, n. 1.
16. See Sharon Wiharta, Hassan Ahmad, Jean-Yves Haine, Josefina Löfgren and Tim Randall, *The Effectiveness of Foreign Military Assets in Natural Disaster Response*, SIPRI, Sweden, 2008.
17. See "The Debate on Humanitarian Intervention", in Kenji Watanabe (ed.), *Humanitarian Intervention: The Evolving Asian Debate*, Japan Center for International Exchange, Tokyo, 2003.
18. Ibid.
19. See CMI Report, "Asian Models for Aid: Is There a Non-Western Approach to Development Assistance?", Summary record of seminar held in Oslo, December 2006.
20. See GCR2P Report, *Implementing the Responsibility to Protect, the 2009 General Assembly Debate: An Assessment*, Global Centre for the Responsibility to Protect, Ralph Bunche Institute for International Studies, City University of New York, New York.
21. See Myanmar/Burma No.2 Briefing Paper, "Cyclone Nargis and the Responsibility to Protect", Asia Pacific Centre for the Responsibility to Protect, May 2008, p. 9, available at http://www.r2pasiapacific.org/documents/Burma_Brief2.pdf, accessed on July 27, 2011.

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22. See Delegation of the Russian Federation, "Position Paper for the Security Council", Universities of Magdeburg and Munich Russia, 2011, p.1, available at http://www.madmun.de/img/ppnmun/madmunxi/PP_RF_SC.pdf, accessed on July 27, 2011.
23. GCR2P Report, n. 20.
24. See Allyd Paynter, "Libya: Evaluating NATO's Strategic Concept", IDSA Comment, available at http://www.idsa.in/idsacomments/LibyaEvaluatingNATOsStrategicConcept_apaynter_060711, accessed on July 31, 2011.
25. See Kishan Rana, "Reconsidering R2P, Post Libya", available at <http://www.gatewayhouse.in/publication/gateway-house/features/reconsidering-r2p-post-libya>, accessed on January 16, 2012.
26. Adele Harmer and Lin Cotterrell, n. 2.
27. See Civil Society Consultation Final Report, "International Conference on Preventing Mass Atrocities: Asian Perspectives on R2P", Responsibility to Protect—Engaging Civil Society, February 2008, available at <http://www.responsibilitytoprotect.org/index.php/former-r2pcs-project/reports-and-statements/2445-20-21-february-2008-bangkok-thailand>, accessed on July 28, 2011.
28. Kristin M. Haugevik, "Regionalizing the Responsibility to Protect: Possibilities, Capabilities, and Actualities", *Global Responsibility to Protect*, Vol.1, No. 3, Brill, Norwegian Institute of International Affairs, 2009, p.19.
29. The three pillar strategy constitutes state responsibility, assistance by states, and timely and decisive action by the international community.
30. See Civil Society Consultation Final Report, n. 27.
31. See CMI Report, n. 19.