HUMANITARIAN ASSISTANCE FOLLOWING MILITARY OPERATIONS: OVERCOMING BARRIERS

HEARING

BEFORE THE

SUBCOMMITTEE ON NATIONAL SECURITY, EMERGING THREATS AND INTERNATIONAL RELATIONS

OF THE

COMMITTEE ON GOVERNMENT REFORM

HOUSE OF REPRESENTATIVES

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HUMANITARIAN ASSISTANCE FOLLOWING MILITARY OPERATIONS: OVERCOMING BARRIERS

TUESDAY, MAY 13, 2003

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON NATIONAL SECURITY, EMERGING THREATS AND INTERNATIONAL RELATIONS,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:06 p.m., in room 2154, Rayburn House Office Building, Hon. Christopher Shays (chairman of the subcommittee) presiding.

Present: Representatives Janklow, Kucinich, Maloney, Ruppersberger and Tierney.

Staff present: Lawrence Halloran, staff director and counsel; R. Nicholas Palarino, Phd, senior policy advisor; Robert A. Briggs, clerk; David Rapallo, minority counsel; and Jean Gosa, minority assistant clerk.

Mr. SHAYS. The Subcommittee on National Security, Emerging Threats, and International Relations hearing entitled, "Humanitarian Assistance Following Military Operations: Overcoming Barriers," is called to order.

In defense of international peace and human dignity, coalition Armed Forces have liberated Iraq from the death grip of a brutal corrupt regime. They did so brilliantly and bravely, executing a battle plan that demanded unparalleled military precision and unprecedented efforts to minimize civilian casualties.

That same concern for the long oppressed people of Iraq now motivates our efforts to stabilize that nation, bring relief to millions in need, and help them create a government they can trust and support. We cannot fail to complete this journey. The forces of liberation, military and civilian, are working to fill the vacuum created by the collapse of Saddam's insidious tyrannical control apparatus.

The same urgency that propelled armored columns into Baghdad must now drive efforts to establish civil order, restore basic services, and reopen safe passage for people, food, medicine, and necessities.

During my very brief stay in Iraq last month, as the guest of Connecticut-based humanitarian organization Save the Children, I saw heart-wrenching poverty and unendurable living conditions. Not the war, but decades of Saddam's sadism and brutal selfishness robbed the Iraqi nation of the means and capability to thrive.

As liberators, the culminating, perhaps more difficult, duty of regime change is to care for the people of Iraq until they are able to harvest the fruits of human dignity and freedom for themselves.

The task is absolutely enormous. Before the war, 60 percent of the population relied solely on the United Nations' Oil for Food Program for basic needs. After the war, food warehouses were looted. Lack of clean water and reliable power are crippling an already inadequate health care system. In an oil-rich country, shortages of cooking fuels and other refined products inflame hardship and resentments.

We cannot and should not expect to meet the challenge alone. International aid programs and nongovernment organizations referred to as NGO's have the most experience assessing humanitarian needs and getting essential supplies through logistic and political barriers. NGO staff are willing to take risks, but they cannot yet operate fully or freely in an unsettled security environment that threatens the physical safety and political neutrality of humanitarian workers.

The transition from combat to police operations has not been as rapid or as smooth as planned. Hard lessons learned in Bosnia, Kosovo, Somalia, Haiti, and Afghanistan on the need to quell emergent lawlessness seems to have fallen out of the battle plan during the dash to Baghdad. The military mechanics of basic security and free-flowing humanitarian assistance need to be brought forward quickly before vicious thugs and radical mullahs can occupy the moral high ground so nobly gained in battle.

The President charged the Pentagon's Office of Reconstruction and Humanitarian Assistance with bringing civil order and much needed aid to Iraq. Ambassador Paul Bremer and Retired Army General Jay Garner are leading U.S. efforts to meet that challenge. We will hear a taped message from General Garner this afternoon. We will also hear from Federal agencies and NGO's directly involved in rebuilding Iraq. Their testimony will help us understand the difficulties of delivering assistance in postwar Iraq and the scope of humanitarian mission facing the world.

With military might and precious lives, we have paved the way for peace and Democracy in Iraq. For that struggling nation, that troubled region and a changing world, the road ahead is perilous and the stakes are enormous. We cannot fail to complete the journey.

[The prepared statement of Hon. Christopher Shays follows:]

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Statement of Rep. Christopher Shays
May 13, 2003

In defense of international peace and human dignity, coalition armed forces have liberated Iraq from the death grip of a brutal, corrupt regime. They did so brilliantly and bravely, executing a battle plan that demanded unparalleled military precision and unprecedented efforts to minimize civilian casualties.

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The task is enormous. Before the war, sixty percent of the population relied solely on the United Nations Oil for Food Program for basic needs. After the war, food warehouses were looted. Lack of clean water and reliable power are crippling an already inadequate health care system. In an oil rich country, shortages of cooking fuels and other refined products inflame hardship and resentments.

We cannot and should not expect to meet the challenge alone. International aid programs and non-governmental organizations (NGOs) have the most experience assessing humanitarian needs and getting essential supplies through logistical and political barriers. NGO staff are willing to take risks. But they cannot yet operate fully or freely in an unsettled security environment that threatens the physical safety and political neutrality of humanitarian workers.

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The President charged the Pentagon's Office of Reconstruction and Humanitarian Assistance with bringing civil order and much needed aid to Iraq. Ambassador Paul Bremer and retired Army General Jay Garner are leading U.S. efforts to meet that challenge. We will hear a taped message from General Garner this morning. We will also hear from federal agencies and NGOs directly involved in rebuilding Iraq.

Their testimony will help us understand the difficulties of delivering assistance in post-war Iraq, and the scope of the humanitarian mission facing the world.

With military might and precious lives, we have paved the way for peace and democracy in Iraq. For that struggling nation, that troubled region and a changing world, the road ahead is perilous and the stakes are enormous. We cannot fail to complete the journey.

Mr. SHAYS. At this time, the Chair would recognize the distinguished ranking member, Mr. Kucinich, for an opening statement.

Mr. KUCINICH. I want to thank the Chair for his dedicated efforts to try to obtain General Garner's testimony today.

And I want to state, for the record, that I am concerned about the Defense Department's refusal to send any department officials to this hearing so we could have our questions answered.

General Garner's testimony will be on videotape, and we are not going to have any opportunity to question him. I might add that, for the Department of Defense, that this is a U.S. congressional oversight subcommittee with responsibility for the Department of Defense. In my view, a videotape testimony is not acceptable. This is not Emerald City, folks, and General Garner is not the Wizard of Oz. I mean, we have an obligation to get answers to our questions. And it's also a great concern, because the International Relations Committee is holding a hearing on Thursday in which the general will testify and is sending the Department's Under Secretary for Policy as a personal representative.

I also want to say that I am disappointed in the administration's approach to the security situation in Iraq. Based on all evidence, it appears the administration is more concerned about the security of oil reserves than of the Iraqi people or in its supposed weapons of mass destruction. Let me tell you why.

First, the administration did not begin preparations for Iraqi reconstruction until early 2003. Although AID, AID's secret and exclusive contracting process has been criticized elsewhere, the bottom line is that the White House did not tell them to start preparing for the war's aftermath until 2003.

In contrast, the administration began preparing to secure Iraqi oil fields months earlier. The Army asked Halliburton back in November to develop a contingency plan for extinguishing oil well fires, repairing damage, and continuing operations. This begs the question, why wasn't the same level of preparation given to the humanitarian relief?

With respect to weapons of mass destruction, during the first days of occupation in Baghdad, the military rushed to secure a single government agency, the oil ministry. They did not secure hospitals, electrical grids, or water facilities. As the military rushed by these facilities—and rushed by, I might add, the Iraqi National Museum—it also bypassed Iraq's nuclear headquarters and the nuclear research facility. These are known nuclear sites that the IAEA has inspected dozens of times, and that contained sealed containers of nuclear material. U.S. forces left them unguarded for weeks while hundreds of people looted them.

In a series of investigative articles on these lootings, the Washington Post reports that, inexplicably, these facilities are still not secure. As a result, the military says it is now impossible to determine whether nuclear material was stolen. I would like to submit these articles, Mr. Chairman, for the record.

[The information referred to follows:]

washingtonpost.com

Seven Nuclear Sites Looted

Iraqi Scientific Files, Some Containers Missing

By Barton Gellman
Washington Post Staff Writer
Saturday, May 10, 2003; Page A01

BAGHDAD -- Seven nuclear facilities in Iraq have been damaged or effectively destroyed by the looting that began in the first days of April, when U.S. ground forces thrust into Baghdad, according to U.S. investigators and others with detailed knowledge of their work. The Bush administration fears that technical documents, sensitive equipment and possibly radiation sources have been scattered.

If so, there are potentially significant consequences for public health and the spread of materials to build a nuclear or radiological bomb. President Bush had said the war was fought to prevent the spread of "the world's most dangerous weapons."

It is still not clear what has been lost in the sacking of Iraq's nuclear establishment. But it is well documented that looters roamed unrestrained among stores of chemical elements and scientific files that would speed development, in the wrong hands, of a nuclear or radiological bomb. Many of the files, and some of the containers that held radioactive sources, are missing.

Previous reports have described damage at two of the facilities, the Tuwaitha Yellowcake Storage Facility and the adjacent Baghdad Nuclear Research Center. Now, the identity of three more damaged sites has been learned: the Ash Shaykhili Nuclear Facility, the Baghdad New Nuclear Design Center and the Tahadi Nuclear Establishment. All of them have attracted close scrutiny from the International Atomic Energy Agency and from U.S. analysts who suspected that Iraq, despite IAEA inspections, was working to develop a bomb.

The identities of two other sites, also said to have been looted, could not be learned.

Army Lt. Col. Charles Allison, who led the U.S. survey team at Ash Shaykhili, said in an interview that its "warehouses were completely destroyed" by ransacking and fire. A Special Forces soldier, part of another team that reached Ash Shaykhili before Allison, said "they were supposed to store all their enrichment processing machinery there, but it was all gone or badly burned."

Alarmed by similar reports about the two Tuwaitha-area sites, IAEA's director general, Mohamed ElBaradei, sent a letter Monday pressing earlier demands that the United States grant the agency access to Iraq's nuclear sites. He has previously asserted that the IAEA has sole legal authority over the sites under the Nuclear Non-Proliferation Treaty and U.N. resolutions. But an adviser to ElBaradei said late Thursday that "we have got no official reply" from the United States.

Ash Shaykhili, 10 miles southeast of Baghdad, was the legally designated repository of heavy equipment used in Iraq's former nuclear weapons program. Some of the equipment was destroyed when Israel bombed the Osirak reactor in 1981 and when the United States bombed a Russian research reactor there 10 years later. Other gear had been seized and rendered useless by IAEA inspectors between 1991 and 1998.

Subject to regular inspection by the nuclear watchdog agency, Ash Shaykhili held destroyed centrifuges

once used to enrich uranium, disks and machinery used in an alternate enrichment process called electromagnetic isotope separation, key components of the bomb-damaged reactors, vacuum pumps and valves. Experts said it may have held small radiation sources, but not in significant quantities.

Allison's U.S. survey team sought evidence that the site concealed other, forbidden activities, particularly in an underground space that U.S. intelligence thought suspicious. But when Allison arrived on April 24, he found it "so looted that it was just basically warehouses with all kinds of crap all over the floor," he said. "If there was something there it's long since gone."

Another site known to have been damaged is the Baghdad New Nuclear Design Center. A prominent yellow building, the center housed the key personnel responsible for the crash program that nearly succeeded in building a nuclear bomb in 1991.

That program, known by the code name Petrochemical Three, or PC-3, demonstrated Iraqi mastery of three different nuclear enrichment technologies: fabrication of finely milled uranium or plutonium spheres for the core of a fission bomb and the makings of a sophisticated implosion device to detonate the weapon.

Many of the principal scientists and technicians of PC-3 moved to jobs at the new nuclear design center. They formed an umbrella organization for electrical, mechanical and chemical engineering research, all potentially useful for a nuclear weapon. But IAEA inspectors watched the work carefully, and an expert with detailed knowledge of the results said the agency "didn't find anything that indicated ongoing prohibited activities regarding nuclear weapons."

Last month U.S. Central Command sent the Pentagon's Direct Support Team to survey the site. Sources said they found it looted and collected little that would help resolve U.S. suspicions about what was being done there. They declined to detail the damage.

The third site that was badly damaged is the Tahadi Nuclear Establishment.

Jacques Baute, who heads the IAEA's Iraq Action Team, made that site his first stop when IAEA inspections resumed Nov. 27, according to press accounts. Tahadi was thought to be a potential location of renewed weapons activity because, like the Baghdad center, it employed some of Iraq's leading weapons scientists. Unlike the Baghdad center, it housed substantial dual-use equipment, capable of both permitted and prohibited work.

Tahadi hosted magnetic research and development of high-voltage power supplies. Those can be used as components of a program to enrich uranium to weapons grade. An expert on Iraq's weapons program with close ties to the IAEA said in an interview that the site was "at the top of the list" of sites that might be involved in prohibited centrifuge work. The Bush administration accused Iraq of attempting to import specialized aluminum tubes for such a centrifuge cascade, but the IAEA said they were not suitable.

The administration sought evidence at Tahadi, but the Direct Support Team found little left.

At the Baghdad site and Tahadi, experts said there might have been small radiation sources to calibrate instruments, but nothing in quantity. At two other looted sites, Tuwaitha's Location C and the Baghdad Nuclear Research Center nearby, there were significant quantities of partially enriched uranium, cesium, strontium and cobalt. U.S. survey teams have been unable to say whether any of those radiation sources were stolen.

According to witnesses, Allison's survey team reached both of these sites on April 10, the same day that ElBaradei cited them as the two most important for U.S. forces to protect. But because of continuing debate within the Bush administration over whether to enter without IAEA inspectors present, Allison received a hasty order to withdraw. When Allison was told to evacuate all U.S. personnel, including troops providing security at the perimeter, he grew agitated, witnesses said.

"Whoever gave that order better check his retirement plan, because if we leave this place open somebody is going to lose their job," he told an officer at the ground forces operations center of Central Command, according to two witnesses. Allison confirmed the gist of the conversation.

Eventually Central Command relented and ordered a company of the 3rd Infantry Division to guard both Tuwaitha-area sites. But the twin complexes, about a square mile each and half a mile apart, were far too big for the force left in place. Soldiers posted there permitted Iraqi civilians who said they were employees to enter freely. Looting at both places continued last Saturday, when a Washington Post reporter spent four hours at the site.

Daoud Awad, who ran the electrical design department at Tuwaitha, said in a brief interview that he "saw with my own eyes people carrying the containers we used to put radioactive materials in." The containers slightly resemble jugs commonly used for milk, he said, "and they didn't know what was inside."

"I saw some papers on an experiment, and the people threw the papers on the floor and took the table," he said. "If they knew how valuable the papers were, they would have kept the papers, not the table."

"How could they leave a place like this without protection?" he asked. "It's not an ordinary place. It's too dangerous."

Staff researcher Robert Thomason in Washington contributed to this report.

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Iraqi Nuclear Site Is Found Looted

U.S. Team Unable to Determine Whether Deadly Materials Are Missing

By Barton Gellman
Washington Post Staff Writer
Sunday, May 4, 2003; Page A01

NEAR KUT, Iraq, May 3 -- A specially trained Defense Department team, dispatched after a month of official indecision to survey a major Iraqi radioactive waste repository, today found the site heavily looted and said it was impossible to tell whether nuclear materials were missing.

The discovery at the Baghdad Nuclear Research Facility was the second since the end of the war in which a known nuclear cache was plundered extensively enough that authorities could not rule out the possibility that deadly materials had been stolen. The survey, conducted by a U.S. Special Forces detachment and eight nuclear experts from a Pentagon office called the Direct Support Team, appeared to offer fresh evidence that the war has dispersed the country's most dangerous technologies beyond anyone's knowledge or control.

In all, seven sites associated with Iraq's nuclear program have been visited by the Pentagon's "special nuclear programs" teams since the war ended last month. None was found to be intact, though it remains unclear what materials -- if any -- had been removed.

Enclosed by a sand berm four miles around and 160 feet high, the Baghdad Nuclear Research Facility entombs what remains of reactors bombed by Israel in 1981 and the United States in 1991. It has stored industrial and medical wastes, along with spent reactor fuel. Though not suitable to produce a fission bomb, the highest-energy isotopes here, including cesium and cobalt, have been sought by terrorists interested in using conventional explosives to scatter radioactive dust.

One team member said the quantities measured today would not suffice for that purpose, but others expressed doubt that the survey was complete. It was impossible to determine what may have been removed -- by unknowing looters, by knowledgeable thieves bent on black-market trade or by former Iraqi officials seeking to conceal evidence of banned weapons programs.

The most important looted nuclear site, less than a mile down the road, is the Tuwaitha Nuclear Research Center, where U.N. weapons inspectors had catalogued tons of partially enriched uranium and natural uranium -- metals suitable for processing into the core of a nuclear weapon. Iraqi civilians have stripped it of computers, furniture and much equipment; whether dangerous nuclear materials were taken is unknown.

U.S. authorities do not know what is missing, if anything, because of an ongoing conflict between the Bush administration and the Vienna-based International Atomic Energy Agency, as well as a dispute within the administration about how much to involve the IAEA in Iraq. The unresolved struggle has kept U.S. forces out of Tuwaitha's nuclear storage areas, but a brief outdoor inspection on April 10 found the door to one of them had been breached.

The special nuclear team that surveyed the Baghdad facility this morning had been eager to make the trip for weeks.

Twenty-three days ago, a smaller U.S. survey team passed by and recommended an immediate increase in security. The following day, April 11, the IAEA listed this site and Tuwaitha as the two requiring the most urgent protection from looters. U.S. Central Command sent a detachment of the Army's 3rd Infantry Division to control the facility's gate.

Rolling in at 8:15 a.m. today, accompanied by two reporters, Navy Cmdr. David Beckett said U.S. troops were reported to be securing the gate. Beckett's master sergeant, a Special Forces soldier who asked to be identified only as Tony, hopped out of the driver's seat and spoke to the lieutenant on duty.

"I don't believe this," he said, returning. "They let workers in here for the past week!"

"Local workers?" Beckett asked.

"Yeah," Tony said.

Employees of the research center -- or Iraqis who said they were employees -- had been coming in by the score for more than two weeks. The 3rd Infantry's security detail had no Arabic speaker and could not verify their stories. In addition, looters had been scavenging inside continuously since U.S. forces took control. At the peak, there were 400 a day. On Friday, the U.S. soldiers detained 62 of them, but many more got away.

"Looters, they see us in Bradleys or on foot," said Capt. Blaine Kusterle, a platoon leader in Alpha Company. "They can outrun us easily because they have a 300-meter start."

Not far inside the complex, a fraction of the plunder -- whatever Kusterle's men had managed to wrestle back -- lay strewn about. An acre of laboratory equipment sat by the roadside: a Braun sedimenter, an autoclave, a Nikon photo microscope, toxic gas monitors, a machine to measure tiny particles with laser diffraction.

The first hint that dangerous isotopes might be loose came when a monitor began beeping in the rubble. In a shallow hole protected by sandbags, the men found a yellow crate, shaped like a toolbox, that bore the warning, "CAUTION RADIOACTIVE MATERIAL." A nuclear-trained special operator named Rick -- all the men except Beckett gave only first names -- pulled out a suitcase-size detector. The box was throwing gamma rays, but nothing too dangerous.

What bothered the team was that one radioactive leak might mean there were others.

Kusterle, the company's NBC officer -- responsible for nuclear, biological and chemical hazards -- told Beckett that an Iraqi had come to the gate claiming that the head scientist here before the war had "worked on anthrax and buried an anthrax culture machine here."

"Are there any signs or reports of dead animals in the area?" Beckett asked.

"No," Kusterle said.

"Has [military intelligence] been called in?"

"No."

Beckett took the scientist's name and moved on.

The team took another road, armed with heavy machine guns and rocket-propelled grenades. Using a bathtub-size instrument that recorded time and location with each measurement, they began to build a three-dimensional radiation map of the site. Beckett, who directs special nuclear programs at the Defense Threat Reduction Agency (DTRA), made a more targeted survey.

He headed first for Osirak, the French-built research reactor that Israel destroyed just before it became operational in 1981. From a distance, the reactor's three towers and supporting bulk looked almost intact, though the cooling-pump building listed 45 degrees. Up close, the reactor was an empty hulk. A wall mural of a heroic Saddam Hussein -- with the gleaming reactor on one side and pharaonic splendors on the other -- stood amid the rubble.

Beckett climbed what appeared to be a bunker built up from the ground, covered by a sloping metal roof. A device the size of a TV remote control began vibrating at his ankle, and indicators lit for gamma and neutron bombardment. Beckett crawled under the low-slung roof and found what he estimated to be four rows and 20 columns of buried drums, each with a massive lid bolted flush to the ground.

An expert close to the IAEA's Iraq Action Team said the location of those drums, recorded with a reporter's hand-held global positioning device, corresponded to what the agency calls Building 39, a permanent storage site for low-level nuclear waste.

A more dangerous find by Beckett's team came in a black corrugated metal shed next to a low stone storage area, a site known to U.N. inspectors as Building 55. The IAEA lists those structures as "mechanical workshops and stores." But an Army Special Forces captain named Drew said he got "a huge spike" on his detector from 15 feet away, and he pinpointed a metal storage cylinder the size of a small fire hydrant. There were more of them, and they were corroding. The lock on the shed's door had been forced open.

"I'm getting thorium," Rick said, reading the energy spikes on his monitor. Then came cesium and cobalt. Short-term exposure to particles of those radioactive metals poses no serious threat, but they can be dangerous if inhaled.

"All right," Beckett called out. "Everybody who was inside that place, just go and stand over there." He checked them for contamination but found nothing dangerous in the dust clinging to their clothes.

A few hundred yards away, the team found more equipment that scavengers had tried to drag toward a parking lot.

Next to a heavy lathe were 19 small yellow cylinders and four large gray ones. They were emitting so much gamma and neutron radiation that the team could not interpret the results.

"It overpowers the system," Beckett said. Scientists will do further analysis at DTRA headquarters in Virginia.

David Albright, an expert on the Iraqi nuclear program who runs the Washington-based Institute for Science and International Security, said, "There are many radioactive areas within the berm. . . . Clearly, they do not appear adequately protected. If any radioactive material has been taken, it could pose a significant risk to those who have it. Does the military appreciate this risk?"

Meanwhile, at the nearby Tuwaitha storage site, security remains a concern. Administration officials in Washington said again today that they intend to involve the IAEA eventually, because the radioactive

materials there are under the U.N. agency's seal, which the United States is treaty-bound to respect. But the Pentagon and State Department are still trying to formulate guidelines for a U.S. search team to make a preliminary survey.

"It's very distressing," said a nuclear expert with close ties to the IAEA's director general, Mohamed ElBaradei. The agency "expects measures to be taken so that the looting that took place a month ago will not continue to take place this month. This material really should not be moved."

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Mr. KUCINICH. If this is the administration's record for securing materials that are highly questionable, this is their record for securing materials that can be connected to the concerns that many have expressed, if this is their record, we need to reflect on the whole reason why this administration went to war against Iraq. And one can only imagine the state of security for humanitarian relief efforts.

Mr. Chairman, before the war, the Army's Chief of Staff General Shinseki testified before the Senate Armed Services Committee. When asked how many troops were necessary to secure Iraq after the war, he said several hundred thousand; but superiors in the administration refused to listen. Two days after the general testified, the administration sent Deputy Defense Secretary Wolfowitz to publicly rebuke him, saying his estimate is way off the mark. The administration has now reduced the number of troops in Iraq to fewer than 150,000. As a result, this weekend General David McKiernan, the commander of ground forces in Iraq, made a frank and disturbing comment. He said, "Ask yourself if you could secure all of California with 170,000 troops. The answer is no." This individual is the commander of the U.S. ground forces.

But, again, in spite of this dire situation, the administration plans to reduce the number of troops by tens of thousands more over the coming months. What is most troubling about these actions is that they are taking place while the administration is excluding the international community from assisting with security and other critical functions. Dr. Blix and Dr. ElBaradei, for example have both offered to dispatch trained international weapons inspectors to assess the looted nuclear facilities and help search for those elusive weapons of mass destruction, but their offers have been rebuffed.

On January 14, only 6 weeks after U.N. inspectors began their search for such weapons, the President denounced the U.N. inspection process for taking too long. Yet today, almost 2 months after the start of the war, and without the obstacles of the Hussein regime, the administration still has not found such weapons.

It is a misconception to assume that the U.S. forces are the most effective to administer a post-Saddam Iraq. Certainly, Iraqis are happy to be rid of Hussein, but many Iraqis blame their current humanitarian crisis on a decade of U.S. support for economic sanctions. Certainly, they are pleased to be free of a tyrant, but they are extremely skeptical of a reconstruction effort by a single occupying Nation, and especially by that Nation's military force.

Mr. Chairman, we know the factions inside and outside Iraq are trying to exploit this anti-American sentiment to their advantage. The Washington Post reported that in the city of Najaf, for example, Shiite leaders are denouncing the U.S. military occupation. As a result, U.S. troops are not patrolling or providing security there. At least in this portion of Iraq, it appears, U.S. troops are not being used to support security efforts. And unilateral actions by the administration can only serve to further inflame these factions. Without the inherent legitimacy and expertise of the international community, the administration may end up creating a larger problem than it hoped to solve.

Mr. Chairman, last week the President landed aboard the USS Lincoln and proclaimed victory in Iraq. He spoke in front of a large banner that read: Mission Accomplished. Clearly, this mission is nowhere near finished, and I'm concerned that the administration's cavalier attitude will end up costing this country more than we know.

Thank you, Mr. Chairman.

Mr. SHAYS. I thank the gentleman.

[The prepared statement of Hon. Dennis J. Kucinich follows:]

Opening Statement
Representative Dennis J. Kucinich

Ranking Member
Subcommittee on National Security,
Emerging Threats, and International Relations

May 13, 2003

GOOD AFTERNOON, MR. CHAIRMAN, AND THANK YOU FOR CALLING TODAY'S HEARING. I UNDERSTAND YOU HAVE FIRST-HAND EXPERIENCE ON THIS ISSUE BASED ON YOUR RECENT TRIP TO IRAQ, AND I LOOK FORWARD TO YOUR INSIGHTS.

PERSONALLY, I AM DISAPPOINTED BY OUR COUNTRY'S APPROACH TO THE SECURITY SITUATION IN IRAQ. IN MY OPINION, THIS ADMINISTRATION IS MORE CONCERNED ABOUT THE SECURITY OF OIL RESERVES THAN OF IRAQ'S PEOPLE OR EVEN ITS WEAPONS OF MASS DESTRUCTION. LET ME TELL YOU WHY.

FIRST, THE ADMINISTRATION DID NOT BEGIN PREPARATIONS FOR IRAQI RECONSTRUCTION UNTIL EARLY 2003. ALTHOUGH A.I.D.'S SECRET AND EXCLUSIVE CONTRACTING PROCESS HAS BEEN CRITICIZED ELSEWHERE, THE BOTTOM LINE IS THAT THE WHITE HOUSE DID NOT TELL THEM TO START PREPARING FOR THE WAR'S AFTERMATH UNTIL 2003.

IN CONTRAST, THE ADMINISTRATION BEGAN PREPARING TO SECURE IRAQI OIL FIELDS MONTHS EARLIER. THE ARMY ASKED HALLIBURTON BACK IN NOVEMBER TO DEVELOP A CONTINGENCY PLAN FOR EXTINGUISHING OIL WELL FIRES, REPAIRING DAMAGE, AND

CONTINUING OPERATIONS. THIS BEGS THE QUESTION: WHY WASN'T THE SAME LEVEL OF PREPARATION GIVEN TO HUMANITARIAN RELIEF?

WITH RESPECT TO WEAPONS OF MASS DESTRUCTION, DURING THE FIRST DAYS OF OCCUPATION IN BAGHDAD, THE MILITARY RUSHED TO SECURE A SINGLE GOVERNMENT AGENCY -- THE OIL MINISTRY. THEY DID NOT SECURE HOSPITALS, ELECTRICAL GRIDS, OR WATER FACILITIES. AS THE MILITARY RUSHED BY THESE FACILITIES, IT ALSO BYPASSED IRAQ'S NUCLEAR HEADQUARTERS IN TUWAITHA AND THE NUCLEAR RESEARCH FACILITY IN BAGHDAD. THESE ARE KNOWN NUCLEAR SITES THAT THE I.A.E.A. HAS INSPECTED DOZENS OF TIMES AND THAT CONTAINED SEALED CONTAINERS OF NUCLEAR MATERIAL. U.S. FORCES LEFT THEM UNGUARDED FOR WEEKS WHILE HUNDREDS OF PEOPLE LOOTED THEM.

