

## Mandates and capacities

The primary mandate of the International Red Cross and Red Crescent Movement (RCM) is to save lives and alleviate suffering in times of conflict and other emergencies. The Canadian Red Cross (CRC) has a role as auxiliary to the government for disaster response<sup>1</sup> and relies on a network of staff and volunteers to meet the basic needs of those affected by disasters.

Internationally, the RCM network extends to millions of volunteers present at the community level in 190 countries. The RCM has at its disposal a flexible assortment of relief items and assets pre-positioned around the world. This places the CRC in a unique position to respond to disasters at home and abroad.

The capacities of the RCM are complemented domestically and internationally by International Organisations (IOs) and non-governmental organisations (NGOs), typically coordinated (internationally) through the United Nations Office for the Coordination of Humanitarian Assistance (OCHA) and (domestically) through municipal or provincial/territorial emergency management organizations (EMOs).

The CRC advocates that the bulk of **humanitarian and disaster relief work in Canada and internationally should be carried out by dedicated and professional humanitarian agencies**<sup>2</sup>. However, despite the strength of the RCM and other actors, there are certain circumstances under which CAF support to Humanitarian and Disaster Relief Operations (HO/DRO) might prove to be the most efficient option to assist in delivering aid. Military assistance in such circumstances should be based on the Oslo Guidelines<sup>3</sup> as well as the Government of Canada guidelines on civil-military coordination and humanitarian action.

Based on this foundation, the CRC makes the following recommendations:

### **A contextual analysis, the critical first step:**

Emergencies around the globe are increasingly complex, often involving natural disasters during armed violence or vice versa. In such situations, humanitarian assistance plays a critical, life saving role in accessing the most vulnerable and providing assistance to all based on need. The safety and security of humanitarian workers and the beneficiaries in complex contexts is directly linked to an understanding of the neutral and impartial nature of the assistance provided, and the independence of the work of neutral and impartial humanitarian actors from political agendas. As such, militaries delivering aid in such contexts may unwittingly put at risk the foundations of humanitarian work: humanity, neutrality and impartiality. This, as a result, causes confusion with beneficiaries and armed actors and can result in diminished access for humanitarians, local and international, and increased risks for the civilian populations and humanitarian actors. In an increasingly globalized environment, blurring of roles in one context has a knock-on effect, and can contribute to diminished access and security in other places.

**The CRC maintains that, in such contexts, humanitarian space is eroded when military actors adopt the role of humanitarians.**

### **Recommendations specific to Canada:**

1. As per the 2013 Evaluation of the Department of National Defense (DND), the mandate of the CAF in HO/DRO is to assist in the delivery of humanitarian assistance to “overwhelmed primary first

<sup>1</sup> As per the “Act to incorporate the Canadian Red Cross Society”, S.C. 1909, c. 68, Assented to 1909-05-19

<sup>2</sup> The CAF themselves are not specifically designed for HO/DRO (B-GJ-005-307/FP-040)

<sup>3</sup> Legal name : OCHA Guidelines on the use of Foreign Military and Civilian Defense Assets in Disaster Relief

responders”<sup>4</sup>. According to CAF doctrine, this should be considered only when civilian capacities have been or will become over-stretched. **The CRC is in agreement with this principle of complementarity and use of CAF as a last resort** and only when the capacity of civilian responders is overwhelmed.

2. The CAF should continue to be prepared to play **a complementary role to civilian organizations in disaster response in Canada.**
  - A. We recommend that the CAF continues to fulfil its mandate to assist the disaster relief efforts of provincial or federal agencies when such agencies deem their resources are over-stretched (including all civilian options at their disposal, such as the CRC). In most cases, **the role fulfilled by the CAF should be primarily one of support, namely in logistics, transportation and communication.** In the event of a rapid-onset, large-scale emergency, this role should exceptionally be expanded to include direct services to victims **under a civilian lead<sup>5</sup> and in coordination with humanitarian actors such as the CRC, only as a last resort and based upon an up-to-date contextual analysis which finds that the use of military assets does not put civilian agencies or their beneficiaries at greater risk.**
  - B. **Military interventions are by no means a cheaper alternative to civilian responses.** Similar services which could be offered by professional CRC responders cost, on average, five times less. Response times by CRC and other professional actors are also typically faster and better integrated than the equivalent military service.
3. **Continue to invest in integrating International Humanitarian Law (IHL) into CAF training and operational practice** and commit to adopting and implementing best practices for training which reflect and take into consideration current dilemmas in modern conflicts.
4. **Include in the training of** members of foreign militaries in Canada and around the world a focus on the **implementation of IHL** including understanding their obligations towards their enemies, the prevention of sexual and gender-based violence and the protection of the medical and humanitarian mission.
5. **Commit in policy, and eventually law, to maintain human control over weapons systems and setting limits on autonomy in weapons systems to ensure compliance with IHL and the dictates of public conscience.**

#### **Additional recommendations for international responses:**

1. Commit to the use of military assets **only as a last resort. In order to determine if military assets should be used as a last resort, the humanitarian community as a whole must be overwhelmed and unable to respond, and the CAF must have done a comprehensive context analysis in order to determine if the use of those assets jeopardises humanitarian space thereby putting the humanitarian community and beneficiaries now or in the future at greater risk.**
2. When military assets are used, the assistance must be delivered in **a complementary manner** when no viable alternative exists and **when this support does not undermine the vulnerabilities of the victims of conflicts or disasters or their first responders.**
  - A. In the event of a rapid-onset, large-scale emergency in another country, similar to a domestic response, **the role fulfilled by the CAF should be primarily one of support, namely in logistics, transportation and communication.** This role should only ever be expanded in exceptional circumstances to include direct services to victims when it is done **under a civilian lead<sup>6</sup> and in coordination with humanitarian actors such as the CRC, only as a**

<sup>4</sup> Evaluation of the DND contribution to HO/DRO and Non-Combatant Evacuation Operations, October 2013, page iii

<sup>5</sup> As per the provisions of the Emergencies Act (R.S.C., 1985, c. 22 (4th Supp.))

<sup>6</sup> As per the provisions of the Emergencies Act (R.S.C., 1985, c. 22 (4th Supp.))

**last resort and based upon an up-to-date contextual analysis which finds that the use of military assets does not put civilian agencies or their beneficiaries at greater risk.**

**B. Military interventions are by no means a cheaper alternative to civilian responses.**

Similar services which could be offered by professional CRC responders cost, on average, five times less. Response times by CRC and other professional actors are also typically faster and better integrated than the equivalent military service.

3. Continue to demonstrate Canada's **commitment to respect International Humanitarian Law in all of its international operations and promote respect for the protection of those made vulnerable by the fighting** especially by promoting respect for patients, health care workers, and facilities, and the prevention of sexual and gender-based violence.