IN A SERIES OF INVESTIGATIVE ARTICLES ON THESE LOOTINGS, THE *WASHINGTON POST* REPORTS THAT - INEXPLICABLY -- THESE FACILITIES ARE STILL NOT SECURE TO THIS DAY. AS A RESULT, THE MILITARY SAYS IT IS NOW IMPOSSIBLE TO DETERMINE WHETHER NUCLEAR MATERIAL WAS STOLEN. I WOULD LIKE TO SUBMIT THESE ARTICLES FOR THE RECORD, MR. CHAIRMAN.

IF THIS IS THE ADMINISTRATION'S RECORD FOR SECURING KNOWN WEAPONS OF MASS DESTRUCTION - THE WHOLE REASON THE PRESIDENT WENT TO WAR AGAINST IRAQ -- ONE CAN ONLY IMAGINE THE STATE OF SECURITY FOR HUMANITARIAN RELIEF EFFORTS.

MR. CHAIRMAN, BEFORE THE WAR, THE ARMY'S CHIEF OF STAFF, GENERAL ERIC SHINSEKI, TESTIFIED BEFORE THE SENATE ARMED SERVICES COMMITTEE. WHEN ASKED HOW MANY TROOPS WERE

NECESSARY TO SECURE IRAQ AFTER THE WAR, HE SAID "SEVERAL HUNDRED THOUSAND."

BUT HIGHER-UPS IN THE ADMINISTRATION REFUSED TO LISTEN. TWO DAYS AFTER THE GENERAL TESTIFIED, THE ADMINISTRATION SENT DEPUTY DEFENSE SECRETARY PAUL WOLFOWITZ TO PUBLICLY REBUKE HIM, SAYING HIS ESTIMATE WAS "WAY OFF THE MARK."

THE ADMINISTRATION HAS NOW REDUCED THE NUMBER OF TROOPS IN IRAQ TO FEWER THAN 150,000. AS A RESULT, THIS WEEKEND, GENERAL DAVID McKIERNAN, THE COMMANDER OF GROUND FORCES IN IRAQ, MADE A FRANK AND DISTURBING COMMENT. HE SAID: "ASK YOURSELF IF YOU COULD SECURE ALL OF CALIFORNIA WITH 150,000 TROOPS. THE ANSWER IS NO." THIS IS THE COMMANDER OF U.S. GROUND FORCES.

BUT AGAIN, IN SPITE OF THIS DIRE SITUATION, THE ADMINISTRATION PLANS TO REDUCE THE NUMBER OF TROOPS BY TENS OF THOUSANDS MORE OVER THE COMING MONTHS.

WHAT IS MOST TROUBLING ABOUT THESE ACTIONS IS THAT THEY ARE TAKING PLACE WHILE THE ADMINISTRATION IS EXCLUDING THE INTERNATIONAL COMMUNITY FROM ASSISTING WITH SECURITY AND OTHER CRITICAL FUNCTIONS. DR. BLIX AND DR. EL-BARADEI, FOR EXAMPLE, HAVE BOTH OFFERED TO DISPATCH TRAINED INTERNATIONAL WEAPONS INSPECTORS TO ASSESS THE LOOTED NUCLEAR FACILITIES AND TO HELP SEARCH FOR WEAPONS OF MASS DESTRUCTION, BUT THEIR OFFERS HAVE BEEN REBUFFED.

ON JANUARY 14, ONLY 6 WEEKS AFTER U.N. INSPECTORS BEGAN THEIR SEARCH FOR SUCH WEAPONS, PRESIDENT BUSH DENOUNCED THE U.N. INSPECTION PROCESS FOR TAKING TOO LONG. YET TODAY,

ALMOST TWO MONTHS LATER, THE ADMINISTRATION STILL HAS FOUND NO SUCH WEAPONS. TO THE CONTRARY, IT APPEARS THE ADMINISTRATION POTENTIALLY MAY HAVE LOST KNOWN WEAPONS OF MASS DESTRUCTION.

IT IS A MISCONCEPTION TO ASSUME THAT U.S. FORCES ARE THE MOST EFFECTIVE TO ADMINISTER A POST-SADDAM IRAQ. CERTAINLY, IRAQIS ARE HAPPY TO BE RID OF SADDAM HUSSEIN. BUT MANY IRAQIS BLAME THEIR CURRENT HUMANITARIAN CRISIS ON A DECADE OF U.S. SUPPORT FOR ECONOMIC SANCTIONS. CERTAINLY, THEY ARE PLEASED TO BE FREE OF A TYRANT AND A MURDERER, BUT THEY ARE EXTREMELY SKEPTICAL OF A RECONSTRUCTION EFFORT BY A SINGLE OCCUPYING NATION, AND ESPECIALLY BY THAT NATION'S MILITARY FORCE.

MR. CHAIRMAN, WE KNOW CERTAIN FACTIONS INSIDE AND OUTSIDE IRAQ ARE TRYING TO EXPLOIT THIS ANTI-AMERICAN SENTIMENT TO THEIR ADVANTAGE. THE *WASHINGTON POST* REPORTED THAT IN THE CITY OF NAJAF, FOR EXAMPLE, SHIITE LEADERS ARE DENOUCING THE U.S. MILITARY OCCUPATION. AS A RESULT, U.S. TROOPS ARE NOT PATROLING OR PROVIDING SECURITY THERE.

AT LEAST IN THIS PORTION OF IRAQ THEN, IT APPEARS U.S. TROOPS ARE A HINDRERANCE TO SECURITY EFFORTS, AND UNILATERAL ACTIONS BY THE ADMINISTRATION CAN ONLY SERVE TO FURTHER INFLAME THESE FACTIONS. WITHOUT THE INHERENT LEGITIMACY AND EXPERTISE OF THE INTERNATIONAL COMMUNITY, THE ADMINISTRATION MAY END UP CREATING A LARGER PROBLEM THAN IT HOPED TO SOLVE.

MR. CHAIRMAN, LAST WEEK, THE PRESIDENT LANDED ABOARD THE U.S.S. LINCOLN AND PROCLAIMED VICTORY IN IRAQ. HE SPOKE

IN FRONT OF A GIANT BANNER THAT READ "MISSION ACCOMPLISHED." CLEARLY, THIS MISSION IS NOWHERE NEAR FINISHED. AND I FEAR THAT THE ADMINISTRATION'S CAVALIER ATTITUDE WILL END UP COSTING THIS COUNTRY MORE THAN WE KNOW.

THANK YOU, MR. CHAIRMAN.

FINALLY, IF THE CHAIRMAN WOULD JUST INDULGE ME ONE ADDITIONAL MINUTE, I WOULD LIKE TO MAKE A FINAL POINT. WHILE I AM EXTREMELY GRATEFUL FOR THE CHAIRMAN'S HURCULEAN EFFORTS TO OBTAIN GENERAL GARNER'S TESTIMONY TODAY, I AM DISTURBED BY THE DEFENSE DEPARTMENT'S REFUSAL TO SEND ANY DEPARTMENT OFFICIALS TO THIS HEARING SO WE CAN HAVE OUR QUESTIONS ANSWERED.

GENERAL GARNER'S TESTIMONY WILL BE A VIDEOTAPE, AND WE WILL HAVE NO OPPORTUNITY TO QUESTION HIM ABOUT HIS PROGRESS.

THIS IS DISTURBING ALSO BECAUSE THE INTERNATIONAL RELATIONS COMMITTEE IS HOLDING A HEARING ON THURSDAY IN WHICH GENERAL GARNER WILL ALSO TESTIFY. FOR THAT HEARING, THE DEPARTMENT IS SENDING DOUGLAS FEITH, THE DEPARTMENT'S UNDER SECRETARY FOR POLICY, AS AN IN-PERSON REPRESENTATIVE.

IT IS JUST UNFORTUNATE THAT THIS COMMITTEE IS HOLDING A HEARING ON EFFORTS TO PROVIDE SECURITY FOR HUMANITARIAN RELIEF EFFORTS - EFFORTS THAT ARE THE PRIMARY RESPONSIBILITY

OF THE DEPARTMENT OF DEFENSE - YET THE DEPARTMENT HAS REFUSED TO SEND A WITNESS TO ANSWER OUR QUESTIONS.

Mr. SHAYS. Mr. Janklow, Governor.

Mr. JANKLOW. Mr. Chairman, thank you very much. And I will be extremely brief with my comments.

I really appreciate, Mr. Chairman, you setting up this meeting for today. At this point in time, there can't be anything more appropriate than to look at the question of humanitarian assistance following the military operation overcoming barriers.

I'm not as smart as a lot of other people that have all the answers to these types of things. My understanding is, we just came through a war. In this war, all kinds of different things happened. Very little goes according to actual plan. A perfect example of the kinds of misinformation you can get in a war is you can read stories in very credible newspapers that talk about a hundred thousand objects plus disappearing from a museum, and then you can find out that in reality it may be a couple hundred objects that have disappeared from a museum. These kinds of misinformation happen during war.

As a matter of fact, I am pleased, Mr. Chairman, that the testimony before this committee is under oath with people appearing. And I realize, I wish the administration also would send folks from the Defense Department. But to say that they will be here Thursday as opposed to today, at this point in time, doesn't violate any sensitivities that I have. I think it's more important that things continue on an orderly basis, recognizing that Congress bears the ultimate responsibility on behalf of the people for the oversight.

I also think, Mr. Chairman, that we now get an opportunity to look at what worked, what didn't. But as you said in your opening statement, Mr. Chairman, I think it's incredibly important that we understand that there are basic levels of service that have to become functioning. I am old enough to remember some of the things following the Second World War and how long it took, for example, in some of those countries to get the electrical system running, to get the water systems working, to get the basic public transportation operating. I realize that Iraq is about the size of California, but I also understand that's where it ends. That the vast, vast majority of people in Iraq are clustered into metropolitan centers as opposed to cities that run for hundreds of miles, as you have in the State of California. The difference between the two is really what takes place outside the cities. But for all practical purposes, there's still basic telephone service, there is still water that has been restored. There is electrical services that are up and running. And clearly these weren't world class operations before the war started. So I think our country has been able to accomplish a lot. We all wish it was more.

And, Mr. Chairman, thank you for holding this hearing so we can find out the extent to which humanitarian assistance that follows military operations has barriers; where are they. Let's hope we can all learn from this and go forward.

Thank you.

Mr. SHAYS. I thank the gentleman. I thank both gentlemen.

I ask unanimous consent that all members of this subcommittee be permitted to place an opening statement in the record, and that the record remain open for 3 days for that purpose. Without objection, so ordered.

I ask further unanimous consent that all witnesses be permitted to include their written statements in the record. And, without objection, so ordered.

We have two panels. Part of that panel will be Lieutenant General Jay Garner, retired, Director of Office of Reconstruction and Humanitarian Assistance, Department of Defense, in a taped testimony. I would just acknowledge to my ranking member and colleague, Mr. Janklow, that we did, in fact, ask Jay Garner to testify using modern technology. They said they would provide a tape, and I didn't pursue it. And the part of me that didn't pursue it was not wanting the system to break down as we tried to make it work. But also, the recognition that he will be available to this committee in the future to testify and, in fact, will be testifying to others. So I just basically feel this is an introductory hearing to an effort that this committee, with ranking member support, will be pursuing with some vigor.

So we will be hearing first from Jay Garner. We will not be able to question him, we will not be able to swear him in. We will take his testimony as it comes in tape, and I guess we are going to lower the lights a bit and listen to that. Then I will swear in both our witnesses in our first panel, and then go to the second panel.

So if we can start the tape. Any popcorn?

[Videotape played.]

Mr. SHAYS. We thank General Garner's participation. When I was in Iraq, he was very generous with his time, and I think he was very generous in his very long statement, but that doesn't get around the fact that we aren't able to question him. And Congress will be able to, I guess, later this week. Is that right?

[The prepared statement of General Garner follows:]

Lt. General (Ret.) Jay Garner
Testimony Before The
House Committee on Government Reform
Subcommittee on National Security

May 13, 2003

Mr. Chairman, thank you for arranging this session today. I regret that I am unable to testify to you live and in person. I would say that I wish I could be in Washington to do so, but to be honest; there is no place I would rather be right now but in Baghdad.

I would like you to walk away from this testimony with two facts in your head. First, there is no humanitarian crisis. There may me some humanitarian issues that ORHA has to work through, but the crisis that so many predicted never materialized.

Second; we arrived in Baghdad on April 20th, a little over three weeks ago. Since that time a lot has been accomplished, a lot of work that we are very proud of, but there is still a lot of work to be done.

I would like you to look at Iraq as we see it. It is a country the size of California, with a population of over 23 million people. This land is the cradle of civilization, and has a deep and rich history because of it. What is modern Iraq has been the epicenter of some of the world's largest and most powerful empires.

Saddam Hussein took control here in 1979 and over the years the brutality of his regime escalated. I don't think anyone can truly understand the power Saddam had over the Iraqi people unless they come here and talk to the Iraqi people as we have. Saddam was not a good steward of Iraq or its people. His regime used the neglect of vital infrastructure as a tool of repression.

Before the war, only 60% of the Iraqi people had access to safe drinking water. Ten of Al Bashrah's 21 potable water treatment facilities did not work. 70% of sewage treatment plants were in urgent need of repair. UNICEF reports that 500,000 metric tons of raw or partially treated sewage has been dumped into the Tigris or Euphrates rivers, Iraq's main water supply.

Before the war, 70% of Iraqi children under 5 suffered from malnutrition.

Before the war, Iraq's electrical power system was operating at half its capacity of 5,500 megawatts.

Before the war, 80% of Iraq's 25,000 schools were in poor condition. The schools averaged one book for every six students. In some cases as many as 180 students were crowded into a single classroom.

60% of the population is wholly dependent on the oil for food program for basic subsistence.

Now, where are we today? There is important progress to report.

Before the war started the Iraqi people had a 60 day stock of food. Although there was much looting, the World Food Program has large stocks of food in country and will bring in 487,000 metric tons of food per month. The rations for June are already on their way to Iraq. Distribution of this will be a challenge and we are working with the World Food Program manager, Central Command, and others to address it

The water system in Baghdad is operating at 60% of pre-war levels. We are making minor repairs and providing supplies to water facilities. In certain places were we have reliable electric power, people claim that they have more potable water than they did before the war.

In both the north and the south some, Iraqis have more electric service than they've had in the last 12 years. People in Bashrah have electricity twenty-four hours a day. That is more than they have ever seen. Only Baghdad is suffering from electric shortages beyond pre-conflict levels. When the National Grid Backbone becomes functional late this month, excess power from the north and the south will be exported to Baghdad.

There has been no major disease outbreak in the country. Although many of Iraq's hospitals are up and running, water supply and electrical power to hospitals is

sporadic, and the national medical supply system is not functioning. There are warehouses full of medicine and supplies. ORHA is working with the Ministry of Health, the Red Cross, WHO, and UNICEF to coordinate distribution to hospitals in the absence of a medical supply system.

Regarding schools, primary schools across Iraq opened on May 4. Secondary schools and universities may open this week.

We are working towards a vital improvement in the security environment. Half of the former police force has returned to work.

Finally, despite the predictions, the number of people displaced by the war was negligible. What few refugees there are in Iraq are being cared for by relief agencies.

Over the next four weeks, I have a series of priorities on which we will focus.

One of the first and most important steps is the payment of salaries. We have made emergency payments of $20 to over one million civil servants. The numbers will double this week. We are also going to unveil a national salary structure shortly. These $20 payments, and salary payments, come from frozen Iraqi assets and funds we have gathered in Iraq, not from appropriated funds.

ORHA is also working with the World Food Program to buy the northern and southern crops. This will stimulate the Iraqi economy promote growth in the agricultural sector and start to break the cycle of dependence on the oil for food program. An agricultural team from Australia is arriving this week to educate farmers in the south about better use of arid farm land.

We are working hard to have the National Electric Grid operational by the end of May. This will substantially improve power all over the country.

In your invitation to testify, you asked me to address lessons learned from other post-conflict situations.

Each situation, each country, is obviously unique. Although I have no direct experience in Afghanistan, I have some impressions.

Afghanistan is a smaller country that had been at war for twenty years and had endured five years of Taliban repression and four years of drought. There was nothing there. No infrastructure and little education for the people. It was an agrarian society in a land that had little to offer. Afghanistan also has few wealth creating natural resources.

In Iraq the people are highly educated, industrious, and have a rich culture inspired by a long history. It is a country that has wealth through oil, wealth that has been squandered to date. Since 1979 they have been dominated by a brutal dictator who

took excellent care of his relatives and close associates, but let his people suffer. He stripped the Iraqi people of their human dignity and rights, and they are totally dependent on the government for food, water and electricity.

We planned this mission for the most difficult case. Intelligence reports and in depth studies by a wide rage of public and private organizations predicted a humanitarian crisis.

The UN High Commissioner for Refugees estimated that there would be 600,000 refugees costing $60 million, while another 500,000 Iraqis would be displaced. Those predictions never materialized. Reporting on the numbers of displaced persons varies, but at best they are a fraction of UNHCR's estimate. The numbers do not constitute a humanitarian crisis.

The World Food Program pre-positioned 30,000 tons of food to feed 2.1 million refugees and internally displaced persons.

Due to the weakness of the Iraqi defense, and the skills of the coalition military, the crisis never came. There are huge humanitarian issues, but the good news is that we are able to help the Iraqis by taking care of their basic needs, while planning for the longer term.

For example, the Ministry of Trade and the UN's World Food Program are working hand in hand to begin the Public Distribution System for food. Also, the Ministry of Health, the World Health Organization, UNICEF, the Red Cross, and ORHA have formed an International Aid Committee to review offers of medical assistance.

This committee also asked me how ORHA is organized to meet humanitarian needs. ORHA is a collection of experts from across the US Government and across the world. I would like to take a moment here to express to you how proud I am of the people who are working here. They have taken on monumental tasks under very difficult circumstances.

Among the group here in Baghdad with me are a number of people who have done this sort of thing before. They include Ron Adams, Jerry Bates, Bruce Moore, Bob Gifford, Van Jorstad, George Mullinax, David Nummy, Chris Milligan, Richard Naab, and others. All of them are from various agencies in the US Government.

One of the things that impresses me most is how well all of these representatives of several different agencies are working together. We are all one team working for one goal. This includes the Military who bring their experience from Bosnia and Kosovo and knew up front that when the war was over they would have to rebuild this country. The precision with which they ousted the regime has been key to advancing our mission. USAID / OFDA- DART deployed the largest team ever fielded for a crisis. USAID / OTI came with $6 million in hand and is working for more to fund small scale projects.

To address your concerns on how agencies are selected to participate in humanitarian efforts I will run through who is here and what they are doing.

International Organizations and Non-governmental Organizations are the primary source of humanitarian aid to the Iraqi people. The U.S. Government provided money to the IOs and NGOs in preparation for a humanitarian crisis. Organizations are selected from their reputation in past conflicts, how they carry out business, and their ability to function in Iraq.

The UN is helping coordinate assistance. ORHA has already established a working relationship with the UN, the Red Cross and other non-governmental organizations.

Also, this week ORHA will stand up the Iraq Forum, a facility to help international organizations and non-governmental organizations conduct direct coordination with Iraqi ministries and reconstruction efforts, as well as the coalition military forces. The Iraq forum will allow organizations in key sectors like water, sanitation, food, power and human rights; to meet regularly and de-conflict projects and programs.

As you would expect, we are encountering some barriers in getting assistance to the Iraqi people. The primary barrier is security. It is not the threat of left over forces continuing the fight, but from looters and other personnel using lawlessness to their advantage.

We are working hard to improve the security situation in Baghdad. We are bringing the local police force back on the job. Last week we asked the police force to come back to work and a few thousand already have. We are in the process of separating the good officers from the bad. We are sending them back to police academies to learn basic skills and how to be police officers in a free society. The police will work closely with the coalition military police.

Another challenge is communications. There are no communications in the country of Iraq. We are working this problem everyday, and I expect limited cell service in and around Baghdad within a month. We will still have to rely on the Thuraya satellite system to communicate with outlying areas. The Thuraya system is marginal at best.

Our final barrier is fuel. Gasoline and Liquid Petroleum Gas are critical to the Iraqi people, both are critically short.

LPG is Iraq's primary fuel for cooking. Currently there is a shortage of LPG, so purchases have been made in Turkey and Kuwait until production lines in Iraq get up and running.

In order to refine more LPG and Gasoline, which the Iraqi people desperately need, we must pump more oil. We cannot pump more oil until the oil currently in storage tanks and pipelines is cleared out. The only way to clear out the oil is to sell it. If the situation does not change quickly, one of the most oil rich countries on earth will find itself in a fuel crisis. The only way to alleviate this problem is to lift UN sanctions and allow Iraq to sell oil. This will open the pipelines and storage tanks so that LPG can begin to be refined again

Again Mr. Chairman, I would like to reiterate, in the short time that we have been here, the ORHA organization has achieved much. The hard work will continue. I am proud of the dedicated Americans and our coalition partners who are here serving. No one doubts that there is much hard work left to be done, and I have no doubt that we can do it.

Mr. Chairman, I hope I have answered the questions of this committee. I am deeply appreciative of all of the support that the Congress has given to ORHA and our critical mission here. Thank you for giving me this opportunity to testify.

Mr. SHAYS. I'd like to thank Mr. Ruppersberger for being here, and Mr. Tierney.

We have not yet sworn in our first panel, and so if you had any opening statements or any comments, I would be happy to recognize you.

Mr. TIERNEY. Not at this time.

Mr. SHAYS. Let me announce that Mr. Richard Greene, Principle Deputy Assistant, Bureau of Population, Refugees and Migration, Department of State and Mr. William J. Garvelink, Senior Deputy Assistant Administrator, Bureau of Democracy, Conflict and Humanitarian Assistance, U.S. Agency for International Development under the auspices of the State Department, as well, are here.

And at this time, gentlemen, if you'd rise, we'll swear you in. Then we'll take your testimony.

[Witnesses sworn.]

Mr. SHAYS. Note for the record both our witnesses have responded in the affirmative, and Mr. Greene, we'll start with you. I think you realize your statement will not be as long as the previous one on video, but we're very eager to hear your testimony and thank you both for participating.

Mr. Greene.

STATEMENTS OF RICHARD L. GREENE, PRINCIPAL DEPUTY ASSISTANT SECRETARY FOR POPULATION, REFUGEES, AND MIGRATION, U.S. DEPARTMENT OF STATE; AND WILLIAM J. GARVELINK, SENIOR DEPUTY ASSISTANT ADMINISTRATOR FOR DEMOCRACY, CONFLICT, AND HUMANITARIAN ASSISTANCE, U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT

Mr. GREENE. Thank you, Mr. Chairman, and I'll summarize my record statement.

Mr. Chairman and members of the committee, I appreciate the opportunity to discuss humanitarian assistance following military operations. Providing effective humanitarian assistance is critical in establishing stability in postconflict situations——

Mr. SHAYS. Move the mic a little closer. Even though we're hearing you, just a little closer would help.

Mr. GREENE [continuing]. And is in keeping with America's core values. In Iraq, we're dealing with major humanitarian challenges every single day. In our context, as emphasized by General Garner, is that there were significant infrastructure problems preconflict, and that so far General Garner has only been there for 3 weeks, it has only been 12 days since President Bush declared the end to major combat operations in Iraq, and that we're making dogged progress every single day.

Our approach to Iraq incorporates many lessons from previous postconflict assistance efforts, and it includes the following elements. First, civil/military cooperation and coordination is absolutely essential, from the first stages of planning and assessment to the eventual—through delivery of assistance to the eventual handover to nationally led institutions. We do everything we can to ensure that military plans take into account vulnerable noncombatants and the humanitarian infrastructure, so that there is minimal damage to both.

For Iraq, the multiagency humanitarian planning team and numerous exchanges between senior State and DOD officials underscored the importance of incorporating effective humanitarian response into our overall Iraq campaign efforts. The civil/military exchange continues on a daily basis on a whole range of humanitarian assistance issues in both Iraq and Afghanistan.

Second, our approach relies on the expertise of the main providers of humanitarian assistance worldwide, which are humanitarian agencies and other international and nongovernmental organizations. They have the technical expertise and experience to assess the needs of refugees and internally displaced persons across the sectors of protection, food, water, sanitation, health, shelter and education.

Third, the prompt and effective delivery of humanitarian assistance depends upon a permissive security environment where adequate security and public safety measures are in place. Clearly, the most pressing concern of humanitarian agencies in parts of Iraq and Afghanistan is the absence of a permissive security environment, again, a point emphasized by General Garner.

Fourth, our approach reflects a clear linkage between the establishment of effective coordination mechanisms among the humanitarian agencies operating on the ground and how well assistance programs actually work. In Afghanistan, for example, the Afghans and the international community developed a new mechanism for coordinating humanitarian and reconstruction assistance efforts. This initiative called the "Program Secretariat" structure twinned U.N. agencies with counterpart Afghan government ministries, and perhaps just as importantly, provided an overall framework for NGO's to help plug into.

Our emphasis on effective coordination mechanisms is also why we strongly supported the recent—strongly supported recent reentry to Baghdad of the U.N.'s humanitarian coordinator for Iraq and other U.N. international staff to join the almost 4,000 U.N. national staff who remained in Iraq during the recent conflict.

Fifth, our approach aims to leverage the capacity of these skilled, experienced, and internationally mandated humanitarian assistance organizations by establishing formal civilian/military coordination operation centers. We set up one in Kuwait, set up one in Jordan and, as General Garner said, about to set up one in Baghdad. These centers provide direct access between humanitarian planners and military officials on the myriad of logistical and security issues involved in postconflict relief operations.

Sixth, our approach emphasizes the importance of early and significant funding. We built our funding requirements and decisions around the needs of the populations that these organizations will assist. In Afghanistan, the 2001 Emergency Supplemental Appropriation Act provided the U.S. Government the ability to jump-start the efforts of the key international humanitarian organizations, thus averting a humanitarian disaster.

In Iraq, the Emergency Wartime Supplemental Appropriation Act of 2003 provides $2.4 billion for relief and initial reconstruction that will serve a similar purpose.

Seventh, our approach relies on the assessments and work plans done by the international organizations for the international com-

munity. We also work closely with our NGO partners to get their assessment of the needs in an affected country as they play an important role in filling critical gaps in the programming done by international organizations. Our funding decisions are based on needs and activities outlined in these work plans, which are closely coordinated among the agencies.

Eighth, also on the critical funding issue, our approach emphasizes the importance of international burden sharing. Securing fair-share contributions from other international donors is a major USG goal.

So in conclusion, Mr. Chairman, each postconflict humanitarian relief operation has it own set of unique circumstances, but we don't have to reinvent the wheel each time. Providing humanitarian assistance in postconflict environments is an extraordinarily challenging task, and you can just hark back to some of the examples General Garner was providing.

We've worked hard to coordinate planning and implementation within the U.S. Government and to forge good working relationships with our key U.N. and NGO partners in providing humanitarian assistance in complex humanitarian emergencies. We'll continue to do everything possible to facilitate the great work they do on behalf of the international community.

Thank you, and I'd be glad to answer your questions.

Mr. SHAYS. Thank you, Mr. Greene.

[The prepared statement of Mr. Greene follows:]

TESTIMONY OF
PRINCIPAL DEPUTY ASSISTANT SECRETARY FOR
POPULATION, REFUGEES, AND MIGRATION
RICHARD L. GREENE

U.S. DEPARTMENT OF STATE

MAY 13, 2003

BEFORE THE

HOUSE GOVERNMENT REFORM SUBCOMMITTEE ON
NATIONAL SECURITY, EMERGING THREATS, AND
INTERNATIONAL RELATIONS

EMBARGOED UNTIL 2:00 PM, MAY 13, 2002

Mr. Chairman and members of the Committee, I appreciate the opportunity to discuss humanitarian assistance following military operations. Providing effective humanitarian assistance is critical to establishing stability in post-conflict situations, and is in keeping with America's core values. We appreciate your support on humanitarian issues and your recognition of the important role humanitarian organizations play in responding to complex emergencies. Helping to ensure that these organizations are ready to respond to a humanitarian crisis is an important responsibility of the State Department.

HOW WE WORK

At the State Department, in the Bureau of Population, Refugees, and Migration (PRM) and elsewhere, we work closely with the United Nations and other multilateral partners to assess humanitarian needs as a basis for determining appropriate levels of support.

Under the Migration and Refugee Assistance Act (MRAA), PRM's priorities are to assist refugees and conflict victims, working primarily with the UN High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross (ICRC), the International Organization for Migration (IOM), and other international organizations. In addition, we provide support to NGOs who assist in implementing and supplementing the work of these international organizations in every major crisis.

Within the administration, there is a defined division of labor, consistent with our Congressional mandates, between State and USAID on humanitarian issues, with the Secretary of State assuming overall responsibility. PRM primarily supports efforts to assist refugees (including returnees) and other conflict victims. USAID usually focuses on internally displaced persons (IDPs) and the other general humanitarian needs of civilians, including food.

OUR APPROACH

Our approach incorporates many lessons from previous post-conflict assistance efforts. It includes the following elements:

First, our approach views civil/military cooperation and coordination as absolutely essential - from the first stages of planning and assessment to the eventual hand-over to nationally led institutions. We do everything we can from the beginning to ensure that military plans take into account vulnerable non-combatants and the humanitarian infrastructure so that there is minimal damage to both. For Iraq, the multi-agency Humanitarian Planning Team (HPT) and numerous exchanges between senior State and DOD officials underscored the importance of incorporating effective humanitarian response into our overall Iraq campaign efforts. The pre-conflict phase included extensive discussions regarding which tasks should be performed by the military. This civil/military exchange continues on a daily basis on a whole range of humanitarian assistance issues in both Iraq and Afghanistan. The military also plays an important role during conflict in addressing humanitarian needs, but civilian organizations should take over in post-conflict settings.

Second, our approach relies on the expertise of the main providers of humanitarian assistance worldwide, the UN humanitarian agencies and other international and non-governmental organizations. They have the technical expertise and experience to assess the needs of refugees and internally displaced persons across the sectors of protection, food, water, sanitation, health, shelter, and education.

Third, the prompt and effective delivery of humanitarian assistance depends upon a permissive environment, with adequate security and public safety measures in place, in which the UN and other civilian relief agencies can operate safely and effectively. Security is an absolute pre-condition for the delivery of humanitarian assistance, reconstruction, and the development of civil society. Clearly the most pressing concern of humanitarian agencies in parts of Iraq and Afghanistan is the absence of a permissive security environment.

Fourth, our approach identifies a clear linkage between the establishment of effective coordination mechanisms among the humanitarian agencies operating on the ground and how well assistance programs work. In Afghanistan, for example, the Afghans and the international

community developed a new mechanism for coordinating humanitarian and reconstruction assistance efforts. This initiative, called the "Program Secretariat" structure, twinned UN agencies with counterpart Afghan government ministries. The UNHCR twinned with the Ministry of Rural Development and the Ministry for Refugees and Returnees, emphasizing training for Ministry staff at the provincial level, the Ministry of Health was twinned with the World Health Organization (WHO), and the Ministry of Education was twinned with UNICEF for primary schooling. Under this structure, the UN and the Afghan government worked together along with NGOs, bilateral donors, and international financial institutions to set sector priorities, develop strategies for addressing them, and solicit required resources. This "twinning" effort helped to build the capacity of the Afghan Government to plan, direct, and manage aid programs.

Our emphasis on effective coordination mechanism is also why we strongly supported the recent re-entry to Baghdad of the UN's Humanitarian Coordinator for Iraq and other UN international staff to join the almost 4000 UN national staff who remained in Iraq during the conflict.

Fifth, our approach aims to leverage the capacity of these skilled, experienced and internationally-mandated humanitarian assistance organizations. We establish coordination mechanisms, such as the humanitarian operations centers in Kuwait, Cyprus, and Jordan that were set up to facilitate contingency planning and humanitarian response for Iraq. Such mechanisms make possible direct access between humanitarian planners and military officials on the myriad of logistical and security issues (e.g., security assessments, air and ground transport of supplies, protection of civilians). We share U.S. humanitarian assessment information with these organizations so that we all have the benefit of the best available data. We also provide significant early funding and facilitate cross-border access.

Sixth, our approach emphasizes the importance of early and significant funding. We build our funding requirements and decisions around the needs of the populations our partners assist. In Afghanistan, the 2001 Emergency Supplemental Appropriations Act provided the USG the ability to jumpstart the efforts of the key international humanitarian organizations - thus averting a humanitarian

disaster. In Iraq, the Emergency Wartime Supplemental Appropriations Act, 2003 provides $2.4 billion for relief and reconstruction that serves a similar purpose. In addition, the U.S. Emergency and Migration Assistance (ERMA) Fund also allows the USG to respond quickly.

Seventh, our approach supports the assessments and work plans done by the international organizations for the international community. We also work closely with our NGO partners to get their assessment of the needs in an affected country as they play an important role in filling critical gaps in the programming done by international organizations. Our funding decisions are based on needs and activities outlined in the work plans, which are closely coordinated among agencies. To facilitate funding, we have developed - and posted on our webpage - guidelines to help NGOs prepare proposals that target our funding priorities. Our efforts to get changes to the OFAC licensing process will allow NGO recipients of our funding to receive their licenses concurrently with the cooperative agreement. Furthermore, the President's decision last week to remove sanctions imposed by the United States against Iraq's old government is another way we are facilitating the efforts of our private sector partners to contribute to humanitarian relief and reconstruction in Iraq.

Eighth, also on the critical funding issue, our approach emphasizes the importance of international burden sharing. Both the civilian and military components of the USG have played crucial roles in trying to secure fair share contributions from other international donors.

CONCLUSION

Finally, each post-conflict humanitarian relief operation has its own set of unique circumstances. But, we do not have to reinvent the wheel each time. We apply the policies that we have developed to respond in a manner that conveys respect for the individual beneficiaries of our efforts. Providing humanitarian assistance in post-conflict environments is an extraordinarily challenging task. We have worked hard to coordinate planning and implementation within the USG and to forge good working relationships with our key UN and NGO partners in providing humanitarian assistance in complex humanitarian emergencies. We will continue to do everything possible to facilitate the great work they do on behalf of the

international community. Strong civilian/military cooperation has been the foundation for these efforts.

Mr. SHAYS. Mr. Garvelink.

Mr. GARVELINK. Thank you, Mr. Chairman, and members of the committee.

I appreciate the opportunity to talk to you about humanitarian assistance efforts following military operations. Although, the specific circumstances our relief teams face today in Iraq are unique, we have learned a great deal from previous experiences in northern Iraq more than a decade ago, as well as in Somalia, Bosnia, Haiti, Rwanda, Kosovo and, most recently, Afghanistan.

There is a division of responsibility between the State Department and my agency, the U.S. Agency for International Development [USAID]. In very general terms, State works most closely with U.N. agencies, with a special emphasis on refugees and the International Committee of the Red Cross. USAID works mostly with its Private Voluntary and Non-Governmental Organization [PVO-NGO] partners providing general humanitarian assistance and responding to the needs of internally displaced persons.

The exception is that USAID is the principal funder of the World Food Program, but regardless of the division of responsibilities, we share general principles when responding to humanitarian emergencies.

First, early planning is essential. Sometimes we have only hours or days to plan if it's a hurricane, or we have weeks in the case of Afghanistan, and sometimes we have months, which we did in the case of Iraq. The earlier planning begins the better, and this—a good example of this was Iraq, where for several months teams met in Tampa with the Department of Defense Central Command and in Washington. The team included all of the U.S. Government agencies that were involved, plus NGO's and U.N. agencies.

Second, we cannot plan in isolation. We must engage immediately all the international humanitarian agencies that will be involved. We need to rely on the full range of these organizations. Each has its own strengths, and all are necessary to accomplish the job. United Nations agencies work effectively with host governments and national programs, the International Committee of the Red Cross is most effective in conflict situations, and the NGO's are most effective in smaller community situations and community development activities.

Third, the provision of assistance must be driven by needs assessments. To use our expertise and our resources effectively, we must know precisely what is needed and where it is needed. We can't justify sending assistance to these countries blindly.

Finally, United States and one or two other donors cannot respond to humanitarian emergencies alone. The international community must share the burden.

When humanitarian assistance follows military operations, these principles become even more important. The military plays several critical roles in these kinds of relief operations. The military becomes an enabler for the humanitarian community. The military often provides the initial assistance in unstable environments. It does some of the initial assessments, and the military facilitates the entry or return of humanitarian organizations.

Consequently, early planning with the military is critical, as it allows the military to understand the humanitarian architecture

that is on the ground. In Afghanistan, for example, U.N. agencies and NGO's had a long presence. In the center and south of Iraq, there were no NGO's, and the U.N. presence was limited to only monitoring activities. And that is important to know, as we plan to work together to provide humanitarian assistance.

Coordination and information sharing are essential to identifying the most critical needs in the emergency and the bottlenecks to providing that assistance.

In one of the first operations of this sort in Somalia, we established a Humanitarian Operations Center to coordinate with military forces on the ground, U.S. Government agencies, the United Nations, and NGO's. That model has been refined several times until it has been used effectively in the Humanitarian Operations Center in Kuwait City today.

Finally, assessments are critical, and for the first time in Iraq, the military and civilian agencies are using the same assessment tools. We have learned a lot about how to coordinate with each other in the past decade, and though we have a ways to go, civilian agencies and the military have learned to meet the humanitarian needs of civilians in post-conflict settings.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Garvelink follows:]

William J. Garvelink
Senior Deputy Assistant Administrator
for Democracy, Conflict, and Humanitarian Assistance
U.S. Agency for International Development

Testimony before the Committee on Government Reform,
Subcommittee on National Security, Emerging Threats, and
International Relations
House of Representatives

on Humanitarian Assistance Following
Military Operations: Overcoming Barriers

Washington, D.C.
May 13, 2003

Mr. Chairman and members of the Committee, thank you for inviting me to testify today about humanitarian assistance following military operations. As we speak, the largest single humanitarian response in history is proceeding with the full collaboration of staff from the U.S. Agency for International Development (USAID), the Department of State, the Department of Defense, other coalition governments, international organizations, and nongovernmental organizations (NGOs).

Although the specific circumstances that our relief teams face in Iraq are unique, USAID humanitarian interventions are profiting from wisdom gained over decades of experience in places such as Somalia, Bosnia, Haiti, Kosovo, and Afghanistan. In my remarks today, I will relate several of those lessons and offer some thoughts on how well we are applying them in Iraq.

USAID is the U.S. Government agency charged with coordinating much of our nation's foreign humanitarian assistance. This authority is derived from the Foreign Assistance Act of 1961 and the Agricultural Trade Development and Assistance Act of 1954, both as amended, and was reinforced through President Bush's designation of USAID Administrator Andrew Natsios as Special Coordinator for International Disaster Assistance on September 21, 2001.

There is a defined division of labor within the Administration between State and USAID, consistent with our Congressional mandates, on humanitarian issues, with the Secretary of State assuming overall responsibility. The State

Department's Bureau for Population, Refugees, and Migration (PRM) primarily supports efforts to assist refugees (including returnees) and other conflict victims. USAID usually focuses on internally displaced persons (IDPs) and the other general humanitarian needs of civilians, including food, health services, water and sanitation, and shelter.

USAID's Bureau of Democracy, Conflict, and Humanitarian Assistance has lead responsibility for addressing humanitarian concerns. Our offices respond to natural disasters and conflicts of all scales. Our responses range from providing $50,000 for blankets and food to people displaced by landslides in Bolivia last month, to the deployment of large-scale disaster assistance response teams, or DARTs, to manage massive relief and recovery programs, such as the one in Iraq. In emergencies involving refugee populations, we follow the lead of the State Department's Bureau of Population, Refugees, and Migration. In many situations, we draw on the expertise of our partners in the Centers for Disease Control and Prevention, the U.S. Geological Survey, and several other agencies with which we maintain formal relationships.

Our experience in responding to humanitarian crises has taught us many valuable lessons. First, a successful intervention is a well-planned intervention. Civilian, military, nongovernmental, and United Nations agencies are well served by establishing working relationships long before a crisis occurs. Clarity about which organizations undertake which activities, under what mandates, and in what situations greatly reduces confusion that might otherwise arise during an actual emergency. One of the many ways in which USAID has facilitated mutual understanding of roles and responsibilities has been through informational briefings on its mandate and disaster response capacities for U.S. Military Civil Affairs officers stateside, prior to their deployment.

Second, when a disaster strikes, close operational coordination becomes imperative. Needs are best addressed when humanitarian responders devise coherent plans that take advantage of all of their relative strengths. To maintain a standing military coordination capacity, USAID has a Military Liaison Unit that stays in constant contact with U.S. Combatant Commanders around the world. Prior to the conflict in Iraq, the U.S. interagency community worked in an unprecedented fashion to create a plan addressing future Iraqi relief and rehabilitation needs. Staff from USAID; the Departments of State, Treasury, and Commerce; the National Security Council; the Joint Staff,

Office of the Secretary of Defense; the U.S. Military's Central Command; and others collaborated in the Joint Interagency Planning Group to ensure that all organizations' activities would complement and support each other.

USAID's emphasis on coordination extends beyond the U.S. interagency community. Our experience in Afghanistan has underlined the importance of tight coordination between relief providers and local authorities, to maximize mutual understanding and cooperation. Following the Mozambique floods of 2000, the U.S. promoted such coordination by contributing civilian and U.S. Coast Guard expertise to the United Nations Joint Logistics Center. And prior to the current Iraq intervention, USAID offices met regularly with counterparts in the NGO community to brief them on DART deployment preparations. Humanitarian Operations Centers (HOCs) have proven very effective in facilitating logistical and security coordination among NGOs, international organizations, and U.S. Military and civil authorities. These centers have the capacity, for example, to arrange security escorts for relief deliveries and to facilitate NGO use of vehicles to transport supplies and personnel. A Humanitarian Operations Center was first established during the Somalia intervention in the early 1990s. The center has been replicated during several crises since then, improving each time by building on lessons learned.

A third lesson is that if we are serious about meeting humanitarian needs, we need to bring an adequate amount of resources to bear. And as we provide robust and timely support for emerging disasters, we must do so in a way that does not impair our existing humanitarian commitments to the rest of the world. Nor should humanitarian interventions be seen as solutions to political problems; this approach results in costly long-term relief engagements that simply cannot address the root causes of conflict.

On the positive side, we can maximize the effectiveness of our responses when we take advantage of the resources other federal agencies can offer. The U.S. Military in particular has been a reliable partner. In the aftermath of Hurricane Mitch in 1998, many devastated areas in Central America were inaccessible by road. USAID relief efforts benefited greatly from airplanes and helicopters supplied by the U.S. Military. This logistical support enabled the delivery of critical water and shelter supplies to isolated villages and families. Military air capacity has been used to enhance civilian humanitarian responses in a number of other crises, including Bosnia and

Haiti, and also in Kenya, where military aircraft transported civilian emergency search and rescue teams to Nairobi following the embassy bombings of 1998.

A fourth lesson is that the U.S. Government must select external organizations with proven capacity to assist in the provision of humanitarian aid. When disasters occur, USAID often provides funding to NGOs, United Nations agencies, or the International Committee of the Red Cross to meet urgent needs. The process by which we select these partners is of great importance; the success or failure of a relief project is very often tied to the competence of the implementer. In short, USAID seeks out both secular and faith-based organizations that have demonstrated the ability to thrive in rapidly changing environments, with experienced staff, transparent financial systems, and a proven track record.

Next, our relief interventions must not be driven by outside influences, the media, or special interests. They should be based on impartial assessments conducted by U.S. Government experts and trusted humanitarian professionals. USAID's specialists from the Office of U.S. Foreign Disaster Assistance, Office of Food for Peace, Office of Transition Initiatives, and other units are highly trained in conducting field assessments, which provide an unbiased estimation of the location and size of vulnerable populations, along with a description of their needs.

U.S. military assets have facilitated these assessments on several occasions. After floodwaters rendered wide swaths of Mozambique inaccessible by land, U.S. Military aerial reconnaissance located isolated pockets of people and identified damaged infrastructure, providing information to responders that would ultimately save many lives.

When determining the types and amount of assistance to deliver to a crisis, our highest priority is first to address the most critical needs of those affected - emergency food, health services, water, sanitation, and shelter. After dealing with life-or-death issues, we shift our focus toward recovery and the re-establishment of self-reliance. This could involve limited infrastructure repair, seed resupply projects, or job training initiatives aimed at restoring a sense of normalcy to a severely affected country. Our ultimate goal is to restore the capacity of countries and communities to provide for the well-being of their own citizens.

Thank you, Mr. Chairman, for the opportunity to share these observations today with the Committee. I look forward to continuing this dialogue, and welcome your questions.

Mr. SHAYS. I thank the gentleman.

We will go to you first, Mr. Janklow, Governor. And I think what we'll do is, we'll do 5 minutes the first pass and maybe 10 the second.

Mr. JANKLOW. Thank you very much, Mr. Chairman.

If I could ask both of you gentlemen, when I look at your testimony, you have well-thought-out, laid-out plans in advance, criteria, protocols, whatever you'd like to call that you follow.

Let me ask you first, Mr. Greene, what didn't work according to your criteria? And I realize the Xs and Os always score touchdowns on the wall.

Mr. GREENE. Sir, I think that, again, given the—I'm not—given the context—let me put your question into a context, in that I think that a lot is working——

Mr. JANKLOW. No, no. What didn't work specifically? I think a lot is working too.

Mr. GREENE. And I think that a lot of our planning focused on dealing with major population displacements. We and many others went—the other international organizations projected that somewhere between 2.3 and 3 million Iraqis would be displaced during conflict, and that we'd have to put systems in place, and that a lot of our focus would be getting assistance to displaced populations, and we didn't—thankfully we didn't have that problem.

I think what also didn't work was that there was a pretty grand underestimation by us as to the degree of looting that would take place, and now we're faced with dealing with a lot of problems created by looting that I don't think the extent was anticipated by anybody in the planning process.

Mr. SHAYS. Mr. Garvelink, what didn't work?

Mr. GARVELINK. Well, again, I would characterize it a little bit more like Rich Greene. I think we didn't anticipate some of the things that happened. Again, as Rich said, the population movements didn't happen. The intensity of the humanitarian crisis has not occurred.

I think what we did not anticipate to the extent that it is out there now, is some of the water and sanitation problems and the importance of electricity to maintaining reliable water supplies for hospitals and health clinics. I don't think we focused on those sorts of things. We were focused on population movements and refugees——

Mr. JANKLOW. Let me ask you, if I could, and I'll start with you, Mr. Greene—or you, Mr. Garvelink, either one of you, are the international organizations in place? I realize about 4,000 U.N. workers stayed there. We keep hearing conflicting reports. Is the U.N. there at work, or isn't it?

Mr. GREENE. The U.N. is coming back into Iraq.

Mr. JANKLOW. Does that mean they are not at work now, they are coming back——

Mr. GREENE. They are at work now, but not at full capacity. At the end of this week, there will be about, something like, 200 international staff, and they're starting to come back in. This is where we tie back to security considerations, where security considerations are impacting their ability to get out in the country and provide assistance efforts.

Mr. JANKLOW. Let me, if I can—and I'm trying to be very poignant. We'd like to know what are the barriers. I mean, as both of you say in your testimony, whether it was Bosnia, Kosovo, Afghanistan, every operation, you learn—every crisis, every incident, you learn something. What is it that we're going to learn from this one, at this point in time? And I realize it's not over. We're looking at barriers. What barriers are there to overcome, you didn't plan for other than the security barrier?

Mr. GREENE. In my view, that is the single-most important barrier——

Mr. JANKLOW. What is No. 2?

Mr. GREENE. Quickly setting up a civil administration structure in Iraq, getting ministries up and running.

Mr. JANKLOW. Mr. Garvelink.

Mr. GARVELINK. We seem to be saying a lot of the same things, so I'm agreeing with Rich again. I think the security obviously is something that we thought would not be the kind of problem it has turned out to be.

Mr. JANKLOW. No. 2?

Mr. GARVELINK. No. 2, I think is the reestablishment of civil administration and rule of law.

Mr. JANKLOW. Well, if we bombed several of these ministries, which we did—I don't know whether we bombed them all, but I know we bombed several of them. If we deliberately took out the communication system, what is it that we didn't anticipate with respect to setting up civil government? I mean, did we honestly think they'd all just show up for work when the shooting stopped or quieted down?

Mr. GREENE. I think there were——

Mr. JANKLOW. Let me preface it with one more thing. According to testimony we heard from—I believe it was the general—the police were corrupt, they were ill-trained, they weren't very good. The other technocrats were pretty good, so what is it that we—and I'm not trying to be critical. OK. What I'm trying to do is figure out how can we all learn, what is it that we need to learn. So from that perspective, what is it about the Civil Service that we didn't anticipate?

Mr. GREENE. I think, with all due respect, sir, we're learning lessons while we're on the ground there, and I think we found out the difficulty of accurately assessing the quality of the civil service, the linkage to the Ba'ath Party by being outside of Iraq, and now that we're in and having conversations with people on a daily basis, we're in a much better situation to assess what's going on and what's needed to happen.

Mr. JANKLOW. What about you, Mr. Garvelink?

Mr. GARVELINK. Well, one of the things that we've seen in other humanitarian situations of this nature, in post-conflict situations, is that the pace with which a conflict ends and the pace with which rule of law is restored is usually different. And that seems to be a problem that's very hard for the international community to deal with. It's easy, and whether it's Bosnia or Kosovo, to win a conflict. It's a little more difficult to train a police force and put it in place.

Mr. JANKLOW. Both of you heard the testimony of the general. Which of his 11-point criteria do you think we're not going to be

able to meet the deadline on, with respect to June 15 or thereabouts? Because he made it sound like—and I realize he may not get all 11, but this was a darn important list from the perspective of making sure that things went smoothly, and without it, he looked for the opposite to take place in Iraq. Which of his list do you think we're going to have trouble meeting and why?

Mr. GREENE. I think we're going to be able to accomplish or make significant progress on every one of these things. I know that a lot of activity is going on now, and I think that all these are doable.

I think a big variable here is getting police trained. It's one thing to get police back to work. It's another thing to have police back and trained that people trust and respect and that could implement——

Mr. JANKLOW. That can't happen by June 5——

Mr. GREENE. Getting police back to work, and there are significant numbers of police back to work, can happen.

Mr. JANKLOW. What about you, Mr. Garvelink?

Mr. GARVELINK. Well, I'm just looking over the list, and some of the activities that he has listed here which my agency is involved in, I think there's a real chance to, if not accomplish them by June 15, to come very close.

Mr. JANKLOW. No, sir. I don't mean your agency. I mean all of them.

Mr. GARVELINK. I know. I can't speak to a number of these, because I have not been involved with them.

If you talk about the public distribution system, I think they will be up and running. We've made a lot of progress working with the world food——

Mr. JANKLOW. A fuel crisis?

Mr. GARVELINK. Pardon?

Mr. JANKLOW. Are we going to be able to avoid a fuel crisis?

Mr. GARVELINK. Again, that's not one I'm very familiar with.

Mr. JANKLOW. Are you, Mr. Greene?

Mr. GREENE. I think that already we've brought in emergency deliveries of LPG gas, which runs a lot of the cooking stoves throughout Iraq, and so we're figuring out how to, again, respond to the emergency. Will it be a normal distribution pattern, no, but will we be able to respond in an emergency, I think the answer is yes.

Mr. JANKLOW. Were the town councils democratically elected in the past?

Mr. GREENE. I don't know, sir.

Mr. JANKLOW. Do you, sir?

Mr. GARVELINK. No. I'm not sure.

Mr. JANKLOW. How are we going to set up elected democratic councils? What agency is this? Who will be doing that?

Mr. GARVELINK. For the Agency for International Development, we have our responsibilities for Iraq divided in two basic categories. One is the bureau I work for, which does humanitarian assistance, and another bureau does reconstruction. And the way we've divided up responsibilities, democracy and governance, these sorts of activities are in the other bureaus.

Mr. JANKLOW. And they are not here today?

Mr. GARVELINK. Correct, and so I have a hard time addressing the issue.

Mr. JANKLOW. We don't know how they're electing them, do we?

Mr. GARVELINK. No.

Mr. JANKLOW. Sir?

Mr. GREENE. No. I do not know that, sir.

Mr. JANKLOW. One other question. With return to the buying of the crops, I assume you have got—I mean, they were able to continue farming during all of this, and what you're saying is to the extent you can buy the crops, you cool off the farmers, and you get the food on the shortest travel distance.

Mr. GARVELINK. Well, yeah, it's all of those. What's happened over the past few years and under the Oil for Food Program and the sanctions in Iraq is that the local production was not allowed to be purchased, and in the northern part of the country, they have a fairly large wheat crop. I think they're expecting in the neighborhood of 600,000 tons this year. We're hoping to buy the surplus from the farmers and then feed it into the distribution system, but there's been no incentive for the past few years for farmers to grow anything, because they can't legally sell their crops.

Mr. JANKLOW. Thank you. My time is expired.

Mr. SHAYS. I thank the gentleman.

Mr. Ruppersberger, please.

Mr. RUPPERSBERGER. Well, first, there are a lot of issues that we have to deal with here today. In the time that I have, I would like to address the planning that we had, really, prior to the war. There were some statements made by certain people in the military that we should have done a little more planning, but what I would really like to get to, at this point, I think right now, whenever you're going to stabilize a country, you need to have order, and I assume that, based on your testimony today, that the order needs to be clearly taken care of. And at this point we're having problems.

From information that I've received, is that one of the biggest issues that the coalition forces are having problems with is that there are a lot of civilians that have guns, and there are a lot more guns than was anticipated. Is that your understanding, or do you have any knowledge to that effect?

Mr. GREENE. That is a significant problem, and I think, sir, in order to get a more detailed response on what the response locally will be to that question, we're going to have to talk to representatives of the Defense Department.

Mr. RUPPERSBERGER. Right, which are not here, but I think that the whole issue, as we're trying to study and get information today, is how do we best deal with that. You have to deal with the basics, and as a result of that, the lack of security that exists at this point really is preventing the humanitarian efforts to go forward. Correct? Is that your understanding?

Mr. GREENE. The——

Mr. RUPPERSBERGER. Either one.

Mr. GREENE [continuing]. Humanitarian efforts are going forward, and the issue is can they go forward more effectively? And the answer is clearly, yes, in a more secure environment.

Mr. RUPPERSBERGER. And what we're trying to establish is how we can, in our role, develop a plan to help the military. You know,

you go in as the military to invade. Then you change your roles, and these roles are a lot different, and what we really would like to know is how, from your opinion, that we can effectuate something to help or to give resources or whatever is needed with respect to establishing security, so that we can get to the next level.

Mr. GARVELINK. Well, clearly, security is an issue, and as you say, it's very difficult to provide humanitarian assistance or to expand the humanitarian assistance that is being provided without a secure environment, without the protection of silos where wheat and other commodities are stored, and, you know, clearly, that is a concern for us. I'm sure it's a concern for our NGO colleagues, but it's a problem for the military, and that's an issue that, you know, I wouldn't presume to answer on their behalf. It's a big concern, and it complicates the humanitarian picture, but not being——

Mr. RUPPERSBERGER. From your perspective, you know, what do you feel that we need? You've been involved in other countries. What do you feel that we need?

Now, this is a different situation. Each situation was different to move forward.

Mr. GARVELINK. Well, I guess from experience in other situations like this, we need the rule of law established as soon as possible. That's a police force. It's not really the military that does that, and so the introduction and establishment of a police force would be very important.

Mr. RUPPERSBERGER. And the reasons we talked—I raised the issue about the guns, I mean, how to effectuate that, and there's why we do have military police, and they're becoming very active, and there are ways to do it.

Let me get on to something that maybe you might know a little bit more about and answer the questions. We talk about the costs of what we need to do. We talk about after we have order and establish some type of government, that the citizens of Iraq need to develop a quality of life, and that's, hopefully, what we can do through jobs, through dealing with humanitarian concerns. But that costs a lot of money, and the unique situation about Iraq is that there is a lot of oil if it's taken care of in the right way, if it's marketed the right way. And I praise President Bush and the military for taking control of the oil fields and making sure that they were secure, and I believe they are secure.

Is there in effect now—and I guess this is through—really a State Department question—negotiations with other countries and working with people within Iraq to develop that source of oil that will help to bring money into the citizens of Iraq?

Mr. GREENE. Sir, clearly the anticipation is that the oil industry will get going and that oil revenues will be utilized by the Iraqi people to reconstruct and redevelop their country. Clearly, there is the anticipation that will play the major role.

Mr. RUPPERSBERGER. I'm not talking of anticipation. Is there, right now, ongoing communications? Is there, right now, an effort, a strong effort to——

Mr. GREENE. There is a strong effort going on, sir.

Mr. RUPPERSBERGER. And where are we going, or is it too confidential to talk about it in this hearing?

Mr. GREENE. I'd rather not—I don't think it's confidential, but I don't believe I should be the one to talk about it. All I can tell you is that a major emphasis is on that going on there——

Mr. RUPPERSBERGER. From my point of view in this hearing, I want to make sure that unless there's a reason that we shouldn't, I want to do what's best for our country first. To help the situation, which would be best for our country and the world, we need to be, in my opinion, aggressive. If we're being aggressive that's fine, but I want to raise the issue of what we're doing in order to do two things, to work with other countries in establishing what we need to do with respect to the oil, which will give the resources to help that country. But second, there are a lot of countries that are out there and should be allies of ours, that are we or are we not working with them, including France and Germany and those countries that gave us a hard time prior to the war?

Mr. GREENE. We're doing everything possible to get the oil flowing in Iraq again, A, and, B, we have mounted a major effort with countries around the world to solicit major contributions to the Iraq relief and reconstruction effort. The feedback from every country is that people are willing to come up with big bucks to contribute toward this effort.

Mr. RUPPERSBERGER. Are they also going to come up with the resources and also the people power, so to speak, to do the things that are necessary once we get this security there? Are they willing to move to that level so the burden isn't completely on the United States and Great Britain?

Mr. GREENE. There have been offers from in-kind contributions of people and equipment from countries around the world, and we're having ongoing discussions with many countries——

Mr. RUPPERSBERGER. How about France?

Mr. GREENE. There has been discussions with France on contributions to—on a number of areas.

Mr. RUPPERSBERGER. OK. That's all, Mr. Chairman.

Mr. SHAYS. Thank you very much.

I would love make sure that you have a list of the 11 items that General Garner gave. Were they given to you? I'm going to ask you to look through that list and tell me what you would think needs to be part of that in the first—mid to late June to establish a positive slope. He said 11 critical tasks to complete by mid to late June to establish a positive slope toward success in Iraq.

[The information referred to follows:]

Eleven Critical Tasks to complete by Mid/late June to establish positive "slope" toward success in Iraq:

1. Establish security in Baghdad
2. Pay civil service salaries (catch up by 6/30)
3. Get police trained and back to work
4. Get government ministries functioning
5. Restore basic services in Baghdad to pre-war or better levels
6. Prevent a fuel crisis
7. Purchase crops
8. Solve food distribution system gaps
9. Install town councils in all communities
10. Reestablish provincial governments, target specific needs
11. Prevent disease (cholera) outbreaks

Mr. SHAYS. So if you would please, look at that and see if there is anything that you would add to it. Is there anything that you catch right off that you would add?

Mr. GREENE. It looks pretty comprehensive to me, Mr. Chairman.

Mr. SHAYS. OK. Is there anything?

Mr. GARVELINK. The only other thing, and it——

Mr. SHAYS. I'm going to ask you to put your mic a little closer, even though I hear you, both of you.

Mr. GARVELINK [continuing]. Is the restoration of the electrical grid.

Mr. SHAYS. OK. The restoration of the electrical grid. OK.

If you think about anything that you had to add to it before the hearing ends, I'd love for you to add. So periodically, maybe if you would take a second look.

There's a general acceptance that on a scale of 1 to 10, the war effort was an 11, that it was pretty stunning, and I think there's a feeling that people will look back and say, this was a moment in time in which there was some classic changes in battle. it will be studied. But I think most people would agree that the failure to rebuild Iraq, the failure to get it on a positive slope in which people are back to work, kids are back to school, the economy is starting to percolate after 20 years of being somewhat dormant, that there's a government established that recognizes majority rule but appreciates minority rights. I think it's very easy for people who aren't used to democracy to get the idea of majority rule. I'm not sure it's easy for them to accept the concept of minority rights.

But that, I think, has got to be the key issue, and I don't think there's any option for failure. And so you both are involved in something that I think is huge, and I would say to you, as someone who voted to go into Iraq with great conviction, that if in the end we fail to rebuild this country, that the critics of my vote will in some ways be right.

Would you tell me a logical reason why you would not want Members of Congress to be in Iraq, to understand the problem, to talk with people, to size up the problem and to be able to—as leaders of a country, be able to do our job of knowing how to provide resources and so on. Is there a logical reason that you can see why Members of Congress shouldn't be in Iraq?

Mr. GREENE. There's not a logical reason, except if there were security considerations.

Mr. SHAYS. Are you free to go to Iraq?

Mr. GREENE. Yes, sir.

Mr. SHAYS. Is the press free to go to Iraq?

Mr. GREENE. Yes, sir.

Mr. SHAYS. Do you think Members of Congress should get their positions based on what they see in the press, or should we try to get it firsthand? If it's possible?

Mr. GREENE. In Iraq and every place else in the world, we welcome Members of Congress visiting.

Mr. SHAYS. Mr. Garvelink.

Mr. GARVELINK. I would agree. I think the only constraint would be the security situation, and there—I think while we're free to go to Iraq, if you're going for extended periods of time, there are certain kinds of training we're still required to get before we go, and

I think everybody is. But I agree with Mr. Greene, everybody would welcome your presence as Members of Congress in Iraq to see what's going on and understand the programs that are underway there.

Mr. SHAYS. The 8 hours I spent in Iraq were the most vibrant 8 hours I've spent in a long time, and everything I saw was not necessarily a surprise, but there were heightened degrees of, I didn't realize this was here or not. So it wasn't like everything was new, but everything I saw had an impact on me. I was struck by the poverty. I was struck by, in this one town, the lack of roads. I was struck by the housing conditions. I was struck by the failure of having running water. I was struck by the fact that the gas station I went to had nothing there, nothing. It was just like a skeleton, and it made me appreciate how immense the task was.

I was struck by the fact that when I went there and the Save the Children were negotiating when they would bring in the fuel for the heat, that they were having to debate with the gas station attendant that there would be security, because there was a concern that as soon as the supply of this fuel came, it would just be taken by a mob of people.

I might be able to see that on TV, but somehow hearing someone talk about it.

Now, let me ask you, should I be surprised that neither of you knew what form of elective government exists in the local level?

Mr. GREENE. I don't know, Mr. Chairman. My focus has been on the relief efforts. I mean, I could have hazarded a guess that, of course, there wouldn't have been any democratic government elected locally.

Mr. SHAYS. No. I wouldn't want you to hazard a guess, and there are going to be things you don't know. And that's not my point. I'm just asking if I should be surprised.

Mr. GREENE. No. I think it points to the—at least for my part, the lack of information about what was going on inside of Iraq.

Mr. SHAYS. Mr. Garvelink.

Mr. GARVELINK. Yeah. I guess I would agree. For the past 4, 5, or 6 months, I don't know quite how long it's been that we've been working on these issues, I think a lot of folks have been working on a lot of different humanitarian issues, and you focus on what you're doing. And I think Jay Garner gave a fairly good indication the task was a big one. One of the things we're doing at USAID is trying to get 487,000 tons of food to people every month. That requires something in the order of 10,000 trucks a month. One really has to focus one's attention to make that work. So this was not one of the areas I've been focused on.

Mr. SHAYS. Fair enough. Abdul Hassan Mohammed when I was in Umm Qasr said to me—after he had pointed out some other concerns, he looked me in the eye, and he said, you don't know us, and we don't know you.

I know what it said to me. What does that say to you? He was talking about Americans and Iraqis. We don't know you and you don't know us, what does that say?

Mr. GREENE. I just think it points to the—sort of the years of images we've built up about each other through various discussions in the press and in the media. It points to a lack of direct contact

between Iraqi and Americans on issues that are of importance to how people carry out their daily lives, and it points to how we have to resume that as quickly as possible.

Mr. SHAYS. Would you just elaborate on that last point, because it shows what they didn't know, and now you're stating an action, and what do you think that action has to be?

Mr. GREENE. The action means that we have to get out and get into the country as quickly as possible and factor in what Iraqis want for their country and to understand what the problems are, to understand what they've been going through, to understand how they see solutions emerging. There has to be a huge Iraqi involvement in everything that we do, and the only way you get that involvement is to get out and get into the country and talk to people.

Mr. SHAYS. Mr. Garvelink.

Mr. GARVELINK. Yes. I would agree completely. The way—from your own explanation, when you're in the country and see things, it's very different. There are perceptions that both nations or both peoples have of each other that may be accurate. A lot of it is also inaccurate. Until we work together, you know, and start to understand each other's culture, we're never going to resolve some of the problems that are between us. You can't do that unless you work hand in hand.

Mr. SHAYS. When I was in the Peace Corps in the south Pacific in the Fiji Islands, when you went from one village to another, if it was on one of the smaller islands, you couldn't go to the other village through one village without stopping in, and if there were three villages along the way, you had to stop in every village. You had to interact, you had to sit, you had to talk. You had to just go through these so-called niceties and kind of get to know each other.

The next time you could walk through all three villages to get to that final destination, and so I felt the same way that you're basically stating, that in order for us to succeed, we're going to have to get to know them, and they're going to have to get to know us, besides our just trying to do good things for them.

And I'm curious as to how you think that happens.

Mr. GREENE. I think that goes hand in hand with the—sort of the theme that we've had here in General Garner and part of your questions, is improving the security situation, so we can get out and have greater freedom of movement. So when we do have this freedom of movement, it's not in bullet-proof vests and heavy armored accompaniment, that we hold normal regular conversations with the regular Iraqi citizens. I mean, it's clearly what General Garner wants to get to as quickly as possible, and it's clearly what our entire team wants to get to as quickly as possible.

Mr. SHAYS. I would tell you this is someone who has observed General Garner. He is an easy guy to talk with. He's very unassuming, and I would think that the Iraqi people, if they get to interact with him, would find him a very good man to work with. That's just kind of my—not my hope, but it's—I guess it's my hope as well.

I'd like another 10 minutes, but we're going to go to you, Mr. Janklow, and then we'll go to you, Mr. Ruppersberger.

Mr. JANKLOW. Mr. Chairman, I'm going to be brief.

The question was asked earlier about safety in the communities. As I recall, prior to the war, the government of Iraq passed out weapons to the general public, tens of thousands of rifles. Is that accurate as far as either one of you know?

And I'm also under the impression from—at least from news reports I saw prior to the war, that they sent the prisoners home.

Mr. GREENE. I've read probably the same reports you have about that, sir.

Mr. JANKLOW. To what extent do either of you think on one of our secret weapons in this whole—we don't know us and you don't know us thing are the men and women of our Armed Forces—I mean, there's a helicopter pilot from my home State we were just notified was killed rescuing a young Iraqi girl that had been injured by a land mine. I'm not aware that Saddam Hussein's military was known for those kinds of acts. I'm not sure that their military were known for treating individuals that were sick as opposed to just injured. I'm not aware that their military was known—at least even our media, some of whom don't like the effort, weren't known for writing stories about how their military went in and mingled amongst the people, fed them, transported them, assisted them. I'm just wondering to what extent you're planning on that being a secret weapon, if I can call it, in a getting to know each other routine.

Mr. GREENE. The men and women of our Armed Forces have been incredible Ambassadors for what we stand for as a country, and the more they get out, the more they get in situations where people can see what they're about and to see what our intents are, the better off we are and the more progress we'll make on this overall situation. I mean, they've been fantastic in every aspect of this operation.

Mr. JANKLOW. Let me ask you, if I can, we've seen the looting, but to my understanding, it hasn't involved private property. It's involved governmental buildings of one sort or another. Is that relatively accurate or not?

Mr. GREENE. There's been reports—I mean, I've seen plenty of reports of looting of private property as well as——

Mr. JANKLOW. Of individual's homes?

Mr. GREENE. Yes, sir.

Mr. JANKLOW. I'm talking about the general citizenry as opposed to the people that own lots of palaces and things like that.

Mr. GREENE. Most of the reports that I've seen of general looting have been probably people with a lot of wealth.

Mr. JANKLOW. Do you agree with that, Mr. Garvelink?

Mr. GARVELINK. Yeah. I've probably seen the same thing he has, and the great majority of the looting that has gone on has been of government buildings.

Mr. JANKLOW. Both of you indicated that it was somewhat of a surprise the level of the looting that we've all seen and heard about. What I'm wondering is why, if I can ask that question general? This is a country where $20 in wages is a significant—is an at least an increase over what people were getting. It's a country where individuals didn't have, for all practical purposes from the testimony today, a water system that worked, a sewer system that worked, an electrical system that worked, schools where they didn't

have books for the students, why wouldn't we think that where there's largesse out there, people under these circumstances wouldn't go after it as soon as they could, especially given the fact that they have lived for decades under these kinds of circumstances. What I'm wondering is why is this a surprise?

Mr. GREENE. I think that the fact that there was looting was not a surprise. I think that the extent of the looting was a surprise to the extent that water treatment plants had been looted, hospitals stripped bare, things like that.

Mr. GARVELINK. Yeah. I guess I was quite surprised by the extent of it. Having spent a lot of time in Somalia and Rwanda and other places at the time when we were providing humanitarian assistance, there was a lot of looting that went on, but I've never seen anything on the scale of this.

Mr. JANKLOW. But in none of those countries do I think the government was overthrown by us when they were there. Here the government was gone, and we were the new people in town.

Mr. GARVELINK. Well, that's true. I'm thinking of terms where there was just general—well, in both—in Somalia there was no government, and the looting that went on just never reached this magnitude. I'm not sure that—I don't know why it would happen.

Mr. JANKLOW. Look, I'm not going to take all my time. I just want to say it's been 3 weeks since the general shooting has stopped. As late as a few days ago, we still had members of our Armed Forces being killed. There have been phenomenal accomplishments made. I was sworn in on January 7, and Congress didn't even come back until the end of the month. That was 3 weeks, and you got a lot more done in that 3 weeks than I did my first 3 weeks around here. So I think you've done an awful lot, and I think we've done an awful lot since January.

Thank you.

Mr. SHAYS. I thank the gentleman.

Mr. Ruppersberger.

Mr. RUPPERSBERGER. We're talking about security, and I want to get into just a couple comments that were made. Let me say this before I get into these comments. It's very easy to criticize after the fact. The purpose of maybe the criticism would be to point out what we can learn, so that we can make sure that we can do it better the next time.

After the President gave his speech about the mission accomplished, some media accounts and reports from nongovernmental and some governmental agencies is that we really did not sufficiently plan for or implement security measures in Iraq to the extent they should have been, except maybe for the oil fields.

And as a result of that, we do have a lack of humanitarian assistance, and the pace still has not been where we need to be because of security, and we do have to have security first. We can't put people's lives on the line, whether it's our military or the civilians or whatever.

And also I think just to quote a couple, it was an issue that I'm sure the administration wasn't happy about, but the Army's Chief of Staff, General Eric Shinseki, testified before the Senate Armed Services Committee and several hundred thousand soldiers—over 200,000 soldiers would have been necessary to maintain the secu-

rity after we—the war was over. He also was involved in the stabilization of Bosnia. Did you work with him at all?

Mr. GARVELINK. No.

Mr. RUPPERSBERGER. Also we have retired Major General William Nash who commanded the first Army peacekeeping operations in the Balkans in 1995, and then he also said that there needed to be at least 200,000 U.S. and Allied Forces to stabilize Iraq.

Now, Secretary Wolfowitz countered Shinseki saying that he disagreed. And since the war was over, the Pentagon has reportedly reduced the number of troops from 250,000 to 135,000. Do you have any knowledge of that?

Mr. GARVELINK. No, sir.

Mr. RUPPERSBERGER. Now, if you did have, assuming that is a reduction, would you have an opinion whether or not that is appropriate at this time, based on the fact that there are security problems that exist which really affect the humanitarian assistance we can start giving the citizens and stabilizing the country? Would you feel that there needs to be more Armed Forces there?

Mr. GREENE. Sir, I'm not going to comment on any force deployment decisions by the Department of Defense, and I'm only going to highlight that every person associated with this operation at every level knows that restoring security is the highest priority and, sir, that currently there is no humanitarian crisis in Iraq. There are clearly pockets of need.

Mr. RUPPERSBERGER. Did I say crisis? I didn't mean to say crisis. I take that back. Humanitarian problem that exists.

My point is that, if in fact it is necessary—there's a difference of opinion. That's always the way it is. It's just we want to try and get it right.

Now, let me go to some specifics as far as what we're doing with respect to the humanitarian issues, and first ask you, did we learn anything from what was going on and what is still going on in Afghanistan that might help us in dealing with the issues that are going on from a humanitarian point of view that might help us with respect to Iraq? Or are they two different countries and it's tough to compare?

Mr. GARVELINK. I think, first of all, the situations are quite different and it's tough to compare the two. I think one of the lessons that we're seeing is that it's important to get to rural areas and to work in the rural communities and to emphasize assistance there. We're trying to do that in both locations, and it made very clear that's an important thing to do in Iraq.

Mr. RUPPERSBERGER. Let me ask this question. I think a lot that we have to look at—and I'm sure you have some expertise in the field. But what is our process of determining the types and amounts of humanitarian assistance needed for this postconflict? I mean, we have to have a plan. What is the process that we're looking at with respect to Iraq? I mean, are we focusing on—we have the list that was given to us, but there are also some other issues. I think you have different religious conflicts. You might have certain areas of the country that need to be targeted, where others might not. I mean, what process maybe that we've used in the past do you think is effective where we need to move forward?

Mr. GREENE. There is an extensive interagency planning process that has gone on for months in Iraq. General Garner talked about the entire Orhau operation. Ambassador Bremer has just gone out to Iraq to take over his position. We get extensive information and assessments of needs by international organizations and NGO's. We rely heavily on those assessments. There's just a wealth of information that we tap into and use to decide strategies.

Mr. RUPPERSBERGER. From a medical point of view, do you feel that, at this point, we are getting the resources both with respect to physicians and nurses—the physician assistance or the drugs that are needed to help those people that are in need? Where are we with respect to the medical option or the medical area of this humanitarian issue?

Mr. GARVELINK. I think we're doing quite well, but what we've done prior to the conflict is preposition medical supplies and equipment in the region. We had what they call World Health Organization [WHO] kits that could provide a basic—it provides basic medicine and equipment for 10,000 people for 3 months.

We had enough of those kits to have that kind of medical care for a million people in place when the conflict started. So WHO kits were moved into Iraq with military civil affairs units as soon as possible to health units and health clinics.

When our teams actually could get into the country, they looked at clinics and at hospitals and looked at what more extensive repairs could be carried out. I think we're meeting a lot of the needs in the health sector that we can reach at this point in time, and as I mentioned earlier, one of the issues that is a concern is electricity, because you have to have a constant source of power for the hospitals, and that is improving, but that has been a concern.

Mr. RUPPERSBERGER. Do we have American doctors that are going over to Iraq and either volunteering their services or going over with fellowship or other programs? I know we did that in the Gulf war. I was on a board of the University of Maryland Shock Trauma System where we had physicians that were going. Do we have that program in place?

Mr. GARVELINK. On our USAID teams that we have, meaning the USAID teams, we have four or five physicians in Iraq right now or in Kuwait, and I think that your NGO panel that is coming later will probably be able to talk specifically about American doctors going back and forth.

We have them on our USAID team, but the NGO's will be better placed to answer that question.

Mr. RUPPERSBERGER. Unfortunately, I have to leave at 4 p.m., so I'm raising the issue now.

That's all. Thanks.

Mr. SHAYS. I thank the gentleman for participating.

I'd like to just go through another round of questions here as well.

I'd like to know how long we have been preparing for the rebuilding of Iraq. When did humanitarian assistance planning for Iraq begin? Mr. Garvelink, do you want to start?

Mr. GARVELINK. I'm trying to think of the exact month. I got into it a little bit later, I think in October.

Mr. GREENE. My participation in the effort started in late August, I think.

Mr. SHAYS. Full time?

Mr. GREENE. Not full time but a lot of time, a lot of meetings.

Mr. SHAYS. OK. I know you are both very dedicated public servants, and I know you work far more than 40 hours a week, but I really would like to get a sense of when this became your primary focus and responsibility.

Mr. GREENE. Became my primary focus probably with the first meeting in late August.

Mr. SHAYS. OK. That's good. What did that process entail? I mean, did it entail a lot of meetings? Did it entail a lot of contacts with people? How does one start to begin to—did it involve contacting a lot of NGO's and saying, you all better get started here, we may be going in?

Mr. GREENE. It involved participating with Mr. Garvelink and many others on an interagency planning team, talking about various scenarios, trying to link up with possible military options. Obviously, no decision had been made about the use of force then or for many months afterwards. It also involved reaching out to international organizations, trying to get an assessment of their plans and their requirements and trying to match up our planning with their planning.

Mr. SHAYS. Well, we all work for one country.

Did you want to say something, Mr. Garvelink?

Mr. GARVELINK. Well, I was going to say, we've spent a lot of time together in the past 7 or 8 months in meetings. The other element to this is trying to determine budget requirements.

Mr. SHAYS. But the——

Mr. GARVELINK. We've both made a few trips to the region to talk to countries there. So it's been——

Mr. SHAYS. So the argument that somehow this plan to help rebuild Iraq was put together without a lot of thought or care is simply not true.

Mr. GREENE. I agree with that, sir.

Mr. GARVELINK. Correct. A lot of thought and work has gone into the planning.

Mr. SHAYS. Did the war end a little sooner—I mean, most of the combat—sooner than you expected? Was there this thing, my God, we've got to be ready a little sooner than we anticipated? Was this a factor in this process?

Mr. GREENE. I don't think so. We focused I think, as I said to an earlier question, on a lot of—a lot of our focus earlier on was getting ready for large population displacements, and then——

Mr. SHAYS. That never happened.

Mr. GREENE. That never happened. But to get ready for that, we talked about prepositioning assets around the region and doing what was necessary to be able to quickly move people quickly into the region.

Mr. SHAYS. So there was some preparation for something you never had to deal with, and that was a relief. Then there was some surprise that some of the facilities became vulnerable and actually were a tempting target for looting, which was a surprise that you

didn't anticipate in August—and I'm not sure I would have either—that you then had to do a little getting caught up to speed?

Mr. GREENE. Yes, sir.

Mr. SHAYS. OK, you are both from the State Department. I get a little confused. USAID doesn't like to say they're from State Department, so——

Mr. GARVELINK. I think technically we are separate from the State Department.

Mr. SHAYS. I knew you would say that.

Mr. GARVELINK. I have to say that or I can't go back to work.

Mr. SHAYS. OK. Well, we'll say you're separate from, but you have to come under their budget; and if Secretary Powell tells you to jump, you jump. But other than that, you are separate.

Mr. GARVELINK. Right.

Mr. SHAYS. OK. But I'm not quite sure whether I'm to view State Department as under the direction of DOD as things stand now. In other words, technically Mr. Bremer was with State, Ambassador with State, but his chain of command is through Secretary of Defense Rumsfeld to the White House. So are you technically working with the Department of Defense or do you view yourselves as working not under the Department of Defense? I just——

Mr. GREENE. Clearly, the State Department is not working for the Department of Defense. Ambassador Bremer, as you point out, is reporting to Secretary Rumsfeld; and we are working very closely with the whole effort. We all at ORHA—we are all trying to make it work, sir.

Mr. SHAYS. OK.

Mr. GARVELINK. Our view of how this all operates is through a Country Team approach. When an ambassador is in his country or her country, all U.S. agencies are represented there, and the overall authority in the country is the U.S. Ambassador. And that's the way we viewed this. General Garner, Ambassador Bremer, is the overall authority there. We are all working under the general guidance of that individual.

Mr. SHAYS. Mr. Bremer? You are working under the guidance of Mr. Bremer?

Mr. GARVELINK. I'm not sure where it stands at the moment, with the shift. But it would be under the senior U.S. official in the country.

Mr. SHAYS. Wouldn't you agree by your answer that there is a little bit of uncertainty as to how this works, both of you?

Mr. GREENE. I'm——

Mr. SHAYS. These questions are not to put you on the spot. It's to understand—you both are doing a great job, and I know that from many people who have spoken to me and knowing of your coming to testify. But the bottom line is, should I just view this as kind of a fluid situation a bit?

I mean, what I get nervous about is, in my office, if three people have control, nobody has control. In the end, I say, if something goes right or wrong, it rests with—and I pick somebody, because I need to have one person ultimately know.

So you both—you report to your superior at USAID, and you ultimately report to the Secretary of State. Correct?

Mr. GREENE. Yes, sir.

Mr. SHAYS. But you are working under the auspices of ORHA and under the Department of Defense, and is that just kind of the way I'm to view it?

Mr. GREENE. No, sir.

Mr. SHAYS. OK.

Mr. GREENE. We are working with ORHA in a collaborative effort. The people that are on the ground in Iraq are working under ORHA report to—will now report to Ambassador Bremer who reports to the Secretary of Defense. But here, back here at headquarters, we are working collaboratively with the Department of Defense on these issues.

Mr. GARVELINK. Because the perspective I was offering was from the field. Rich is right from back here.

Mr. SHAYS. Fair enough. What criteria does USAID use to gauge the capacity and success of humanitarian assistance organizations and their suitability as partners? That's your responsibility pretty much, Mr. Garvelink?

Mr. GARVELINK. Yeah.

Mr. SHAYS. You work with the NGO's. And let me just editorially say, for me, the big heros in this process are the NGO's. I mean, for me to see them kind of getting ready—they are in Jordan. They are in Cyprus. They are in Kuwait. They do this all the time, that they go to many places around the world where life is a danger. They are pros, they are experienced people, and you make them—it seems to me you help them with the extraordinary resources you provide them. But they are absolutely—you are absolutely dependent on them, I gather, in order to accomplish the tasks that USAID needs to accomplish. Is that correct?

Mr. GARVELINK. Correct. We have a very close working relationship with the NGO community, and we are an agency that provides support to them. Our job is to facilitate their work. We do not implement our humanitarian programs. We rely primarily on the NGO's to do that.

Mr. SHAYS. And that's a policy over the last 10 years. That's a shift in policy over the last 10 to 15 years?

Mr. GARVELINK. I think for USAID that's always been their approach to providing humanitarian assistance, is through the NGO's.

Mr. SHAYS. My sense was that we squeezed down the number of people in USAID, and that you became more and more dependent on NGO's to accomplish the operational task. But that's not true?

Mr. GARVELINK. Well, I'm looking at it from the humanitarian side of USAID. We've always been kind of small, and we have always been reliant on the NGO's.

Mr. SHAYS. Fair enough. So, getting to my question: What criteria do you use to gauge the capacity and success of humanitarian assistance organizations?

Mr. GARVELINK. Well, the organizations that we work with we know and have worked with for a long time; and so we know their capacity for management back in their headquarters. We travel frequently to the field and look at their programs, talk to them, plan their programs.

One of the issues that's just a very fundamental one is the accounting structure that's a requirement to handle U.S. Government

funds. So all of these NGO's certainly have that capacity, and in our working with these—and as I have over the years you get to know the strengths and weaknesses of each organization.

Mr. SHAYS. Because you've worked with them in so many parts of the world?

Mr. GARVELINK. All over the world and for the past 25 years.

Mr. SHAYS. I mean, is it conceivable that five NGO's are going to compete for the same grant, or do you have so many grants right now there is not this kind of competition? Are you running out of NGO's to do the work, or are NGO's running out of money to get from you?

Mr. GARVELINK. Neither.

Mr. SHAYS. OK.

Mr. GARVELINK. There is resources to go around to fund the NGO's. And I think the way we have divided up—if you are speaking specifically of Iraq, we have six cooperative agreements with major NGO's to work in certain parts of the country and provide a whole range of assistance; and under the circumstances right now, that seems about right.

Mr. SHAYS. Would you explain to me—the NGO's will tell me why neutrality is extraordinarily important. Would you both—Mr. Greene, you get involved with the NGO's as well.

Mr. GREENE. Yes, sir.

Mr. SHAYS. Would you both explain to me in your words while you believe neutrality is important.

Mr. GARVELINK. I think impartiality is important. I'm not so sure that I would put neutrality in that same category. And I think Iraq may be a good case. We are not neutral in Iraq. We are——

Mr. SHAYS. The issue is, are these NGO's to be an instrument of the U.S. Government, or are they an instrument of their own organization to do good works using the resources of the U.S. Government? They would argue that they can't go into a place as an instrument of the U.S. Government.

Mr. GARVELINK. I would accept that.

Mr. SHAYS. That's how I meant the word neutrality.

Mr. GARVELINK. OK. We do not view the NGO's as an instrument of the U.S. Government. We view them as a partner in providing humanitarian assistance, and they have expertise in skills and characteristics that the U.S. Government does not have. We are not there for that long period of time. We are not on the ground. We don't know the people like they do. NGOs have to maintain a certain independence from us, and that makes sense to us.

Mr. SHAYS. And that makes sense.

Mr. Greene.

Mr. GREENE. I would agree with that, sir.

I would also add that there are many cases—in most cases there's a confluence of objectives between what NGO's want to have happen and what we as a U.S. Government also want to have happen in terms of responding to the humanitarian distress.

Mr. SHAYS. You know, I think you both have extraordinary opportunities. I think you're—if I could say it this way, I think you are doing the Lord's work. And one of the things that moved me deeply when I got to go into Iraq was I looked at these NGO's as we were having a meeting in the base, the British base at the port;

and I was thinking these folks devote 80 hours plus a week. They are not—their remuneration isn't what it might be in some other business. But they are doing extraordinarily good things with the resources, in many cases, of the U.S. Government; and they do it with a lot of courage, frankly.

When we went in, there was the argument that there needed to be someone guarding me; and Save the Children's folks said, we are not going in under any protection, military protection. The explanation was because they have to go in as a neutral force; and I thought, they do this all around the world, and I just pray that we use them well.

Just one last area. I would like to know if you believe that we should be—excuse me. This is a policy issue, so I don't want to put you on the spot this way.

How do you react to the argument that the U.N. has—first, let me ask you this. How did you react to the fact that the U.N. seemed reluctant to end the embargo?

Mr. GREENE. I don't accept the premise that the U.N. was reluctant to enter Iraq. U.N.—I know that the U.N. relief agencies were doing everything possible to get into Iraq and are now in Iraq and gathering storm and gathering momentum.

Mr. SHAYS. And these are very skilled people. Correct?

Mr. GREENE. Yes, sir; and they also provide the overall coordination structure that the NGO's will plug into. Their presence and coordination is essential to this process.

Mr. SHAYS. That's very important to put on the record. In other words, we need their network or their system in order for the NGO's to be successful.

Mr. GREENE. Yes, sir.

Mr. SHAYS. Do you agree with that, Mr. Garvelink?

Mr. GARVELINK. Yeah. I think the various organizations that we work with all have particular skills and strengths, and the U.N. is very important as the overall umbrella to humanitarian operations. Its presence is critical for dealing with host governments and setting the stage for what the rest of us do. No one else can play that role, and we can't operate without them.

Mr. SHAYS. I had this feeling, if I didn't have the job I have right now, I would love the job that both of you have. And you might say I'm crazy because I maybe don't understand what keeps you up at night. But I would think that you are doing very important work. The success of our Nation's endeavor depends in large measure on what you do with the people that you work with; and the impact in the region and ultimately on the world, to me, rests with your good work. So, not to put a burden on you, I hope to God you succeed with flying colors.

Do you have anything you want to put on the record before we go to our next panel?

Mr. GREENE. No, sir. Only that we greatly appreciate your support.

Mr. SHAYS. Well, you have it.

Mr. GARVELINK. Yes. Thank you very much.

Mr. SHAYS. Thank you both very much. I appreciate it a lot.

Our final panelists are Mr. Curtis Welling, president and CEO of AmeriCares; Mr. George C. Biddle, senior vice president, Inter-

national Rescue Committee; Mr. Rudy Von Bernuth, vice president and managing director, Children in Emergencies and Crisis, Save the Children; Mr. Kevin M. Henry, director, Policy and Advocacy, CARE.

And for nothing but honesty in government, I would like to disclose that two of these witnesses—and with some pride—disclose that two of these witnesses or organizations, AmeriCares and Save the Children, are based in the Fourth Congressional District of Connecticut.

I would ask unanimous consent to insert the following documents into the record: a letter from Dean R. Hirsch, president, World Vision, stating they will not be able to testify; and written testimony from Mr. Bill Frelick, Refugee Program, Amnesty International. Without objection, so ordered.

[The information referred to follows:]

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9 May 2003

Dr. R. Nicholas Palarino
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Dear Dr. Palarino,

I regret to inform you that neither I nor another World Vision staff member will be able to testify on Tuesday, 13 May before the House Subcommittee on National Security, Emerging Threats, and International Relations of the Committee on Government Reform.

I realise that I promised you in our phone conversation yesterday that World Vision would appear before the Subcommittee. Since then, however, I have discovered that key staff members at the Washington, DC office of World Vision United States are unavailable to help prepare my testimony.

The subject matter of this hearing is of great importance to non-governmental organisations working in areas of conflict. World Vision takes very seriously the issues being addressed and would welcome another opportunity to participate.

I sincerely apologise for the misunderstanding in my organisation and regret that World Vision must decline this opportunity to discuss "Humanitarian Assistance Following Military Operations: Overcoming Barriers" before the Subcommittee.

Sincerely,

Dean R. Hirsch

cc: Serge Duss, director of public policy & advocacy, World Vision United States
Bruce Wilkinson, senior vice president for international programs, World Vision United States

Bill Frelick

Director, Refugee Program

Amnesty International USA

Written Testimony

on

Humanitarian Needs in Iraq

for the

House Government Reform Committee

Hearing on

Humanitarian Assistance Following Military Operations:

Overcoming Obstacles

May 13, 2003

Introduction

Thank you, Mr. Chairman and Members, for giving me the opportunity to share personal observations on humanitarian assistance in Iraq based on my participation in a mission to southern Iraq from April 27 to May 3 on behalf of Amnesty International to assess human rights and humanitarian conditions.

Amnesty International delegates were in Iraq prior to my involvement and are still in Iraq at the present time, and continue to report on conditions there.

Amnesty International is a nonprofit, nongovernmental organization that was founded in 1961. It is a worldwide movement of more than 1.7 million members that works to protect and promote human rights. Amnesty International USA has more than 340,000 members.

Amnesty International grounds all of its work on international human rights law and standards and advocates for adherence to these standards. Our mission incorporates not only rights enshrined in the International Covenant on Civil and Political Rights, but also on the International Covenant on Economic, Social, and Cultural Rights, which include fundamental rights to adequate standards of living, including food, clothing, and housing. In time of war and occupation, we also monitor compliance with international humanitarian law obligations under the four Geneva Conventions of 1949 and their two additional protocols of 1977. The Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War binds any state exercising jurisdiction or control over a territory to adhere to certain obligations. These obligations include ensuring public order and safety as well as prompt provision of food, water, shelter and medical supplies, and to protect essential infrastructure such as hospitals, water-supply and evacuation systems.

This testimony is based on a snapshot of the situation in Basra in late April/early May 2003. It does not purport to provide a comprehensive overview of the situation in Iraq. This testimony focuses on humanitarian assistance not only because this is the subject of today's hearing, but also because the Amnesty delegation found this to be a pressing need during our mission to southern Iraq, and a concern that closely relates to the enjoyment of human rights and dignity.

A snapshot of the humanitarian situation in Basra

Despite genuine efforts and some achievements by humanitarian agencies and the Occupying Powers to repair infrastructure and provide humanitarian assistance, the provision of relief aid to the people of southern Iraq has been hampered by insecurity as

well as a lack of coordination among agencies and inadequate mechanisms to deliver aid to vulnerable populations.

Basra is a poor city with chronic pre-war problems relating in particular to water and sanitation. The war unleashed a wave of looting and lawlessness that had to some extent subsided, but not ended, at the time of the Amnesty International mission. Some public buildings had been bombed, and many were looted, and, in some cases, burned. We witnessed people dismantling buildings and what was left of buildings at the university, the shipyards, industrial areas, and in former government offices and facilities. With a few exceptions, private residences and properties, including shops, appeared not to have been damaged in the height of the conflict or looted in the subsequent chaos. Roads and bridges were undamaged. In some cases, such as the Basra University, looting, burning, and scavenging had destroyed everything. In other cases, such as Basra General Hospital, valuable items had been looted, but not to the point where most essential services could not be restored.

The most notable improvement in Basra was the restoration of water and improvements in sewage and water sanitation. Although the cause has not been determined, during the war, water pumping for Basra stopped entirely. "Not a drop," one resident said. Although the water pumping stations were not damaged by the war itself, they were damaged during the period of looting. The International Committee of the Red Cross (ICRC) focused on water and sanitation, and British forces (the Occupying Power for Basra) were also directly engaged in restoring electricity for pumping and in getting the water system functioning again. UNICEF was also delivering water to certain neighborhoods of Basra by tanker truck, and the Iraqi Red Crescent reported that the UAE Red Crescent had delivered water purification and desalinization equipment.

A British civil affairs officer told the AI delegates that Basra now (for the first time) had potable water. The ICRC cautioned, however, that the water was now being treated, but was not yet potable. The ICRC suggested that the entire piping network would have to be repaired before residential consumers could drink from the tap. Because of holes in pipes, sewage is sucked in and the force of the water is reduced, preventing sedimentation and other impurities from being flushed out of the system. Nevertheless, the ICRC noted that the water system had improved greatly during the previous ten days.

Large containers for garbage are located throughout the city, and there did not appear to be piles of garbage on the street. Nevertheless, the streets were heavily littered and dirty. Pools of standing, dirty water collect on some side streets and in abandoned buildings. Basra is covered with flies and mosquitoes.

Electricity for the most part has been restored to Basra, although the delegates experienced one 24-hour power failure in the place we were staying, and other black outs of shorter duration. One of the most visible shortages in Basra in late April/early May was gasoline. Long, double queues of cars wound around the streets of Basra at each of the handful of gas stations open for the city of 1.2 million. Many stations were closed, and the few that were open were rationing the number of liters per vehicle and were open

for limited hours. People still in the line in early afternoon told delegates that they had spent the night in the queue. The gasoline shortages exacerbated anger and frustration. Delegates heard expressions of anger, such as, "We are an oil-rich country. Why don't we have petrol?" A hospital administrator told us on April 30 that British soldiers had shot a truck driver the night before in one of the gasoline queues (however, as he said that the person had not been brought to his hospital, AI is obliged to regard the report as unconfirmed). During the course of the AI visit, more gas stations began to open up (seven were reportedly functioning on April 30), and the lines were getting shorter.

Although many of the people are impoverished, they were not visibly malnourished or unhealthy. We visited two hospitals that were functioning, although the hospitals reported shortages of medicines and medical supplies. A doctor at the Basra General Hospital said that the hospital had a two-month supply of medicine before the war, but that supplies were dwindling despite some aid deliveries from ICRC, MSF, and British and Swedish NGOs. He noted particular shortages in oxygen, anesthetic drugs, bandages, surgical supplies, wheelchairs, and mobile beds. He said that more and more children are coming into the pediatric ward registering gastro-intestinal infections. He said, "The general condition of health is very bad. The main public health center has been destroyed. We have no vaccines, a bad water supply. Although the situation is not sufficient, it is improved."

During the course of the last week in April and the first week in May, we saw increasing numbers of shops reopening, the first reopening of restaurants and hotels, and more food appearing in street markets.

Humanitarian agencies assured the delegation that warehouses have sufficient food and that the food pipeline to warehouses is essentially intact. The challenge is not distribution to warehouses, however, but the end-distribution of food to the consumers most in need.

Coordination/Distribution

No system currently exists for identifying particularly vulnerable populations in need of special humanitarian assistance and for delivering assistance to them. As yet, there are various means of aid delivery at work (or in the planning stages), operating with varying levels of coordination and effectiveness. These can be divided roughly into 1) the Red Cross/Red Crescent system; 2) the Oil-for-Food agent system for food distribution; 3) the system of international humanitarian nongovernmental (NGOs) and intergovernmental organizations acting in coordination with UN humanitarian agencies and/or the Occupying Powers; and 4) ad hoc bilateral aid from governments. What follows is a brief assessment of each.

1) The aid-delivery network coming the closest to functioning at the time of our visit was the Red Crescent/Red Cross system. It was managing some aid delivery despite enormous challenges. We met with the Basra branch of the Red Crescent, and found them to be under considerable internal and external pressures. They said that their offices

had been burglarized, their volunteers attacked while attempting to deliver aid, and that some of the emerging local political forces were trying to extort goods from them under threat.

The ICRC is designated as the lead agency for the Red Cross/Red Crescent national societies in times of conflict, but the local branches in Iraq and some other national societies appeared to be operating independently of one another, in large part due to the difficulty of communications and the generally chaotic situation.

"So far, there is not enough security to carry out aid distributions," said an ICRC official.

2) For years now, the Oil-for-Food program has maintained a large-scale rationing system that provides basic foodstuffs to a large percentage of Iraq's population (60 percent of the population, 16 million people, were estimated to be dependent on the rationing system before the war). A six-month food supply was distributed prior to the war, calculated to last until August. Many people sold relief commodities for other goods, however, and other food stocks may have been lost or destroyed in the course of the war and its aftermath.

The World Food Programme (WFP) will be supplying another delivery of food in the same amount as the previous Oil-for-Food rations for one more distribution, which will commence prior to August. WFP will utilize the same network of 2,785 field agents in the Basra Governorate (44,000 nationwide) that had been used under the previous ration system. Beyond the next food distribution, however, the future of the Oil-for-Food arrangement for providing and disbursing food and other humanitarian aid is uncertain.

3) International nongovernmental organizations (NGOs) are beginning to make their presence known in and around Basra. We met with a Save the Children representative in Umm Qasr and saw other Save the Children aid workers in Basra. Médecins Sans Frontières (MSF) and the International Medical Corps have also been involved in the south. UN agencies, including WFP and the UN Children's Fund, UNICEF, were in the process of locating and trying to establish offices in Basra at the time of our visit (the office has now been established). Generally, however, humanitarian-assistance NGOs had hardly established a presence in the Basra area, and were far from managing an aid delivery network.

The International Organization for Migration (IOM), an intergovernmental organization that has been given responsibility for assisting internally displaced persons (IDPs) and for facilitating the voluntary return of non-refugee third-country nationals in central and southern Iraq, will also be providing U.S.-government-funded Quick Impact Projects (QIPs) at about $30,000 each, for capacity building in local communities. Such projects might include activities such as the restoration of a damaged school or community center. An IOM official told us of a project they were hoping to fund to create internet centers in Basra and other locations so Iraqis would be able to link with the outside world. At the time of the visit, as previously noted, Basra did not have a functioning telephone system.

Most American humanitarian NGOs and IOM are coordinating their work closely with DART teams—the Disaster Assistance Response Teams that operate through the Office of Foreign Disaster Assistance within USAID. There are five teams in Iraq. Each team is comprised of a team leader, and specialists in relevant sectors for each region, including health, water/sanitation, security, power/electricity, food, and human rights/ refugees/IDPs. Their purpose is to assess humanitarian conditions and coordinate the work of NGOs and IOM who work as their implementing partners. But the humanitarian arms of the U.S. government are not internally coordinated. It was evident from interviews that there is considerable lack of communication, as well as competitiveness, and tension between USAID and ORHA (the Office for Reconstruction and Humanitarian Assistance), the largely Pentagon-driven operation for delivering assistance, reconstruction, and the transition of governing authority.

Some humanitarian NGOs express concern about their close relationship to the US government, both as a belligerent in the conflict and as the Occupying Power. In many cases, the US government, either through ORHA or USAID is the donor providing funding for NGO projects in Iraq, creating a direct relation between donor and implementing partner. Even in cases in which NGOs act as implementing partners for UN humanitarian agencies, or where the UN humanitarian agencies are acting on their own, the United States, as a major donor to those same agencies, is directly involved in overseeing their work.

For security reasons, UN agencies themselves were not able to establish offices inside Iraq during the first critical weeks. This created a circumstance in which the NGOs inside Iraq could not establish connections with UN agencies, but only with the DART teams or ORHA, making their ties to the Occupying Power stronger. (The UN Humanitarian Coordinator for Iraq, Romiro Lopes da Silva, moved into Baghdad on 5 May.) NGOs will be watching closely how the Kuwait-based Humanitarian Operations Center, run by US military and civilian forces, will be affected by the establishment of the UN coordinator for humanitarian assistance inside Iraq. If there are two competing centers of humanitarian coordination with significantly differing objectives and principles, each with its own resources to bring to bear, humanitarian assistance could become paralyzed.

4) Finally, in some cases, governments are providing direct bilateral humanitarian assistance in Iraq. This tends to be the least coordinated of the aid initiatives. One such project is a mobile hospital sent by the Czech government. NGOs have expressed concern that such projects undercut the restoration or creation of Iraqi structures to provide for the health and welfare of their own population. Generally, NGOs and UN agencies seek to work through existing Iraqi networks or are trying to develop civil society within Iraq through aid projects. The principle is that it is preferable to work through the existing system of primary health care clinics and hospitals, which will have both an immediate benefit for the population as well as sustainability, rather than creating parallel systems that pull resources away from development of Iraq's own health care system.

Security

Although Coalition forces have deemed Basra "permissive"(the safest of three designations the military uses in Iraq to describe security conditions), tension and fear in the city are as thick as its flies and mosquitoes. No interview Amnesty delegates conducted with local residents could avoid the subject, and most centered on it. A Basra University professor said, "We don't need food, we don't want assistance. All we need is security. None of the looters were hungry." A doctor interviewed at one of the hospitals said, "People are becoming more aggressive, more demanding due to the absence of law, the absence of government. Everyone does what he likes, and no one stops them, including the British soldiers." As the delegation could see, the British soldiers had not gained control over the security situation.

Standing at the gate to one of the British compounds, AI delegates watched as a man reported looting about 50 yards from the gate. He described the looters as armed. The soldiers guarding the gate were unresponsive. Perhaps because AI delegates intervened and translated, the British did finally respond, agreeing to send a patrol to investigate. The incident underscored, however, the lack of any system for civilians to report crimes in progress.

Lawlessness and impunity are widely sensed on the street. Women are fearful to go out unescorted, particularly women wearing western dress and not covering their hair. One person described building a brick wall to block his driveway for fear that his car could be stolen. As of the end of April, there were two reported killings of former Ba'athist officials. Unexploded ordnance and uncleared landmines are a major problem in Basra and southern Iraq. The AI delegates saw the bodies of several apparent victims of recent ordnance explosions laid out on the grounds of the Basra Hospital. AI delegates saw unexploded ordnance in a school in Basra. We also saw landmines strewn next to the entrance of Basra University, near where about 400 people were living. Children were playing near seven exposed anti-tank mines that were only cordoned off in makeshift fashion. When the AI delegates gave the location of the mines to a British officer, noting its proximity to children, he responded with little more than a shrug, saying, "In principle, we do not do ordnance disposal, except for schools. We don't have the capacity for wider mine disposal." He suggested that this ought to be a task for NGOs.

Fear in Basra is endemic. People expressed fear not only about the future of their country, but about walking on the street, or even staying in their homes. Rumors are rife; conspiracy theories abound. The British forces have begun to recruit some Iraqi auxiliary police to accompany British military police on patrol, but they do not appear to have made any impact. One problem is the lack of visibility of police forces. This stems, in part, from differing philosophies of law enforcement. Iraqi society is used to seeing police and soldiers guarding buildings and other facilities. The presence of guards was ubiquitous under the Ba'athist system. The British, on the other hand prefer moving patrols, rather than stationary guard posts (with the exception of their own facilities). Delegates watched as armored personnel carriers zoomed through the streets making the rounds. The patrols would noisily come and go, making passersby aware of the fleeting and superficial show of strength and more acutely conscious of the absence of genuine law enforcement.

Boosting police forces is essential. Setting up a new law enforcement system and administration of justice to deal with the immediate situation must be a priority for the occupation forces. Another priority, and one that ought to be much more easily achieved in the short term, is vastly improved communications. The civilian population is clouded by ignorance and misinformation. The lack of clear communication about the objective situation, as well as communication from the occupying powers to the civilian population is woefully inadequate. British civil affairs officers told the AI delegates that they had produced an Arabic language newspaper, but could not produce a single copy upon request. The delegates looked for, but could not find, such a paper in town. The civil affairs officer also said that the British had started a radio station, but confessed that he couldn't find the call signal on his own radio. Fear feeds on ignorance. Whatever the Occupying Powers and humanitarian organizations have achieved in improving conditions has been undermined by the failure to communicate with the people, a failure that creates a widening gap between occupier and occupied.

Displaced People

Most of Iraq's problems are obvious. Another vast problem lies under the surface, however. Hundreds of thousands of Iraqis have been forcibly displaced from their homes since the early 1980s. A brief summary of the major displacements includes at least a quarter million Shi'as who were expelled to Iran at the beginning of the Iran-Iraq war in the early 1980s. Saddam Hussein claimed that they were really Iranians. The Iranians insisted they were Iraqis. They have lived in limbo in Iran ever since. In the mid-1980s, the Anfal campaign wiped out predominantly Kurdish villages in the areas bordering Iran and Turkey. Tens, perhaps hundreds, of thousands were displaced.

The next major wave of displacement occurred when Saddam Hussein crushed the Kurdish and Shi'a uprisings at the end of the 1991 Gulf War. About a million people were forcibly displaced to Iran, Turkey, northern Iraq, and Saudi Arabia. Many were not able to return to their homes. Since 1991, the Government of Iraq drained the marshlands in the country's southeast, displacing additional hundreds of thousands. It also conducted an "Arabization" campaign to purge oil-rich Kirkuk of its Kurdish and other non-Arab

ethnic populations, pushing an estimated 100,000 persons into the Kurdish autonomous zone in the north, as well as relocating Arabs from other parts of the country into the Kirkuk area.

In the absence of any assurances to Iraqi displaced people that their right to return to their homes will be respected, they are now beginning to move spontaneously, and in some cases, are taking the law into their own hands. Amnesty International delegates learned of cases where displaced people had sent warnings to the current occupants to leave their homes; some left under the threat of violence. Among the most vulnerable today are foreign residents, including Iranian refugees, Syrians, and tens of thousands of Palestinians, whom the Ba'athists had placed in the homes of forced out dissidents. Many are now homeless, frightened and destitute.

We also saw extensive movement of squatters taking over virtually every former public building and property, including bombed out, burned and looted buildings. The walls of such properties are festooned with graffiti making claims, such as "private family lives here." Vacant lots are blocked out with squares of stones, chalk and string, signaling claims for small plots. Intermixed among the formerly and newly displaced are people who are simply poor, seizing the chance to grab a piece of property and seeing their first opportunity to make a marginal improvement in their lives. The only competition for private families comes from the rapidly proliferating political parties that lay claim to the choicest properties, hanging their banners and pictures of their leaders.

The international law obligations for the US and UK as Occupying Powers include protecting housing. But their authority under international law is transitional and limited to providing protection and assistance to the occupied population in the emergency created by war. Relevant international agencies must therefore, together with Iraqi civil society, play a central role in the next step: the establishment of a legal, orderly system for adjudicating property claims, evicting illegal occupants, providing alternative housing for secondary occupants, and providing restitution to the displaced and dispossessed. This will be an enormous task, complicated by the large and varied populations of displaced persons over more than two decades and by the wholesale destruction of property titles and other records in the looting and burning that swept the country as the Ba'athist regime fell.

Despite its enormity, meeting this challenge is essential. Safe, voluntary, and dignified return can only occur where human rights are respected. One of the tests of a society ruled by law is the protection of home and property. Iraqis today are experiencing a frightening free-for-all, compounded by threats to their personal safety and uncertainty about the future. Stopping the land grab now, as well as wholesale looting and theft, must be an immediate imperative for the Occupying Powers. But the international community must also move quickly to restore rights, particularly by creating conditions that are conducive to the voluntary, safe, and dignified return of the displaced to their homes.

Mr. SHAYS. I'm going to ask all of our four witnesses to stand. Gentlemen, I'm sorry to keep you waiting so long, but it's great to have you here.

[Witnesses sworn.]

Mr. SHAYS. Note for the record all four of our witnesses have responded in the affirmative.

We will go in the order that you are sitting and do really appreciate your being here. Thank you very much.

Mr. Welling.

STATEMENTS OF CURTIS R. WELLING, PRESIDENT AND CEO, AMERICARES; GEORGE C. BIDDLE, SENIOR VICE PRESIDENT, INTERNATIONAL RESCUE COMMITTEE; RUDY VON BERNUTH, VICE PRESIDENT AND MANAGING DIRECTOR, CHILDREN IN EMERGENCIES AND CRISIS, SAVE THE CHILDREN; AND KEVIN M. HENRY, DIRECTOR, POLICY AND ADVOCACY, CARE

Mr. WELLING. Thank you, Congressman——

Mr. SHAYS. You need to move that mic up and turn it on.

Mr. WELLING. Is that better?

Mr. SHAYS. That's wonderful.

Mr. WELLING. Thank you, Congressman Shays. It's a pleasure and honor to be here to discuss our experience in providing emergency medical assistance in the context of the war in Iraq.

AmeriCares is a privately funded disaster relief and humanitarian aid organization. For 20 years we have been providing rapid humanitarian response to disasters worldwide in the form of medicines, medical equipment, and other shelter and relief supplies. Over that time, we have worked in 137 countries and we have been involved in virtually all significant disasters for two decades, including earthquakes, floods, hurricanes, as well as man-made disasters in places like Rwanda, Kosovo, and Afghanistan.

To date, we have delivered more than $3 billion worth of humanitarian assistance, and we stay after the disaster is completed. Last year, we provided ongoing humanitarian medical assistance in over 50 countries around the world.

Our model stresses speed, careful needs assessment, the identification of strong local partners, leveraging cash donations with in-kind contributions to maximize volume and impact of assistance. Our donors responded immediately and enthusiastically to the crisis in Iraq. To date, we have raised $700,000 in cash and over $10 million in in-kind contributions from a broad range of America's pharmaceutical and medical companies.

Despite the logical difficulties and impediments that one is confronted with in this situation, I'm happy to report that the model has worked in Iraq. As a result, on April 23, we were able to move 20 tons of critical medical supplies over land through Turkey into Erbil and Kirkuk. We are told that's the first distribution of emergency medical assistance of any consequence in that part of Iraq.

More recently, just this past Sunday, on May 11, an Ilyshin 76, a plane not of our manufacture, with 40 tons of medicines and other critical supplies landed in Baghdad. We believe that was the first NGO flight of emergency medical supplies.

Mr. SHAYS. Did you fly in that plane?

Mr. WELLING. I didn't, although I expect to go in one soon.

Mr. SHAYS. OK.

Mr. WELLING. And those medical supplies are being distributed as we speak pursuant to an assessment that had been going on on the ground by AmeriCares' personnel for the preceding week.

We are planning another airlift of equal size, about 40 tons, for the 22nd of this month; and, Congressman, I am here to tell you, pursuant to the question that you asked earlier, if you would like to go with us, we would be happy to have you accompany us on that trip on the 22nd.

Despite these missions, we all believe that this is just the beginning. We expect to be working in Iraq for a considerable time; and despite the fact that these are early days, we have learned much from our experience.

One of the unique things about this situation is that we had time and a great deal of information, and that's not the norm in a disaster context, as you know. So there was time to plan and organize. There was time to consider the very substantial amount of information that had been produced by the NGO's and the multi-lateral organizations on the ground. We knew the war would cause significant incremental deterioration; we knew it would require massive effort; and, very importantly, we knew that America would be judged in part by how well we met the challenge. And, reflecting that, the President made a pledge on behalf of the American people to provide immediate humanitarian assistance.

Notwithstanding all of these things—the time to plan, the information, the understanding of what was at stake and, I have to say, notwithstanding the good-faith efforts of hundreds if not thousands of people in and out of government—our experience has caused us to conclude that there are things that we could have done better.

The first thing that we learned was not to trust or be complacent about our assumptions but to question and plan for contingencies. The government and the nongovernmental worldwidely anticipated a refugee and displacement crisis perhaps of historic magnitude. In the event, happily, that crisis never materialized. However, substantial redeployment and retooling of the plan was required as a result of that planning assumption. The lesson is that contingency planning and flexibility are critical, given the extraordinary complexity of the situation.

But of all the lessons that we learned—and our learning continues—two stand out to us as particularly important.

First, we think it's critically important to designate and empower a central point of authority at the highest level. I want to say that again, because we believe it's so important. We believe it's critically important to designate and empower a central point of authority at the highest level.

What I mean by this is an authority which is clearly in charge, an authority which can speak with clear, unambiguous, and authoritative voice, which can cut decisively across departmental and organizational lines to direct, facilitate, communicate and control and to ensure that efforts are planned and not duplicated or frustrated because of turf, confusion, or red tape.

Clearly, this was not done. Many organizations were created with lots of acronyms, but, in our view, if there was ever a need

for a government czar empowered at the highest level to oversee planning and execution of a critical government priority, this was such a time.

In our own case, the absence of an authority to cut through some of this red tape was particularly dramatic. The fact that it took us 24 days to receive OFAC and U.N. 661 approval, which approvals had clearly been rendered moot by the stunning military success of our Armed Forces, while at the time we waited on the Iraqi border with 65,000 pounds of critical medicines and supplies was both frustrating and deeply troubling.

The second key lesson we take from this crisis is that planning and preparedness are crucial, and we've heard much about planning and preparedness in the discussion so far today. Simply put, it's our view that the resources committed to planning and preparation for the humanitarian response were not well coordinated, were not transparent, and didn't match the magnitude of the challenge nor the importance of success.

Consider, if you will, as a counterpoint the experience of the journalist community and the resources committed to facilitate an unprecedented level of access and media coverage. Giving credit where it's due, the Department of Defense did a remarkable job in anticipating and finding creative ways to plan for and manage the process, down to the reporters' boot camp. The same level of preparation, planning, and transparency could have been employed with respect to post-conflict security and humanitarian assistance. Such a thoughtful commitment would have facilitated better coordination, earlier access for evaluation and analysis purposes, clearly would have facilitated a speedy transition from military to civilian control.

While I'm not sure if humanitarian boot camp is the appropriate characterization, the same rationale is valid: Creative planning, transparency, and preparation under the direction of a central point of control are critical elements for success.

To those who argue that the situation is too complicated, I respectfully disagree. The greater the complexity of the crisis and in the resource coordination, the geometrically greater the need for thoughtful planning, modeling and one person to be held accountable.

Finally, let me conclude my remarks with a word about safety and security. Much has been made and reported about the reluctance of nongovernmental organizations to work under the direction or protection of a military force; and, as you have observed, different organizations will accept different boundaries in this context. This is a valid and important issue, and it's important for this body to recognize it as such.

The reluctance of NGO's to work under the control of a military power is appropriate. One of the first principles of humanitarian assistance is neutrality and independence. It's the cornerstone of our reason for being and a source of much of our credibility.

In order to maximize the effectiveness of the humanitarian response, this principle must be acknowledged and respected. It's as simple as that. No one doubts the need to have military in control of all the activities during the period of active hostilities. Further, it's clear that for a period of time thereafter, the period in which

we now find ourselves, all parties are acting under the security umbrella provided by the Coalition forces as an occupying force. This is correct. It's also the Coalition's responsibility.

I'm pleased to tell you that in our own activities in Iraq so far we have received superb coordination from the military units we have dealt with in Iraq, both in Kirkuk and in Baghdad. Simply put, however, it does not seem at the policy level that a high enough priority was given to providing security arrangements to facilitate access of humanitarian aid organizations for evaluation and assessment purposes. Obviously, this is an important consideration in an environment where speed, days and weeks, desperately matter. Our future response in future contexts will be compromised to the extent that these principles are not well understood or accepted.

Once again, we thank you for the opportunity to share these views with the committee today, and we look forward to your questions.

Mr. SHAYS. Thank you so much, Mr. Welling.

[The prepared statement of Mr. Welling follows:]

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Presentation May 13, 2003 in Washington, DC by AmeriCares (represented by Curtis R. Welling, President and CEO) to U.S. House Subcommittee on National Security, Emerging Threats, and International Relations, Committee on Government Reform

Topic: ***Humanitarian Assistance Following Military Operations: Overcoming Barriers***

Chairman Shays, Rep. Davis, Waxman, Turner and Kucinich, thank you for recognizing the importance of humanitarian aid in times of crisis by holding this hearing.

On behalf of AmeriCares, I welcome the opportunity to illuminate our commitment to bringing humanitarian aid to people in need around the world. While each of the non-governmental organizations represented here has a long history of success delivering aid in times of crisis, there are unquestionably ways to improve and refine the process. I am confident that everyone presenting to the subcommittee today has a sincere desire to ensure that the people needing our assistance receive humanitarian aid in a timely, effective and responsible manner.

Our views on the current Iraq situation are informed by 21 years of experience in disaster relief, particularly following the military actions in Kosovo and Afghanistan. AmeriCares is known for its fast, efficient and effective response to crises whether natural or man-made. We specialize in providing medical relief (medicines, medical supplies) as well as nutritional and other relief aid depending on assessed needs. Our model emphasizes rapid response, and relies on identifying and partnering with high quality, local organizations to assist us in our response.

Over 21 years, we have delivered more than $3 billion in assistance to 137 countries. We are a lean organization with only 70 full-time staff members all based in the United States. We have been recognized as one of the most efficient organizations in the nonprofit industry.

Apart from one grant from the U.S. Agency for International Development for health programs in Central America and occasional government air transport services, AmeriCares is funded entirely by the private sector. We receive cash donations from more than 150,000 individual donors, and hundreds of foundations and corporations. The pharmaceutical industry and other corporations annually contribute hundreds of millions of dollars worth of medicines, medical supplies, and other relief aid to AmeriCares that we deliver through local partners to people in need around the world.

The Iraq Situation

As war became more and more likely in Iraq, AmeriCares began its preparations for responding to the probable humanitarian crisis. We knew that twelve years of sanctions, many years of war, and a totalitarian regime that had let infrastructure decay, meant that the Iraqi population was at great risk. The dismal humanitarian circumstances are well documented. More than 60% of the population relies on the U.N. Oil for Food Program. Water, sanitation and drainage systems are sub-standard. Even the most basic medicines, medical supplies and equipment are non-existent in many hospitals and clinics. What makes this situation somewhat unique is that unlike a natural disaster, there was ample time to plan and prepare.

In anticipation of great needs in Iraq, we asked our donors for their support. The likelihood of a severe crisis in Iraq resonated powerfully with the American people. In response to a dedicated campaign, over $650,000 in cash contributions was raised in less than six weeks and pharmaceutical manufacturers and other companies supplied millions of dollars worth of in-kind donations. Both cash and "in-kind" donations are still being received. The American people clearly understand the magnitude of need as well as the urgency.

By the time of the Coalition's March 23rd intervention in Iraq and reflecting the possibility of a refugee exodus, AmeriCares had pre-positioned 69,000 pounds of medicine and supplies in Turkey and 15,000 pounds in Jordan: relief intended for refugee populations in those countries. When it became clear that refugees would not be crossing into Turkey, AmeriCares applied for and received approval from the Turkish government to transit aid across their border with Iraq.

Prior to the commencement of hostilities and, again once the conflict began, President Bush consistently reinforced the commitment that humanitarian assistance would be a critical part of the U.S. response in Iraq. Once military operations were concluded, humanitarian assistance was guaranteed to the Iraqi people. The President set a high standard by which the humanitarian response would be judged.

The need to serve in Iraq did not daunt us nor the rest of the NGO world. AmeriCares had worked in Iraq following the Gulf War in 1991 and again in 1998. Other NGO's were working in Iraq at the time the conflict began. Humanitarian organizations understood the challenges, the needs, and the risks in Iraq and were prepared to operate in that arena.

The reality of the past few weeks is that despite much good faith effort by many people in and out of government, the response to the immediate, emergency humanitarian medical needs that we know exist in Iraq has been slow in getting underway.

Why is this? I think there are six key factors.

(1) Much of the early planning and preparation that took place anticipated an unprecedented refugee and internal displacement crisis. In actuality, refugee flows were negligible. Much of the advance preparation, then, had to be retooled and recalibrated.

(2) It was unclear which agency (Defense or State) had comprehensive authority for overseeing humanitarian aid to Iraq.
(3) Despite the ample lead time, planning among relevant groups was fragmented and uncoordinated.
(4) Communication between NGO's and the government prior to the war was confusing and inconsistent.
(5) No effort seems to have been made to look comprehensively at the practical considerations that would have facilitated early access.
(6) The government never adequately engaged the NGO community to respond to its concerns about operating under military direction and control, impeding the creation of working partnerships.

Some of the approval processes highlight the frustrations that were experienced in gaining the signoffs to bring humanitarian aid into Iraq. Even though the majority of regime controlled areas of Iraq fell quickly, we were still required to apply to the Office Of Foreign Assets Control (OFAC) at the Treasury Department for approval to work in Iraq. Our application was submitted to OFAC, who then forwarded to the State Department where several departments individually reviewed it, then sent back to Treasury.

Upon our OFAC approval, we were informed that we must submit our cargo manifests to the United Nations 661 Committee as sanctions were still in place in Iraq. This process began by submitting our manifest to the State Department, State forwarded the application to the U.S. Mission at the United Nations who forwarded it on to the 661 Committee for approval.

The entire approval process began with our submission to OFAC on April 1st and concluded with 661 approval on April 23rd while we had over 40 tons of medicine waiting on the Iraq border.

Meanwhile we watched on television as hundreds of journalists flooded the country both embedded with military units, and independently once Baghdad fell. They highlighted the immediate, critical needs of the people for basic goods such as clean water, food and medicines. We watched graphic images of injured and desperate patients without access to proper healthcare. The reality that we had 85,000 lbs. of emergency medical supplies on two borders, while those in need continued to suffer and die, was deeply disturbing. As humanitarians, we accept a certain amount of risk, as journalists do. It was not unwillingness on our part to proceed but a lack of coordination in expediting the movement of humanitarian workers into Iraq to perform the initial assessments and to bring emergency aid.

Going Forward

Looking to the future beyond Iraq and the possibility of a similar situation developing in the future, we must learn from Iraq. We had the time to prepare for a certain humanitarian crisis in Iraq but with confusing communication, limited coordination, incorrect assumptions about the probable shape of the crisis, and the absence of comprehensive central authority,

valuable time was lost. Our experience shows that hours and days matter while lives hang in the balance. With a lack of coordination, aid did not arrive in Iraq as quickly as it could have. In much of the country, assessments are just now taking place and aid is beginning to be delivered.

It is particularly critical that the roles of the military and the humanitarian organizations preparing to work in a post-military theatre be spelled out clearly. Once military operations have largely concluded, humanitarian aid organizations must not be impeded from operating independently, and doing what they do best.

The better news today is that dozens of aid organizations are either now working or about to be working in Iraq. AmeriCares was the first organization to distribute medical relief aid in Kirkuk, Northern Iraq. We have completed assessments in northern Iraq and in Baghdad. Our first airlift of 40 tons of medicines and supplies to Baghdad is scheduled to arrive May 11 and a second airlift of equal magnitude is scheduled a week later in northern Iraq. Soon, the humanitarian response in Iraq will shift from an emergency response to one of rebuilding. We, like many humanitarian organizations, are committed to Iraq for the long-term. The American people want this, our donors expect this and our collective ability to succeed will be an important factor in the betterment of the lives of the Iraqi people.

Conclusions

Coordination, speed and neutrality are vital to mounting a humanitarian campaign to deliver urgent relief. Speed in access to the areas impacted is critical to the large segments of the populations whose lives have been uprooted and are increasingly vulnerable as time passes. Clearly, safety and security are paramount considerations; however, assessments of conditions need to be made as quickly as possible to maximize the impact and appropriateness of the aid.

To summarize, the factors that AmeriCares believes are critical to delivering humanitarian aid during crises are as follows:

- Clear, unambiguous assignment of overall responsibility and authority;
- Effective communication and planning;
- Resource prioritization reflecting the importance of the activities and the impacts;
- Practical ability to eliminate barriers, red tape and bureaucratic impediments;
- Clear separation of the roles and responsibilities of the military and the humanitarian aid organizations.

Finally let me say, that this is not a theoretical or rhetorical imperative. Our ability in the future to improve on our recent experience is mandatory and critical for at least three key reasons:

- First, in a humanitarian crisis, timeliness matters – delays cost lives.

- Second, the American people have made it clear: they expect, and the President has promised - an effective commitment to humanitarian assistance.
- Third, the very success of helping impoverished populations is dependent on all parties communicating effectively and finding ways to cut through impediments along the way.

Collectively, we can learn from our experience and we can do better.

Thank you again for the opportunity to share these thoughts on behalf of AmeriCares.

Sincerely,

Curtis R. Welling
President and Chief Executive Officer

Mr. SHAYS. Mr. Biddle.

Mr. BIDDLE. Mr. Chairman and members of the committee, thank you for the opportunity to speak about Humanitarian Assistance Following Military Operations: Overcoming Barriers.

I have submitted my statement for the record and will take this opportunity to highlight the critical actions that should be taken to overcome barriers and best ensure that humanitarian activities in Iraq and Afghanistan will be carried out successfully and effectively. They include: No. 1, protecting civilian populations and establishing a secure environment; No. 2, obtaining the greatest level of international legitimacy and support by defining a clear role for the United Nations; and, No. 3, separating military and humanitarian efforts.

Delaying or not carrying out these actions can have profound consequences for the successful delivery of humanitarian assistance after military operations.

Protecting civilians and establishing a secure environment. If you ask the United Nations and the humanitarian and human rights nongovernmental organizations in Afghanistan what the greatest obstacle is to Afghanistan's rehabilitation, they all give the same answer, lack of security. The U.N. Security Council supported establishment of the international security assistance force in Afghanistan following the war. To date, the 5,000-member force has deployed in and around Kabul but not to the other regions of Afghanistan. The need to enhance security because of the multitude of threats is critical to the ability of aid organizations and the U.N. as well as the government of Afghanistan to deliver assistance to communities in need.

I recommend that you read the May 6 report to the U.N. Security Council from Lakhdar Brahimi, the Secretary General's Special Representative in Afghanistan, which gives an unvarnished view of this acute problem.

There are a number of efforts under way to address the security crisis in Afghanistan, including demobilization of combatants, decommissioning of weapons, the creation of an inter-ethnic Afghan international army, and the establishment of a national civilian police force.

Beyond strengthening these efforts, the real issue at hand is the critical need to extend the international security assistance force beyond Kabul, to assist the government, the international community and local and international NGO's to meet the real needs of Afghan citizens.

NATO is due to take the lead in ISAF this summer, and we hope that NATO's involvement will be more robust and more effective in disarming the warlords, securing the borders and creating an environment for the central government to develop and govern beyond Kabul. NATO can aid the national army in securing the countryside and protecting the Afghan people. A firm NATO mandate in Afghanistan is critical to that country's future, especially in advance of national elections in 2004.

The threats to security in Afghanistan and Iraq are eerily similar. They include insecurity in the aftermath of war, desire for revenge and retribution, ethnic and sectarian divisions, displaced

populations, factional competition, and interference by neighboring countries.

There are currently over 200,000 U.S. forces deployed for Iraq. At present, they are unable to maintain effective law and order, and there is no administration of justice. Under the Geneva conventions, the Coalition is legally responsible as the occupying power to protect civilians, including restoring law and order, basic due process, and judicial guarantees. The upsurge in violence and crime in Baghdad, the looting of hospitals, and the recent violence in Falujah all speak to the urgency of this critical issue.

The Iraqi people are not accustomed to this level of chaos and crime. They are becoming increasingly scared and angry and are beginning to lose confidence in the coalition's ability to do what it said it would do: restore electricity, water, and sanitation services, rehabilitate hospitals and clinics and meet the critical needs of the populace.

The Coalition must comply with international humanitarian law and do more to protect Iraqis from the looting, lawlessness and frontier justice developing in the center and southern regions of Iraq. Civilians are asking Coalition forces for more security and protection measures. Shadow security networks are now emerging. Tribes, villages, ethnic groups, mosques, communities are banding together or around leaders to man armed neighborhood watches and administer on-the-spot justice. This will only develop and spread in the absence of legitimate security authorities and make the work of humanitarian actors more difficult.

If the Coalition doesn't get a grip on the situation quickly, they will find themselves in a dire situation. Temperatures are reaching close to 100 degrees Farenheit in parts of the country, and outbreaks of waterborne disease, like cholera, which recently appeared in Basra, will likely become more widespread. It is urgent that the security environment be addressed immediately so that the Coalition doesn't "lose the peace."

Obtaining the greatest level of international legitimacy and support by defining a clear role for the U.N.

Since the fall of the Taliban, the U.N. has been an integral leader in providing humanitarian assistance as well as developing a transitional administration in Afghanistan. At the Bonn Conference to decide the transitional administration and loya jirga process in Afghanistan, the U.N. effectively facilitated the overall post-conflict effort to ensure peace and improve the welfare of Afghans.

Once the Afghan interim administration took office, the U.N. assistance mission in Afghanistan, known by its acronym UNAMA, was established in Kabul to support and provide technical assistance to the interim administration in meeting humanitarian and protection needs. Another critical role the U.N. has played is to rally the donor community to meet Afghanistan's needs.

In Iraq, the Coalition continues to go it alone and has just indicated its support for a clear U.N. role. The International Rescue Community, together with other NGO's, has called on President Bush to turn to the U.N. to lead humanitarian efforts in Iraq. The World Food Program and UNICEF have worked in Iraq for the last decade, and the U.N. has managed the Oil for Food Program, the

largest single relief effort in the world, for the past 12 years. U.N. involvement will help to coordinate agencies, international donors, and local and international NGO's and will encourage burden sharing by the international community in meeting the needs of the Iraqi populace. A U.N. role will also ensure the independence and impartiality of humanitarian assistance in a way that no occupying power can. This will enhance the trust of national and international actors, which is critical to a successful humanitarian effort.

A clearly defined and leading U.N. role in the relief and reconstruction of Iraq is also necessary for the development of civil society.

In many towns and cities, Iraqis are beginning to form city councils and reinvigorate civic organizations. To date, it has been the Coalition forces, specifically the Civil Military Operations Centers, that have encouraged and at times even co-located with fledgling city councils as they begin to address key issues such as water, sanitation, power, education, and health services. Yet for all the good intentions and even early progress, the city councils' military association may have a divisive and discrediting long-term effect in the eyes of many Iraqi citizens wary of occupation.

According to an IRC senior staff member just back from 6 weeks in the region, a sustained military role in the development of Iraqi society to the exclusion of the United Nations may well be self-defeating. In An Nasiriyah, for example, some key community groups such as a women's volunteer association composed of education and health professionals are intentionally staying away from relief and reconstruction efforts perceived to be military led.

This is a critical time for Iraq and its nascent civil society. It is imperative that structures be put in place that encourage maximum civilian participation. A clear and robust role for the U.N. can help bring Iraqis together to develop the practices and institutions necessary to ensure a free and democratic society.

Last, just a few points on the separation of military and humanitarian efforts.

The blurring of the lines between military and humanitarian operations is of the utmost concern to the humanitarian community. It is important to understand the humanitarian community's perspective on the reasons why U.N. authority and civilian oversight of humanitarian activities are so important, and in my remarks I will echo what my colleague has just said.

First, the military should do what it does best—fight wars and provide security—and humanitarian organizations should do what we do best—care for civilians and deliver assistance to those in need.

Second, humanitarian assistance must be provided on an impartial basis to ensure that all civilians in need—regardless of race, creed, nationality, or political belief—have fair and equal access to aid. The U.N. is clearly more independent and more impartial than any one party to a conflict and therefore should coordinate and direct relief efforts.

Although the Pentagon's Office for Reconstruction and Humanitarian Assistance is currently heading the humanitarian response in Iraq, the IRC and other humanitarian organizations have been

assured that our efforts and implementing partnerships remain with USAID and the State Department. This distinction, while critical to the provision of aid in this circumstance, is a dangerous precedent and one that calls into question the motivations as to why, how, and where humanitarian assistance is provided. This is shared by other NGO's and many in the international donor community and will likely become a greater concern of local Iraqi communities over time.

For NGO's such as the IRC to work effectively in a post-conflict setting, we must establish a close and trusting relationship with the communities we serve. To do so, we must be seen and known to be impartial and independent of any military force.

Last, confusing military and humanitarian activities carries great security risks for those delivering assistance. Our safety often depends on local perceptions. Aid workers are obviously not armed, cannot defend themselves, and must never be mistaken for members of the military. Their lives depend on it.

The humanitarian agencies respect and appreciate the critical role the military plays in establishing security after conflict, and we are grateful for it. But because of our commitment to impartiality and independence and the critical need to develop a trusting relationship with he communities we serve, we cannot accept military supervision. This is a challenge we are facing in Iraq. As a result, we have had to add conditional language to our grant agreements with USAID to ensure traditional civilian reporting structures.

If this trend continues, the space for humanitarian agencies will shrink and fewer will be involved in responding to crises such as exist in Iran and Afghanistan. Donors from other countries will likely refuse to coordinate and cooperate and the result will mean fewer people in need will receive the services they so desperately require.

Thank you.

Mr. SHAYS. Thank you very, Mr. Biddle.

[The prepared statement of Mr. Biddle follows:]

International Rescue Committee
Testimony of George C. Biddle
Senior Vice President

Statement for the Record

House Committee on Government Reform

Subcommittee on National Security, Emerging Threats, and International Relations

Hearing: Humanitarian Assistance Following Military Operations: Overcoming Barriers

13 May 2003

The International Rescue Committee and other humanitarian agencies are dedicated to improving individual lives and the collective welfare of communities in the wake of conflict. One of the greatest challenges facing the humanitarian community is sustaining that improvement and building on it in unstable and long-term post-conflict environments.

Afghanistan and Iraq are different societies at different stages of development, yet the human needs in both countries are great and the barriers to humanitarian response and reconstruction are similar. In Afghanistan, some of these barriers were or are being directly addressed, while others still require serious attention. In Iraq, the major barriers all require immediate attention.

Rather than focusing on the barriers to delivery of humanitarian assistance, I would like to highlight the critical actions that should be taken to best ensure that humanitarian activities in Iraq and Afghanistan will be carried out successfully and effectively. They include:

1. Obtaining the greatest level of international legitimacy and support by defining a clear role for the United Nations.
2. Protecting civilian populations.
3. Separating military and humanitarian efforts.

Delaying or not carrying out these actions can have profound consequences for the delivery of humanitarian assistance after military operations.

If we look at Iraq and Afghanistan, we see two countries and civilian populations that have endured a litany of hardships over the past two decades. The Afghans have suffered through the Soviet invasion, a brutal civil war, the Taliban, the U.S.-led bombing and a longstanding drought. As a result, life expectancy in Afghanistan is only 43 years, the literacy rate for women is a shocking 16 percent, and maternal mortality is one of the highest in the world.

Although the humanitarian crisis in Iraq in the aftermath of the war is thankfully not as dire as many had feared, sadly, Iraq has braved no less than Afghanistan over the last twenty years. The people of Iraq have endured the tyrannical rule of Saddam Hussein, his brutal repression of ethnic minorities and political opponents, a long war with Iran, the first Gulf war, twelve years of sanctions and the Coalition's military action to oust Saddam. According to the UN, one million children under age five are chronically malnourished, five million Iraqis lack access to safe water and sanitation, and 60 percent of the population, or an estimated 16 million Iraqis, are dependent on the UN Oil-for-Food Program for food.

In the context of what we have learned in Afghanistan and what we are experiencing in Iraq, I will explore the benefits of addressing the three critical actions I have outlined as well as the consequences of ignoring them.

Obtaining the greatest level of international legitimacy and support by defining a clear role for the UN

Since the fall of the Taliban, the UN has been an integral leader in providing humanitarian assistance as well as developing a transitional administration in Afghanistan. At the Bonn Conference to decide the transitional administration and loya jirga process in Afghanistan, the UN effectively facilitated the overall post-conflict effort to ensure peace and improve the welfare of Afghans.

Once the Afghan Interim Administration took office, the UN Assistance Mission in Afghanistan (UNAMA) was established in Kabul to support and provide technical assistance to the Interim Administration in meeting humanitarian and protection needs. Another critical UN role is to rally the donor community to meet Afghanistan's needs. Following the Bonn Conference, the Tokyo donor conference raised over $1.8 billion for 2002. A follow up conference in Oslo earlier this year yielded additional pledges for 2003.

In Iraq, the Coalition continues to go it alone and has just indicated its support for a UN role. The International Rescue Committee together with other humanitarian NGOs has called on President Bush to turn to the UN to lead humanitarian efforts in Iraq. The World Food Program and UNICEF have worked in Iraq for the last decade and the UN has managed the Oil-for-Food program (the largest single relief effort in the world) for the past twelve years. UN involvement will help to coordinate agencies, international donors, and local and international NGOs and will encourage burden sharing by the international community in meeting the needs of the Iraqi populace. A UN role will also ensure the independence and impartiality of humanitarian assistance in a way that no occupying power can.

As an occupying power, the Coalition must protect the lives and rights of Iraqi civilians - law and order must be restored, due process and basic judicial guarantees must be provided, the rule of law must prevail. Basic civilian protections are not yet restored in Iraq or in Afghanistan. As local structures reconfigure, their legitimacy to govern is dependent on a transparent process that represents the interests and voices of its diverse populations. Ultimately, legitimacy is recognized by international acceptance. The only place to get such international acceptance is at the United Nations.

Our field director in Iraq recently reported that he was very concerned about the ramifications of the absence of the UN for the development of civil society. Local communities and leaders become suspicious of the intentions of those providing assistance if it is directed by one or two governments, not to mention the military, as opposed to an international body.

A clearly defined and leading UN role in the relief and reconstruction of Iraq is necessary for the development of civil society.

In many cities and towns, Iraqis are beginning to form city councils and reinvigorate civic organizations. To date, it has been the Coalition forces, specifically the Civil Military Operations Centers (CMOC), that have encouraged and at times even co-located with fledgling city councils as they begin to address key issues such as water, sanitation, power, education and health services. Yet for all the good intentions and even early progress, the city councils' military association may have a divisive and discrediting long-term effect in the eyes of many Iraqi civilians wary of occupation.

According to an IRC senior staff member just back from six weeks in the region, a sustained military role in the development of Iraqi civil society, to the exclusion of the UN, may well be self defeating. In An Nasiriyah, for example, some key community groups, such as a women's volunteer association composed of education and health professionals, are intentionally staying away from relief and reconstruction efforts perceived to be military led.

This is a critical time for Iraq and its nascent civil society. It is imperative that structures be put in place that encourage maximum civilian participation. A clear and robust role for the UN can help bring Iraqis together to develop the practices and institutions necessary to ensure a free and democratic society.

Beyond the practical aspects of impartially assessing needs and delivering assistance to the most vulnerable, the UN confers legitimacy on the transitional process as it relates to both humanitarian assistance and transitional governance. This enhances the trust of national and international actors and encourages burden sharing, two critical aspects of a successful humanitarian effort.

To summarize, defining a UN role and making it clear that the UN is the coordinator for humanitarian assistance in Iraq will help to achieve a number of important objectives:

- Conferring greater international legitimacy on the reconstruction and transition process, thus enhancing stability and the long-term participation of the international community.
- Independence and impartiality in the assessment and delivery of assistance.
- Burden sharing and international cooperation in covering the costs of relief and reconstruction.
- Building a trusting relationship with local communities, which facilitates the development of civil society.

Protecting Civilians

If you ask the United Nations and the humanitarian and human rights non-governmental organizations in Afghanistan what the greatest obstacle to Afghanistan's rehabilitation is, they all give the same answer - lack of security. The UN Security Council supported establishment of the International Security Assistance Force (ISAF) in Afghanistan following the war. To date, the 5,000 member force has deployed in and around Kabul but not to the other regions of Afghanistan. The need to enhance security because of the multitude of threats is critical to the ability of aid organizations and the UN as well as the

government of Afghanistan to deliver assistance to communities in need. An excerpt from a recent report to the Security Council from Lakhdar Brahimi, the Secretary-General's Special Representative in Afghanistan, clearly illustrates the acute problem.

> Security - which casts a long shadow over the whole peace process and, indeed, the whole future of Afghanistan - is the central issue. The security situation has been a constant theme in my briefing to the Council, and unfortunately, as I said earlier, I must inform members that it remains unstable and insufficient in much of Afghanistan. Rivalries among factions and local commanders, impunity with regard to human rights violations and daily harassment of ordinary Afghan citizens by both commanders and local security forces are all too common.
>
> In addition, there are now almost daily attacks by elements hostile to the central Government and to those who support it. Forces believed to be associated with the Taliban, with Al Qaeda and with Hekmatyar have been stepping up operations against the coalition as well as against Afghan military and non-military targets in the south, the south-east and the east of the country. As these attacks on non-government and international organizations become more and more threatening, the pressure to suspend or withdraw operations increases. Already, the ICRC and a number of non-governmental organizations are reducing their operations in the south, with immediate consequences for key programmes that provide support to local populations.[1]

We are all aware of the threat that security poses to not only the delivery of humanitarian and reconstruction assistance in Afghanistan, but to the transition process itself. There are a number of efforts underway to address the security crisis, including demobilization of combatants and decommissioning of weapons, the creation of an inter-ethnic Afghan National Army and establishment of a national civilian police force. All of these should be increased and accelerated. In addition, the U.S. government has created provincial reconstruction teams (PRTs) comprised of combat troops, civil affairs officers and civilian U.S. government officials to extend security and assistance into ten Afghan cities and towns around the country. From a security perspective, this is a welcome development. From an assistance standpoint, the humanitarian community believes the military should leave relief and reconstruction activities to civilians with expertise.

The real issue at hand is the critical need to extend the International Security Assistance Force beyond Kabul to assist the government, the international community and local and international NGOs to meet the real needs of Afghan citizens. NATO is due to take the lead in ISAF this summer, and we hope that NATO's involvement will be more robust and more effective in disarming the warlords, securing the borders from drug traffickers and creating an environment for the central government to develop and govern. NATO can aid the Afghan National Army in securing the countryside and protecting the Afghan people. A firm NATO mandate in Afghanistan is critical to that country's future.

The threats to security in Afghanistan and Iraq are eerily similar. They include insecurity in the aftermath of war, desire for revenge and retribution, ethnic and sectarian divisions, displaced populations, factional competition, including leaders from the former regime,

and interference by neighboring countries. There are currently over 200,000 U.S. troops deployed for Iraq; at present they are unable to maintain effective order and there is no administration of justice. The Coalition must move quickly to internationalize the peacekeeping effort to maintain law and order. Under the Geneva conventions, the Coalition is legally responsible as the occupying power to protect civilians including basic due process and judicial guarantees. The Coalition should bring in an international constabulary force as it develops and trains a new civilian police force. The looting of hospitals and the recent violence in Falujah speaks to the urgency of this critical issue.

Coalition forces must comply with international humanitarian law and do more to protect Iraqis from the looting, lawlessness and frontier justice developing in the center and southern regions of Iraq. Civilians are asking Coalition forces for more security and protection measures. Shadow security networks are emerging – tribes, villages, ethnic groups, mosques, communities are banding together or around leaders to man armed neighborhood watches that administer on-the-spot justice. This will only develop and spread in the absence of legitimate security authorities.

Not only is protection of civilians a duty of the Coalition but so is the restoration of the emergency public health system. For weeks the International Committee of the Red Cross has urged the Coalition to focus immediate reconstruction and administrative efforts on the Ministry of Health and the networks of thousands of health clinics throughout the nation. Last week, after months of no salaries, doctors protested the Coalition's plan to pay them $20 per month. International journalists are paying translators $100 per day. Attention must be given now to the health system to prevent the outbreak of disease. For the first time in more 25 years, polio has been reported in southern Iraq and there are confirmed cases of cholera. Current humanitarian efforts should focus on security and health issues.

Separation of Military and Humanitarian Efforts

The blurring of the lines between military and humanitarian operations is of the utmost concern to the humanitarian community. It is important to understand the humanitarian community's perspective on the reasons why UN authority and civilian oversight of humanitarian activities are so important.

First, the military should do what it does best - fight wars and provide security - and humanitarian organizations should do what we do best - care for civilians and deliver assistance to those in need.

Second, humanitarian assistance must be provided on an impartial basis to ensure that all civilians in need (regardless of race, creed, nationality or political belief) have fair and equal access to aid. The UN is clearly more independent and impartial than any one party to a conflict and therefore should coordinate and direct relief efforts. Although the Pentagon's Office for Reconstruction and Humanitarian Assistance (ORHA) is currently heading the humanitarian response in Iraq, the IRC and other humanitarian organizations have been assured that our efforts and implementing partnerships remain with USAID and the State Department. This distinction, while critical to the provision of aid in this

circumstance, is a dangerous precedent and one that calls into question the motivations as to why, how and where humanitarian assistance is provided. This concern is shared by other NGOs and many in the international donor community, and will likely become a greater concern of local Iraqi communities. For non-governmental organizations such as the IRC to work effectively in a post-conflict setting, we must establish a close and trusting relationship with the communities we serve. To do so, we must be seen and known to be impartial and independent of any military.

And third, confusing humanitarian and military activities carries great security risks for those delivering assistance. Our safety often depends on local perceptions. Aid workers are obviously not armed, cannot defend themselves and must never be mistaken for members of the military. Their lives depend on it. On this point I would like to call your attention to the continued abduction of Arjan Erkel a Dutch humanitarian worker abducted nine months ago in Dagistan. We see Mr. Erkel's case as part of an increase in violence against civilian populations and against humanitarian aid workers. Please join the humanitarian community in asking the Russian authorities to give their highest political commitment to assure Arjan Erkel's release.

The humanitarian agencies respect and appreciate the critical role the military plays in establishing security after conflict and are grateful for it.

But because of our commitment to impartiality and independence, and the critical need to develop a trusting relationship with the communities we serve, we cannot accept military supervision. This is a challenge we are facing in Iraq. As a result, we have had to add conditional language to our grant agreements with USAID to ensure civilian reporting structures.

If this trend continues, the space for humanitarian agencies will shrink and fewer will be involved in responding to crises such as exist in Iraq and Afghanistan. Donors from other countries will refuse to coordinate and cooperate and the result will mean fewer people in need will receive the services they so desperately require.

Conclusion

Recent moves by the Administration to involve the United Nations in addressing Iraq's humanitarian and reconstruction needs as well as the recent visits by Secretary Rumsfeld and Deputy Secretary Armitage to Afghanistan indicate positive steps by Washington. It is critical that the Administration support a clear role for the United Nations in Iraq in order to obtain the greatest level of international legitimacy and support for the reconstruction and transition process; that it support a robust NATO mandate to improve security throughout Afghanistan in the run-up to their 2004 elections; that it keep foremost in its mind the need to protect civilian populations in both Iraq and Afghanistan; and lastly, that it adhere to the important principle that military and humanitarian efforts be separate.

[1] Meeting record, United Nations Security Council, 4750th meeting, Tuesday, 6 May 2003, 10 a.m., New York

Mr. SHAYS. Mr. Von Bernuth.

Mr. VON BERNUTH. Thank you, Mr. Chairman; and thank you again for providing Save the Children the opportunity to testify before your committee. I want to thank especially you, Congressman Shays, for your leadership and support of Save the Children's work in Connecticut and around the United States and in more than 40 countries around the world. Your recent visit, which you have referenced several times, to our programs in Iraq and West Bank and Gaza and your subsequent support for the Women and Children in Armed Conflict Protection Act are greatly appreciated by myself and all of my colleagues.

Save the Children has been active in the Middle East for more than 30 years. We are committed to addressing the ongoing needs of children and their families in Afghanistan and Iraq as well as those in need around the world.

My comments today will focus on three points regarding the role of nongovernmental organizations in post-conflict settings: the lessons we have learned from Afghanistan, the barriers that we are encountering in Iraq, and finally the solutions that we recommend for overcoming these barriers in Iraq and in future conflict situations. And I will try to lightly edit my remarks to eliminate too many repetitions of what George has recently said.

In 1985, Save the Children established its Pakistan-Afghanistan Field Office to respond to the needs of an estimated 3.5 million Afghan refugees then living in Pakistan. We expanded our work to Afghanistan in 1989. We opened our first offices in 1993 inside of Afghanistan, and we have been working there ever since, throughout the Taliban period and afterwards.

In the year following September 11, Save the Children delivered approximately $25 million in relief and reconstruction assistance in that country.

In Afghanistan, the Agency Coordinating Body for Afghan Relief [ACBAR], of which Save the Children serves with CARE, IRC, and other major NGO's, has articulated the following two key points about the role of NGO's working in Afghanistan: the importance of a secure environment for reconstruction, the necessity of long-term funding commitments for Afghanistan.

Indeed, these two key issues and the failure to address them currently compromise the prospects for an Afghan recovery. Let me address each of them.

The importance of a secure environment for reconstruction. Security and protection are vital to the work that we do and to the reconstruction and development of Afghanistan. Because of the international desire to support the notion of a successful interim government, the fragility of the political and security situations today tend to be underplayed by our government and in representations to the international media. Let me assure you that anyone who has staff on the ground in Afghanistan today knows that there is no question but that security is tenuous and is getting worse.

In Kabul, the biggest risks today are terrorist acts and armed robbery; and George has already talked a bit about the role of ISAF and the need to expand that role to provide a secure working environment throughout the country.

Anecdotally, I would just mention that outside of Kabul in the north, where Save the Children conducts programs, the tensions between the political parties seem to be on the increase; and where politics fail, security also fails.

For example—and this is just one of a number of incidents over the last year which have affected our staff. On April 8, following the appointment of a new civilian Governor, tensions between Jamiat and Jumbush troops came to a head, resulting in 2 days of heavy fighting and 3 days of sporadic fighting. A Save the Children international staff member based in the town of Maimana was evacuated along with others in a convoy of U.N. and NGO staff on April 9. As of April 17h, an unexploded rocket propelled grenade was still lodged in the wall of the house of one of our national staff members who was waiting for de-miners to remove it, a reminder of the continuing risk posed by the conflict.

So, the bottom line, we need the U.S. Government to support efforts to ensure security and to recognize that this requires an external presence in order to succeed.

Point two, the necessity of long-term funding commitments for Afghanistan. We have learned from our experience in Afghanistan that the only way to ensure development success is by ensuring long-term funding that provides the bridge from emergency humanitarian assistance to sustainable community-based development programs. And yet we are woefully behind meeting the funding levels agreed to in the Afghan Freedom Support Act, and we are seeing an increasingly dangerous situation for NGO's working in Afghanistan.

From the start, the money pledged to Afghanistan did not compare well to other host conflict situations, for instance, the countries in the Balkans. Even more serious, those commitments have not been fulfilled as donor aid has fallen far short of the Tokyo pledges.

Among my colleagues in the field, we are seeing a general sense of progressive disengagement by our government toward the Afghan people. Having seen U.S. interests and commitments to Afghanistan wax and wane several times over the last decade, Save the Children calls on the U.S. Government to make commitments on a multi-year basis. The United States and other countries need to keep faith with Afghanistan and stay the course with substantive and sustained support if we hope to achieve a sustainable peace.

Working in Iraq. Save the Children currently has 26 expatriate staff, most of them now in Iraq. Congressman Shays, when you were there, many of them were still in Kuwait. We have received a $10 million award from the Office of Foreign Disaster Assistance, part of AID, and have also allocated over $100,000 in private funds to support our agency's work in Iraq.

Initially, Save the Children has provided assistance in Umm Qasr, cooking gas distributions to hospitals and clinics in Az Zubayr, and preschool education kits distributed in Safwan. On an ongoing basis now, we have established a main program office in Basra last week, and we now have a dozen expatriate staff based there.

We have done initial assessments in Karbala and An Najaf, and we will begin setting up programs and offices in both of those gubernots next week. I have more detailed information in my written testimony on our programs there.

Roadblocks and solutions to providing humanitarian assistance in Iraq. The primary obstacle to providing humanitarian assistance right now, as everybody else has said, is security—or insecurity. The lack of security has created an anarchic situation where citizens cannot access basic services such as education and health care.

Our team in Baghdad says that parents are not letting their children attend schools because roving criminal gangs are kidnapping children from local neighborhoods. Consequently, schools are operating at 30 percent of normal capacity. People are also not visiting health clinics or returning to work because of the lack of order.

Many ministry employees are still unable to go back to work, and ministries are closed. Employees often are stopped by U.S. military at the doors of the ministries because the military can't distinguish who are employees and who are looters.

Further, as has been mentioned by everybody, including General Garner, government salaries must resume so that people can get back to work. These employees and the systems they run will ultimately be responsible for feeding, educating, and vaccinating the Iraqi people.

Point two. The U.S. military must move quickly to establish a functioning police force that can restore order. Until basic order is restored, life-saving humanitarian assistance cannot be delivered with the speed and the quantity that is now needed. Many of our European allies have experienced police trainers who are skilled in providing policing and training local police forces at the same time. Kosovo provides a good example of this sort of policing support provided by NATO members.

I think it's also important that the Department of Defense understands the very delicate cultural and political issues at play and the way in which our military performs in communities throughout Iraq. I have just heard an alarming report from one of my colleagues who yesterday met with senior Shiite clerics in Kerbala where he heard tremendous anger and concern about the way U.S. tanks had rolled up next to some of the holiest Shiite shrine and their fear that this could spontaneously erupt into some sort of a bloodbath.

We need experienced leadership that knows how to deal with these sensitive cultural and political issues. The U.S. military has done a great job of winning the war, a job they have trained for. Now is the time to let people trained and experienced in rebuilding societies do the job that we have been trained to do.

In Iraq, even before the outbreak of the war in March, women and children were facing very severe risks and unmet protection needs. These risks have now risen. Protection from sexual violence and physical harm is one of the six critical protection needs measured in our recent State of the World Mothers Report. According to yesterday's Washington Post, the dark accounts of kidnapping, rape, and sexual abuse of women and children are only likely to increase.

Our Iraq team is also seeing many children harmed by unexploded ordinance. The clearing of exploded ordinances must be stepped up, and education of children on avoiding them also has to be stepped up.

We are concerned that neither in the initial office of foreign disaster assistance awards that some of us at this table received nor the more recent requests for application from AID for community rehabilitation has women and child protection been listed as a prioritized project activity. U.S. Government and NGO's must prioritize the protection needs of women and children in the onset of our humanitarian response.

Finally, Save the Children supports an expanded role for the United Nations for post-conflict reconstruction.

Again, to summarize four key recommended solutions: The United States must move quickly to establish a functioning police force that can restore order, and we probably need European expertise to accomplish this.

The differentiation between the roles of humanitarian workers and the military must be made clear.

The U.S. Government and NGO's must prioritize the protection needs of women and children at the onset of our humanitarian response.

And the role of the United Nations in post-conflict reconstruction must be expanded.

Again, I thank you for the opportunity to testify before this committee; and I am happy to answer any questions.

Mr. SHAYS. Thank you.

[The prepared statement of Mr. Von Bernuth follows:]

Testimony before the House Subcommittee on National Security, Emerging Threats, and International Relations, Committee on Government Reform: "Humanitarian Assistance Following Military Operations: Overcoming Barriers"

Rudy Von Bernuth, Vice President and Managing Director of Children in Emergencies and Crisis
Save the Children

May 13, 2003

Mr. Chairman, thank you again for providing Save the Children the opportunity to testify before your committee. I especially want to thank Save the Children's hometown representative -- Congressman Chris Shays -- for his leadership and support of Save the Children's work in Connecticut and around the United States and in more than 40 countries around the world. Your recent visit to our programs in Iraq and West Bank and Gaza and your subsequent support for the Women and Children in Armed Conflict Protection Act -- are greatly appreciated by all of my colleagues.

Save the Children has been active in the Middle East for more than 30 years. We are committed to addressing the ongoing needs of children and their families in Afghanistan and Iraq as well as those in need elsewhere around the world.

My comments today will focus on three points regarding the role of nongovernmental organizations (NGOs) in post-conflict settings: 1) The lessons we have learned from providing humanitarian assistance in Afghanistan; 2) The barriers that we are encountering in providing humanitarian assistance in Iraq; and finally, 3) The solutions that we recommend for overcoming these barriers in Iraq and in future conflict situations.

Lessons Learned in Afghanistan

In 1985, Save the Children established its Pakistan/Afghanistan Field Office to respond to the needs of an estimated 3.5 million Afghan refugees living in Pakistan. We expanded our work in Afghanistan in 1989 when we began cross-border rural rehabilitation programs in order to facilitate the repatriation of Afghan refugees. We opened our first offices in Afghanistan in 1993.

In Afghanistan, Save the Children implements education, economic opportunities, health, food security, and children in crisis programs from its six offices located in Kabul City (Kabul Province), Mazar-i Sharif (Jawzjan Province), Andkhoy (Jawzjan Province), Maimana (Faryab Province), Sar-i Pul (Sar-i Pul Province), and Shiberghan (Jawzjan Province), where it has a small satellite office. Nearly two million people have benefited from our programs in Afghanistan. We work in partnership with government ministries and local non-governmental organizations to strengthen their capacity at the community level.

The Agency Coordinating Body for Afghan Relief (ACBAR), of which Save the Children serves on with CARE and other major NGOs, has articulated the following two key points about the role of NGOs working in Afghanistan:

- The importance of a secure environment for reconstruction;
- The necessity of long term funding commitments for Afghanistan; and

Point one: The importance of a secure environment for reconstruction

Security and protection are vital to the work that we do and to the reconstruction and development of Afghanistan. Because of the international commitment to supporting the success of the Interim Transitional Government of Afghanistan (ITGA), the fragility of the political and security situations tends to be underplayed in coordination meetings in

Afghanistan and in representations in the international media. There is no question but that security is tenuous and getting worse.

In Kabul, the biggest risks are terrorist acts and armed robbery. It was recently reported on the BBC that NATO will take over from the International Security Assistance Force (ISAF) in Kabul when the ISAF authorization expires. The NATO forces will have "the same" mandate as the ISAF forces, which operate only in Kabul. We do not know if their geographic mandate will be expanded. The role of ISAF, or the organization that replaces it, must be expanded to provide a secure working environment throughout the country.

In the north, the tension between the political parties seems to be on the increase. If politics fail, security will fail. Evacuation plans are in place for international staff and security measures have been implemented based on the experience of Save the Children staff. On April 8, following the appointment of a new civilian governor, tensions between Jamiat and Jumbush troops came to a head, resulting in two days of heavy fighting and three days of sporadic fighting. A Save the Children international staff member based in Maimana was evacuated in a convoy of UN and NGO staff on April 9. As of April 17, an unexploded RPG was still lodged in the wall of the house of a Save the Children national staff member, who was waiting for de-miners to remove it, a reminder of the continuing risks posed by conflict.

NGOs will continue to support the reconstruction of Afghanistan in areas where it is safe to work. **We need the US Government to support efforts to ensure this security.**

Point two: The necessity of long term funding commitments for Afghanistan

We have learned from our experience in Afghanistan, that the only way to ensure development success is by ensuring long term funding that provides the bridge from emergency humanitarian response to sustainable, community-based development programs. And yet, we are woefully behind meeting the funding levels agreed to in the Afghan Freedom Support Act and we are seeing an increasingly dangerous situation for NGOs working in Afghanistan.

While reconstruction needs in Afghanistan are greater than they have been in other post-conflict settings such as Bosnia and Kosovo, per capita pledges through the Tokyo process were much less than the average aid spent in Rwanda in 1994, Bosnia in 1996-1999, Kosovo in 1999-2001, and East Timor 1999-2001. Tokyo pledges totaled about $5.25 million for the period 2002-2006Initial assessments indicated that at least $10 billion would be required for base case reconstruction over a five-year period.

The government estimates that running a very basic health system will cost about $60 million a year. The government estimates that it may cost about $1 billion over the next 10 years in capital investment in basic facilities, equipment, and training. Barely 25 percent of facilities are currently able to offer the basic maternal and child health package we know will make the most difference in reducing maternal and child mortality.

There is a general sense of progressive disengagement by our government to the Afghan people and my colleagues in the field. US government commitments need to be made on a multi-year basis. **The United States and other countries need to keep faith with Afghanistan and stay the course with substantive and sustained support.**

Working in Iraq

Save the Children currently has 26 staff in Iraq and Kuwait. We have received a $4 million dollar grant from OFDA and over $100,000 in private funds to support our agency work in Iraq. To date, Save the Children has provided following assistance:

- **Umm Qasr**: Save the Children Cooking Gas Distribution Operation in Umm Qasr – Total of 3,649 cooking gas bottles were distributed one per family (approximately 21,894 beneficiaries) of Umm Qasr – Operation completed on 27 April 2003.

- **Az Zubayr**: Save the Children transported 100 Cooking Gas Bottles to Az Zubayr Hospital and Six Clinics Mission – Mission completed on 29 April 2003.

- **Safwan**: Save the Children distributed four preschool educational kits to the preschool in Safwan. The school presently has enrolled fifty4-5 year olds. Before the war, the school had over seventystudents. The goal is to encourage the children to return to school. The mission was completed on 4 May 2003.

- **Al Basrah**: Save the Children established a main office in Al Basrah last week.

I have included additional information in my written testimony on the current humanitarian situation analysis in Iraq for your review.

According to our staff on the ground there is an urgent need to replenish chlorine stocks in Southern Iraq. Fifteen (15) million liters of clean water have so far been transported and there are plans to double water shipments from the current forty (40) tanker loads per day to over eighty (80) to service Al Basrah, Safwan, Az Zubayr and Umm Qasr.

The four areas that have SC operations and programs in Southern Iraq are the following:

Al Basrah
WHO has confirmed seventeen (17) cases of cholera in Al Basrah. Since 1991, cholera has been endemic throughout the country, especially in rural areas, the higher incidence occurring from April to November. The deterioration in water supply and sanitation since the war could exacerbate the situation. A critical issue is the lack of chlorine. Pre-positioned stocks of chlorine were looted and the local chlorine factory has been closed since the beginning of the conflict. A Cholera

Task Force has been established in Baghdad to monitor the situation. Agencies are working to ensure that sufficient stocks of treatment supplies are in place and a public communication campaign to prevent further spread of cholera is to begin soon. Also, UNICEF delivered 90,000 doses of measles vaccine, 150,000 doses of measles vaccine and 150,000 doses of DPT vaccine. Walk-in coolers for vaccine storage are being repaired.

Power supply is stabilized and most water systems are working. The daily per capita water supply has increased from 15 to 20-30 liters. The R-Zero water treatment plant near Al Basrah airport, which covers 60% of water needs, is working at only 50% capacity as a result of war damage and looting.

Az Zubayr There are still weapons caches at some schools including mortar rounds in a septic tank at one school, which Coalition explosives experts are clearing. UNDP purchased 2,300 KVA gensets for the water treatment complex that was operating at only 10% of its capacity. The plant is back to normal capacity for the 400,000 residents

Umm Qasr
Some 7,000 Iraqi prisoners were released from a U.S. internment facility in Umm Qasr on 8 May 2003 while another 2,000 remain in custody. The first WFP vessel arrived this past week carrying 14,000 MT of rice. Engineers have completed initial dredging assessments at the port and the first dredging operation is expected to be completed by 7 June 2003, greatly enhancing delivery speed of emergency humanitarian supplies.

Safety and Security
The Coalition Forces have now established increased patrols and armor in Al Basrah. Starting on Saturday, 10 May 2003, the first group of 700 police recruits trained by the British military police will start patrolling the streets of Al Basrah. Initially, they will be unarmed and remain under the supervision of the British military forces.

Program Assessments & Analysis
Health
In Al Basrah, nearly 70% of the PHCs have been looted and damaged. The clinics' staff is wary of having too much support until security improves as this could make them a target for further looting. Medecins du Mode (MDM) is presently supporting five (5) PHCs, but will be pulling out in June. SC is looking at ways on supporting these PHCs. SC is also evaluating the feasibility of giving a ration of oxygen to outlying health facilities and/or opening a line of credit at the Central Medical Facility for the Pediatrics hospital.

SC has identified a part-time consultant and counterpart for the Al Basrah Governorate. Dr. Nehad has been working with SC conducting needs assessments and developing a list of needed medicines and equipment for the hospitals and

PHC clinics since 1 May 2003. She has reviewed the action plan for SC program and she will be our focal person for one month.

Local health management teams of Al Basrah and Az Zubayr hospitals compiled a list of essential and emergency medicines and equipment to be provided for OB/Gyn and Pediatric department of the two hospitals. SC with the assistance of the PHC director identified two PHC clinics in Az Zubayr (Al Haqeel and Safwan) and four PHC clinics in Al Basrah (Alawi Qasim, Alkabasy, Al Aahrtha, and Eahsan Qanduri) that might be supported by SC with equipment for PHC and the reactivation of the delivery rooms to become a functional Basic EOCs.

Road-blocks and solutions to providing humanitarian assistance in Iraq

The primary obstacle to providing humanitarian assistance in Iraq right now is insecurity. The lack of security in areas under effective civilian control has created an anarchic situation where citizens cannot access basic services, such as education and health care.

Our team in Baghdad says that parents are not letting children attend school because roving criminal gangs are kidnapping children from the neighborhoods. Consequently, schools are operating at 30% of normal capacity. People are also not visiting health clinics or returning to work because of the lack of order.

Many ministry employees are still unable to go back to work because of U.S. military concerns. Ministries are closed and employees are stopped by US military at the doors for being suspected looters. Further, government salaries must resume so people can get back to work. These employees and the systems they run will ultimately be responsible for feeding, educating and vaccinating the Iraqi people.

The US military must move quickly to establish a functioning Iraqi police force that can restore order. Until basic order is restored, life-saving humanitarian assistance cannot be delivered with the speed and quantity that is now needed. Many of our European allies have experienced police trainers who are skilled at providing policing and training local the local force at the same time. Kosovo provides a good example of this sort of key policing support.

Another area of concern is the interaction between humanitarian organizations and US military actors on the ground. While interaction between civil and military actors on the ground is both a reality and a necessity, particularly in sharing information about security, the impartiality and neutrality of humanitarian workers and organization must be maintained. NGOs working in Iraq have been uncomfortable with the influence that the US military has tried to exercise over relief operations through organizations as the Humanitarian Operations Center (HOC) in Kuwait and ORHA.

Recently, Save the Children and other agencies that are providing humanitarian assistance in Iraq drafted a series of principles clarifying what would constitute an unacceptable degree of military control over assistance. We are monitoring the situation in the field closely to make sure our impartiality and neutrality is maintained.

The Department of Defense must understand that there are very delicate cultural and political issues at play and the way in which our military performs in communities throughout Iraq. I just heard an alarming report from my colleague about tanks rolling in next to holy Shiite shrines in Kerbala. This sort of provocative action will only lead to violence. This is in comparison to what is happening in Najaf where Coalition troops have agreed to keep military out of the sacred areas, thereby engendering more trust with the local community. We need an experienced civilian leadership that knows how to deal with these cultural and political issues. **The differentiation between the role of humanitarian workers and the military is crucial both for security and credibility.**

Last week Save the Children released its fourth annual State of the World's Mothers Report. The report aims to highlight the policy gaps of protecting women and children in conflict situations by introducing the first-ever Conflict Protection Scorecard that analyzes 40 of today's brutal conflicts and tells where the safety and security of mothers and children are most at risk. It will come as no surprise to members of this Committee that the Scorecard identified Afghanistan, along with Angola, Burundi, Democratic Republic of the Congo and Sierra Leone as five of the worst conflict zones in which to be a woman or child.

Even before the outbreak of war in March, Iraqi women and children were facing very severe risks and unmet protection needs – these risks have now risen. Protection from sexual violence and physical harm is one of the six critical protection needs measured in the scorecard. According to yesterday's Washington Post, the dark accounts of kidnapping, rape and sexual abuse of women and children are only likely to increase. As predicted in our report, "the history of past conflicts – and the brutal realities in many conflict zones today – show the magnitude of suffering that can result when women's and children's particular needs and not prioritized in the early part of the humanitarian response.

Our Iraq team is also seeing children harmed by unexploded ordnances. Clearing of UXOs must be stepped up. I just had a call yesterday from our director in Iraq who reported that friendly US soldiers are allowing children to ride around on tanks. This is not acceptable from a protection stand point – just consider what would happen if one of these children fell beneath the wheels (and we understand that this did happen with the food trucks), but it does not send the right message for our children. **The US government and NGOs must prioritize the protection needs of women and children in the onset of our humanitarian response.**

Finally, similar to Afghanistan, the only way to ensure a long-term commitment of funding by the greatest number of partners, as well as adequate support for international policing, is to demonstrate an international presence and leadership. **Save the Children supports an expanded role for the United Nations for post conflict reconstruction.**

Again;

- **The US military must move quickly to establish a functioning Iraqi police force that can restore order.**

- **The differentiation between the role of humanitarian workers and the military must be made clear.**

- **The US government and NGOs must prioritize the protection needs of women and children in the onset of our humanitarian response.**
- **The role of the United Nations in post conflict reconstruction must be expanded.**

Again, I thank you for the opportunity to testify before this committee. I am happy to answer any questions if there is time.

Mr. SHAYS. Mr. Henry, and then we will get to the questions.

Mr. HENRY. Thank you, Mr. Chairman and members of the committee. Thank you for inviting CARE to participate in today's hearings. CARE International has been working continuously in central and southern Iraq since the 1991 Gulf war.

As the last panelist, I have the challenge of saying something that hasn't already been said, and I'm not sure that I can do that. I'm pleased to say that what I will have to say coincides largely with what my colleagues had to say, despite the fact that we had no opportunity to coordinate our testimony.

I will focus my testimony on the efforts of CARE and other humanitarian organizations to deliver assistance in Iraq today, the context in which we are operating, and our recommendations for priority action by the U.S. Government. I will also, like my colleagues, highlight critical lessons that need to be learned from our experience in Afghanistan.

The central reality in Iraq today is that a vacuum has developed in a country that was for decades completely dominated by institutions that now no longer exist—the Iraqi Government led by Saddam Hussein, the Ba'ath party, and the Iraqi security and intelligence services. A swift military victory must now be followed by an equally effective response in filling this vacuum. Failing to do so could prove tragic for the Iraqi people and very damaging for the international credibility of the U.S. Government.

What is required of the U.S. Government is obvious and straightforward: restore order, reestablish the central public services, and set in motion a process that will allow the Iraqi people to rebuild their country and establish a legitimate government.

I say straightforward. And while it's straightforward, the magnitude of the challenges that we face in doing all that is required in Iraq is enormous, and we should not underestimate those challenges.

So the question is, what are the priorities? General Garner in his testimony today did David Letterman one better and came up with 11 on his top list of things that need to be done in Iraq. We are a little bit more realistic, perhaps, or a little less ambitious, and we would focus on four priorities.

The first I think we all absolutely agree—it was No. 1 on General Garner's list, all my colleagues have raised it—it is that immediate action must be taken to restore law and order.

While the Iraqi people have no desire to return to the police state that was Iraq under Saddam Hussein, they are urgently calling for a restoration of security. Many Iraqis are still afraid to venture outside their homes, especially at night, and most parents are still unwilling to send their children back to school fearing for their safety.

The lack of security is already having a very detrimental effect on the ability of CARE and other humanitarian organizations to do our work. Just since the end of the conflict, CARE's warehouse in Baghdad has been looted. Just this past weekend, two of our cars have been hijacked. Over the last few days, we have had to send international staff that we just recently deployed into Baghdad back to Amman for their own safety. So that's a measure of our sense of the security problems in Baghdad.

You know, as one of my colleagues in Baghdad said today, what does it say about the situation when criminals can roam freely around Baghdad and humanitarian aid workers cannot? Unless law and order can be reestablished promptly, there is a risk of rapid downward spiral in the humanitarian situation in Iraq, and civilian relief agencies will be in no position to respond. Establishing security throughout Iraq must be priority No. 1 of the U.S. Government, and the assets required to accomplish this objective should be deployed immediately.

The other three priorities on our list—and I will go through these very quickly because they have been touched on and actually they figure near the top of General Garner's list as well.

First is the restoration of electricity, water supply, and waste treatment. These services are essential, not just because of their tangible benefits and impact on the health system but also for the positive signal they would send to the Iraqi people that life is returning to normal.

Second—and here I would take issue with the testimony of our colleague from USAID—we fear that the health system in Iraq is in danger of complete collapse unless urgent action is taken. We all saw the footage of hospitals being looted. Anyone who has visited the hospitals in Iraq today know that they are struggling to cope with a very difficult situation. So we think urgent action needs to be taken to prevent a complete collapse of that system.

Finally, we were pleased to hear General Garner report on progress being made in making emergency payments to civil servants. We think that's very important. We think that should be expanded immediately. It's important to remember that, in Iraq prior to the war, the Iraqi Government was by far the largest employer. So getting civil servants—getting money back in the pockets of civil servants not only allows them to do their important jobs and support their family, it helps get the Iraqi economy going again.

Like my colleagues, I also believe that it's extremely important that we learn lessons from our recent experience in Afghanistan; and I fear for the most part that these lessons are not yet being very well learned. I would highlight briefly four lessons that I think are most critical.

First is, following regime change, priority must be given to establish a nationwide law and order as a basis for economic reconstruction and political transformation. Regime change by definition creates a security vacuum. If it is not filled by international peacekeepers and new national security forces, it will be filled by less savory forces, including criminals, warlords, terrorists, and drug traffickers.

One and a half years after the end of the war in Afghanistan to unseat the Taliban and defeat al Qaeda, a large portion of the country remains insecure. Despite repeated calls, the U.S. Government and the rest of the international community have failed to expand international peacekeepers beyond Kabul. Current U.S. Government strategy in Afghanistan, which includes the deployment of small provincial reconstruction teams and the very slow training of a new national army are simply, in our judgment, inadequate to the task; and we urge Congress to ensure that similar policy mistakes are not made in Iraq.

Second, post-conflict reconstruction is a long and costly undertaking, requiring sustained commitment from the U.S. Government and the rest of the international community. There, I would only say that, although the U.S. Government has been very slow in the case of Afghanistan to get off the mark, there has been progress recently. Congress did—despite President Bush's failure to make a specific request for funding for Afghanistan in this year's budget, Congress has appropriated money and Congress has appropriated additional resources in the Iraq supplemental; and we congratulate you for doing that. The Iraq supplemental also already has $2½ billion in relief and reconstruction funding for Iraq. We view that as a good down payment on what will be a large-scale, multi-year effort.

Third, establishing an international framework for managing post-conflict situations like Afghanistan and Iraq is in the best interest of those countries as well as the American taxpayers. The people of Iraq and the eventual new Government of Iraq will need all the help they can get—financial aid, technical assistance, trade and investment and debt relief—in rebuilding their country economically and politically. Creating a framework that enjoys the widest possible international support is, thus, vital. Like my colleagues, I believe that necessitates a major role for the United Nations.

Finally, the last lesson for us in Afghanistan—and it's been alluded to not only by members of this panel but by Congressman Shays as well—is the issue of civilian leadership; and we urge transitioning as quickly as possible to full civilian leadership and control of relief and reconstruction in Iraq because we believe that will encourage the widest possible participation of U.S. and international humanitarian organizations in those efforts.

The military's expertise is in the security area, and that should be their focus in Iraq. By contrast, most experience in relief and reconstruction resides in the civilian branches of the U.S. Government, the United Nations, and humanitarian NGO's like those testifying here today.

Also, as we have learned the hard way in Afghanistan, it is vital that the military respect the need for humanitarian organizations to be seen as impartial and independent and that they do nothing to blur the distinction between military and humanitarian action. Organizations like CARE work in many very dangerous situations. The safety of our staff largely depend on their reputation in local communities as unbiased providers of humanitarian assistance, and I was reassured to hear the dialog between Congressman Shays and Mr. Garvelink on that point reaffirming the importance of impartiality.

In conclusion, I would say this week's news from Baghdad is unsettling. The Saddam Hussein regime clearly is no more, but in its place a security vacuum has developed. Clearly, the team of U.S. officials tasked with governing Iraq in the interim is also in a state of flux. A high degree of insecurity coupled with confusion as to who is in control make Iraq a difficult and dangerous place for humanitarian organizations to work. We urge the President's new special envoy for Iraq to accord highest priority to the establishment of law and order throughout Iraq, as that is the foundation

on which economic and political reconstruction must be built. If that is done, we can work to ensure that the basic needs of Iraq's 24 million people are met, and a humanitarian crisis can be avoided.

Thank you.

Mr. SHAYS. Thank you very much, Mr. Henry.

[The prepared statement of Mr. Henry follows:]

CONGRESSIONAL TESTIMONY
DELIVERED BY
KEVIN HENRY, ADVOCACY DIRECTOR, CARE

BEFORE THE
COMMITTEE ON GOVERNMENT REFORM,
SUBCOMMITTEE ON NATIONAL SECURITY, EMERGING THREATS AND INTERNATIONAL RELATIONS

MAY 13, 2003

I. INTRODUCTION

Mr. Chairman and members of the committee, my name is Kevin Henry, and I am Advocacy Director for CARE. In addition to my current policy work on Iraq and Afghanistan, I have participated in CARE's response to numerous complex emergencies over the past two decades, including "Operation Provide Comfort" in northern Iraq after the 1991 Gulf War. Thank you for inviting me to testify before you today on the problems being encountered in the delivery of humanitarian assistance in the wake of the military conflict in Iraq.

I will focus my testimony on the efforts of CARE and other humanitarian organizations to deliver assistance in Iraq, the context in which we are operating, and our recommendations for priority action by the U.S. Government. I will also highlight critical lessons that need to be learned from our experience in Afghanistan post-9/11.

As now acknowledged in the draft resolution tabled last week at the United Nations Security Council, the U.S. Government is the *de facto* occupying power in Iraq. As such, we have assumed enormous responsibilities for the immediate security and welfare of the Iraqi people. We call on the Bush administration and Congress to ensure that the U.S. Government fully and effectively meets its obligations under international law.

II. CURRENT CONDITIONS AND THE URGENT NEED FOR SECURITY

The central reality in Iraq today is that a vacuum has developed in a country that was for decades completely dominated by institutions that now no longer exist—the Iraqi Government led by Saddam Hussein, the Baath party, and the Iraqi security and intelligence services. *A swift military victory must now be followed by an equally effective response in filling this vacuum; failing to do so could prove tragic for the Iraqi people and very damaging for the international standing of the U.S. Government.* What is required of the U.S. Government is obvious and straightforward—restore order, re-establish essential public services, and set in motion a process that will allow the Iraqi people to rebuild their country and establish a legitimate government. While

straightforward, the magnitude of the challenges faced in doing all that is required in Iraq is enormous and should not be under-estimated.

First and foremost, immediate action must be taken to restore law and order. While the Iraqi people have no desire to return to the police state that was Iraq under Saddam Hussein, they are urgently calling for a restoration of security. Many Iraqis are still afraid to venture outside their homes, especially at night, and most parents are still unwilling to send their children back to school, fearing for their safety.

And the lack of security is already having a very detrimental effect on the ability of CARE and other humanitarian organizations to do our jobs. CARE International is one of the few NGOs that has worked continuously in Iraq since the 1991 Gulf War. Our staff, primarily Iraqi nationals, remained in Iraq during the war and continued their work (interrupted for only a few days) in Baghdad, even during the bombing. *Despite our extensive experience in Iraq, current conditions are making it very difficult for CARE to do its work, which has been focused on the critical areas of helping hospitals and clinics deliver much-needed medical services and undertaking emergency repairs of water and sewage treatment facilities.*

During the war, a missile hit the CARE warehouse in Baghdad, and in the war's immediate aftermath, that same warehouse was looted of its emergency relief supplies. Just this past weekend, two CARE vehicles were carjacked at gunpoint, and the CARE office and warehouse were attacked at night, resulting in the gunshot injury of a security guard. As a result of this setback in the security situation inside Iraq, we are pulling several recently deployed members of our international staff out of Baghdad and back to Amman for their own safety. CARE staff in Baghdad have asked the military to establish security in the neighborhood where the CARE warehouse is located and to clear unexploded ordnance in the area. CARE's security officer in Baghdad reports that we are receiving no information from the military, and that we have not even been provided a number to call to report security incidents.

What does it say about the situation when criminals can move freely around Baghdad but humanitarian aid workers cannot? Unless law and order can be re-established promptly, there is the risk of a rapid downward spiral in the humanitarian situation in Iraq, and civilian relief agencies will be in no position to respond. *Establishing security throughout Iraq must be priority number one of the U.S. Government, and the assets required to accomplish this objective should be deployed immediately.*

III. OTHER URGENT PRIORITIES

Beyond the establishment of law and order, urgent action is required in other areas to stabilize the humanitarian situation and to convey to the people of Iraq the hope that things will soon start to get better, rather than worse. Based on CARE's assessment of the current situation in Iraq, we recommend that particular attention be accorded to the following three areas:

- **Restoring electricity and repairing water supply and waste treatment systems**-- While everyone involved recognizes the urgency of restoring these public utilities, the progress that has been made to date is very slow in the eyes of the Iraqi people. *Restoring these services is essential not only to preventing further deterioration in the health situation, but also to providing a tangible sign to the Iraqi people that some degree of normalcy is being re-established.*

- **Preventing a complete collapse of Iraq's already fragile health system**— CARE Iraq is working with hospital and clinic staff in Baghdad and elsewhere in central Iraq to help them cope with the war and its aftermath, including civilian casualties, the looting of their facilities, and an increasing incidence of water-borne diseases. *Immediate action, including improving security at hospitals to prevent further looting and delivering urgently- needed supplies and equipment, is required to prevent a complete collapse of health care.*

- **Instituting an emergency system for the payment of essential government employees**— Employees at hospitals, clinics, water treatment plants, and other vital social services facilities continue to work, for the most part, without any payment of salaries or expenses. While that is commendable, it is clearly neither reasonable nor sustainable. *While the complicated, longer-term issues of who should be retained and how much they should be paid are being worked out, an emergency system should be put in place to provide some compensation to doctors, nurses, and other civil servants, so that they can stay at their vital jobs and support their families.* It is important to remember that the largest employer by far in pre-war Iraq—the Government of Iraq—no longer exists. Resuming payments to civil servants is thus essential to getting the Iraqi economy moving again.

IV. LESSONS TO BE LEARNED FROM AFGHANISTAN

Although Afghanistan and Iraq are very different in many respects, there are aspects of our recent experience in Afghanistan that *should* be informing our collective response to the current crisis in Iraq. In this respect, CARE urges the members of this committee to focus on the following four points:

- **Following "regime change," priority must be given to establishing nationwide law and order as a basis for economic reconstruction and political transformation.** Regime change, by definition, creates a security vacuum. Like all other vacuums, this one will eventually be filled. If it is not filled by international peacekeepers and new national security forces, it will be filled by less savory forces, including criminals, warlords,

terrorists, and drug traffickers. One and a half years after the end of the war in Afghanistan to unseat the Taliban and defeat Al Qaeda, a large portion of the country remains insecure and outside the authority of the Karzai government. Despite repeated calls, the U.S. Government and the larger international community have failed to expand international peacekeepers beyond Kabul. *Current U.S. Government strategy, which includes the deployment of small Provincial Reconstruction Teams (PRTs) and the training of a new Afghan National Army (woefully behind schedule), is unlikely to deliver on the level of security required, thus threatening the overall transition of Afghanistan to a stable, democratic future. Similar policy mistakes should not be made in Iraq.*

- **Post-conflict reconstruction is a long and costly undertaking, requiring sustained commitment from the U.S. Government and the rest of the international community.** To this day, the international community has yet to mobilize anywhere near the $15-20 billion required by the Afghan Government to rebuild that country over the next five years. For its part, the U.S. Government has been slow to match its Marshall Plan rhetoric with cold, hard cash. Fortunately, there does now seem to be progress in the resources area as regards relief and reconstruction in both Afghanistan and Iraq. Congress acted to appropriate funds for Afghan reconstruction this year, despite the Bush administration's failure to include a specific request in its FY03 budget, and the administration and Congress have augmented those resources through the Iraq supplemental. The Iraq supplemental also includes more than $2.5 billion for Iraq relief and reconstruction, which should be seen as a reasonable down payment against a much larger, multi-year effort. In both Afghanistan and Iraq, we will have to guard against our short attention spans, ensuring that adequate funds are appropriated, long after public and media attention and interest might otherwise wane.

- **Establishing an international framework for managing post-conflict situations like Afghanistan and Iraq is in the best interest of those countries, as well as of the American taxpayers.** The people of Iraq, and the eventual new government of Iraq, will need all the help they can get—financial aid, technical assistance, trade and investment, and debt relief— in rebuilding their country economically and politically. Creating a framework that enjoys the widest possible international support is thus vital. In order to achieve broad international buy-in, the U.S. Government will eventually have to be prepared to share control beyond the limited coalition of countries that participated in the military campaign. In Afghanistan, the United Nations has provided an umbrella of international legitimacy that has enabled dozens of countries to contribute to both international peacekeeping and reconstruction efforts. A comparable role for the United Nations would be appropriate in the Iraq context.

- **Transitioning as quickly as possible to full civilian leadership and control of relief and reconstruction in Iraq will encourage the widest possible participation of U.S. and international humanitarian organizations in those efforts.** The military's expertise is in the security area, and that should be their focus in Iraq. By contrast, most experience in relief and reconstruction resides in the civilian branches of the U.S. Government, the United Nations, and humanitarian NGOs like those testifying here today. *While the military should provide humanitarian assistance where no civilian humanitarian organizations are in a position to do so, logic dictates that they turn over responsibility for relief and reconstruction as soon as possible to civilian agencies that have the comparative advantage in this area.* As we have learned the hard way in Afghanistan, it is also vital that the military respect the need for humanitarian organizations to be seen as impartial and independent, and that they do nothing to blur the distinction between military and humanitarian action. Organizations like CARE work in many very dangerous situations, and the safety of our staff largely depends on their reputation in local communities as unbiased providers of humanitarian assistance.

V. CONCLUSION

This week's news from Baghdad is unsettling. The Saddam Hussein regime clearly is no more, but in its place a security vacuum has developed. Clearly, the team of U.S. officials tasked with governing Iraq in the interim is also in a state of flux. A high degree of insecurity, coupled with confusion as to who is in effective charge as regards re-establishing vital services, make Iraq today a difficult and dangerous place for humanitarian organizations like CARE to work. We urge the President's new special envoy for Iraq, Paul Bremer, to accord highest priority to the establishment of law and order throughout Iraq, as security is the foundation on which economic and political reconstruction must be built. If that is done, we can work to ensure that the basic needs of Iraq's 24 million people are met, and a humanitarian crisis can be averted.

Thank you for giving CARE the opportunity to testify before you today.

Mr. SHAYS. We have heard four excellent statements that's constituted over 40 minutes, but there will be questions. But it's been very, very helpful; and it's been a very wonderful panel and statements.

Mr. Janklow, Governor, you are on.

Mr. JANKLOW. Thank you very much, Mr. Chairman.

Mr. Biddle, I couldn't help, as I listened to you and read your testimony, pick up what I thought was somewhat of a difference between you and the other three panelists, especially with respect to the—if I can call it—the primacy of getting the United Nations involved as opposed to having the United Nations involved. Do you understand the distinction?

And I'm just wondering did I pick up something incorrectly, or do you feel that strongly about the United Nations?

Mr. BIDDLE. No. I think it's a question of clarity in terms of the role. Our previous panel, Mr. Greene referenced the fact that the U.N. agencies humanitarian and—the humanitarian arms of the United Nations such as the World Food Program and WHO and others are beginning to return, but I think it's important as well that the coalition make clear that they would welcome that in a more specific fashion so there's an understanding of the coordinating role in providing relief which will help to facilitate an understanding at the community level that this is a coordinated international impartial process to rebuild and both address acute needs, as well as to rebuild the infrastructure and the society.

Mr. JANKLOW. Help me, if you would, sir, for a second. What I don't understand is that where you have—let's just say that your organizations directly deal with the people and the U.N. is not there, and I'm not suggesting that not be the case at all, but do they really care who gives them or provides for them textbooks, gets the electricity turned on, gets the water functioning, gets the garbage hauled away, brings them the security and assists them in getting food for their families? Does it really make that big a difference to people?

Mr. BIDDLE. I think it does from the perspective of civilian interaction.

Mr. JANKLOW. Where else has that been the case around the world, an example of that?

Mr. BIDDLE. Well, I think if you take a look at many different crises in the world community, you'll find that the both—two points that I think are critical here.

One is the role—the coordinating role that the U.N. plays in working both the local NGO's international organizations——

Mr. JANKLOW. Excuse me, sir. I want to know if people have reacted negatively to those people that are providing them assistance with respect to food, clothing, education, medical care and housing when it's provided by a government as opposed to—or not—or NGO's as opposed to the U.N.

Mr. BIDDLE. I think it depends on the political context in which it occurs, and I think what we're trying to do in supporting a clear role for the U.N. in leading and coordinating humanitarian relief here is that we don't give succor or support to those parts of a given society—it can be any group, and obviously there are a number of factual forces at work in Iraq—that could perhaps——

Mr. JANKLOW. I'm sorry, sir. What I'm asking—I hate to interrupt, but I'm trying to be very focused. Can you cite to me anything historically or anecdotally where it has been a problem where NGO's or a government have provided elsewhere in the world food, clothing, education, health or housing and it's been perceived as negative by the recipients?

Mr. BIDDLE. I mean, I'd like to think about that for a minute to come up with a specific example. I think the issue that we're looking at, though, is the overarching——

Mr. JANKLOW. I understand the issue. I understand the issue, sir. I'm just wondering, because I sense that there was a—maybe what I perceived to an overreliance on the U.N. as posed—and I'm not knocking the U.N. I think they do marvelous work. There was a lady who was in the Somalian group that was slaughtered, the charitable workers, the Filipino-American group that was slaughtered as missionary nurses, and so I have some appreciation for what your various organizations do in various places around the world.

But, again, let me ask you, if I can, Mr. Henry, how strong do you think it has to be the United Nations, as opposed to agencies like yours and all the others from our country and other countries—clearly we don't have the only NGO's in the world. There are a lot of them.

Mr. HENRY. We see the primary role of the U.N. in playing that coordination and facilitation role, and also very importantly, in mobilizing resources. Even with the U.N. programs, the NGO's do most of the heavy lifting. OK? But in our estimation, if the U.S. Government wants to mobilize the widest possible participation of the international community in providing peacekeepers, in providing funding for reconstruction, then the U.N. is the vehicle that will get that broad support. So, I mean, setting aside all of the philosophical reasons from a purely practical point of view, I think that's the best reason to involve the United Nations.

Mr. JANKLOW. What is it—if I can ask you this, recognizing that—it's 3 weeks since, basically, the war has ended, and but for a few individuals, who may have known better, I think most of us think it really went very quickly and with an incredibly small amount of damage to the civilian infrastructure given the enormity of taking over a whole country that's one of the most armed in the whole world, you know. And I hear about, like, people being upset that the tanks are parked next to a mosque, but they had to be terribly upset when they had Fedayeen, several hundred of them, in Baghdad in the mosque shooting at the soldiers that were coming through the community, and the arms that we found in the schools can't have made any mother feel well about sending her children to school, given the laws that came down and what we found behind those walls in a lot of the school systems.

So I guess what I'm asking is, do you folks think we were that unprepared for—what have your organizations been doing to get ready for this? Is it just the government that was unprepared? Let me ask you, Mr. Welling, what did you do during the months that you thought we were leading up to this?

Mr. WELLING. Well, I think everyone was working in their own way to prepare, in our own case——

Mr. JANKLOW. When did you start?

Mr. WELLING. We started in February, and as I think I mentioned in my written testimony by——

Mr. JANKLOW. Prepositioning——

Mr. WELLING. In March, we prepositioned a substantial volume of supplies.

I think there's a point here to be made about the volume of planning versus the coordination and the quality of planning. I don't think there's any debate about the fact that each of the organizations and each of the agencies that had a potential role in what is now the postwar environment spending a lot of time planning.

When a division of labor becomes fragmentation, redundancy, I think, is an important question, and so one of our observations would be that absent the central point of control that we talked about, that there was a lot of planning going on, that it wasn't necessarily going on in a consistent way, and it wasn't necessarily being done in a way that maximized the potential contributions of each of the organizations.

Mr. JANKLOW. Mr. Biddle, when did your organization start planning for the fact that you may end up in Iraq providing substantial assistance?

Mr. BIDDLE. We began preliminary discussions in headquarters in July or August as we saw the possibility of——

Mr. JANKLOW. And you, Mr. Von Bernuth, your organization?

Mr. VON BERNUTH. We began in the early autumn, and we did a planning workshop in Jordan in December to prepare staff for——

Mr. JANKLOW. And you, Mr. Henry.

Mr. HENRY. Similar to Save the Children, in the fall of last year.

Mr. JANKLOW. And I realized, you know, the U.N. assisting coordination, but is there ever a point in time when all of your organizations or some of them and others sit down with each other planning for going into it? I assume you're all basically in sort of the same—you at least have a lot of overlapping in terms of what you do. Some of you are faith-based. Some of you are not, but I think all your hearts are in about the same place when it comes to what it is that you do. Do you ever sit down and plan with each other over who is going to do what?

Mr. HENRY. There has been extensive coordination among our agencies and many others.

Mr. JANKLOW. Prior—specifically with respect to Iraq.

Mr. HENRY. Yes.

Mr. BIDDLE. As a matter of fact, USAID provided a $900,000 grant to what was termed the Joint NGO Emergency Preparedness Initiative which was set up in Arman, Jordan and included CARE, Save the Children——

Mr. JANKLOW. When was that done, sir?

Mr. BIDDLE. I think that was initiated in the late winter. I think it was probably March—February, March.

Mr. JANKLOW. Of this year?

Mr. BIDDLE. Yes.

Mr. JANKLOW. What I'm trying to get at is how much planning did our government do preparing for the eventuality they may have

to be providing substantial humanitarian assistance on the ground in Iraq at some point?

Mr. BIDDLE. I think if I can respond to that, I think one of the issues was a lot of the planning was classified. So it was difficult for us to know exactly what they had in mind. I think everyone had anticipated a larger displacement crisis, and we're thankful that there wasn't one.

At the same time, there were some impediments to the kind of planning that humanitarian NGO's traditionally do, which are on the ground assessments and prepositioning of supplies, as well as building relationships with local communities, and those were hindered by the presence of U.S. sanctions, the OFAC restrictions on our being there.

Mr. JANKLOW. Sir, I noticed in your oral testimony you talked about the fact of cholera having appeared and the concern of that. And you, Mr. Von Bernuth, in your testimony I believe it is, I read what has been endemic in Iraq, in rural areas in Iraq since 1991. So it doesn't appear to be—it may be new in some areas, but it's not new on the scene.

What I'm wondering is, that with respect to the assistance that has to be provided, what's the biggest surprise that you folks have encountered? I mean, I can't believe that y'all didn't think security might be a problem. Are any of you shocked that security is a problem 3 weeks after the occupation of a country?

Mr. HENRY. No. The only thing that I would say surprised me was the looting, specifically of hospitals and facilities of that nature. The more general looting wasn't a surprise, but that it would extend to hospitals surprised us, and that is—that definitely complicated matters.

Mr. JANKLOW. Mr. Von Bernuth, what was your biggest surprise for your organization?

Mr. VON BERNUTH. I think it has been the slowness to get access to get into places, even in the southern part of the country that had been bypassed or liberated early on in the war and then the difficulty of developing local staff. Almost all of us depend tremendously on local staff in all the countries we work in to succeed, and with the exception of CARE, which had a previous basis in the country, the rest of us didn't, and therefore, that has been a surprise, how difficult it's been.

Mr. JANKLOW. Mr. Biddle.

Mr. BIDDLE. I think that the issues we had to face were in our own preparations for the responding to the humanitarian needs and that we couldn't get access earlier, we couldn't develop local partnerships. And now, of course, we can't move as freely in the country as we'd like. So those——

Mr. JANKLOW. You and Congress, huh.

Mr. BIDDLE. Well, it's field travel. Obviously we'd like to be able to get into Baghdad a little more effectively. CARE has had a longstanding presence there, but our staff had trouble getting from our northern locations down there because of security concerns.

Mr. JANKLOW. And very briefly you, Mr. Welling.

Mr. WELLING. Our biggest surprise was the extent to which for all this planning the questions of access were not better thought out and more transparent.

And I would also add that with respect to the preexisting conditions that we have found when we got there, the fact that the conditions are preexisting doesn't diminish its importance in terms of providing humanitarian assistance.

So that would be a relatively low standard for compliance to restore things to preexisting conditions.

Mr. JANKLOW. Mr. Chairman, can I ask one quick question, please.

Mr. SHAYS. Ask it.

Mr. JANKLOW. And I'll be brief. In your planning up to this point, did you ever—prior to the time the war was over, was there ever a time when your NGO's sat down, literally, with our military talking about how we would proceed when the war was successful, because I don't think anybody ever doubted the outcome. So given that fact, was there ever a planning session or coordination between you folks and the military as to how you would proceed once the war was over?

Mr. BIDDLE. I mean, I can answer. I know there were many discussions in Washington through the interaction consortium of humanitarian agencies to meet with officials at DOD to discuss what our views of the situation were at that time and what they might become as a result of the war.

One of the issues I'd just like to go back to is the security situation. Our vice president for government relations here in Washington issued a paper in January and then testified before the Senate Foreign Relations which on this issue going through the various threats to security in Iraq as a result of a war there and the fact that we would be in a position to be responsible under the Geneva conventions as the occupying power for law and order of protection of civilians. That paper Protecting Civilians From the Security Vacuum, I'd like to make available for the record. I think it would be very interesting for you all to see, and we did share that widely with the U.S. Government at the time when it was issued in January and also presented at the hearing in May—excuse me, in March.

Mr. HENRY. Just on the subject of exchange of information with the military——

Mr. SHAYS. Without objection, we'll make that a part of the record.

[The information referred to follows:]

INTERNATIONAL RESCUE COMMITTEE

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Discussion Paper
Protecting Iraqis from a Security Vacuum

Ground troops increasingly find themselves in the position of having to transition quickly from combat operations to protection of the civilian population. Military interventions aimed at uprooting oppressors or changing regimes to improve security and the lives of citizens often require military forces to provide security, protection and justice for the population during the transition to new democratic rule. Because there is no standby civilian capacity to provide policing and the administration of justice in the immediate aftermath of conflict, the military is often the only institution able to do so. Left unchecked, security, political and judicial vacuums are likely to be filled by radicals, hardliners and spoilers and the civilian population suffers or flees.

While soldiers are well prepared to defeat the enemy, they are much less prepared to protect and live with the civilian population of the enemy they have defeated. It has been more than 50 years since the U.S. has planned to deploy its military might on such a massive scale with the expectation of fulfilling the duties of an occupying power. Ways must be found to protect war-affected populations during post-conflict transitions and prevent their further victimization and displacement.

A Lesson From Kosovo

US and Coalition forces encountered a lawless state after they declared victory and entered Kosovo in June 1999. There was no functioning police force – either local or international. The local judiciary dissolved. Most judges, prosecutors and investigators were Milosevic appointees who, fearing retribution, fled Kosovo upon the entry of NATO troops. Some Albanians that worked for the police or judiciary also left fearing revenge from others in their community who viewed them as collaborators or perpetrators of abuse. If ever conditions justified emergency military rule it was Kosovo from June to December 1999. No police, a dysfunctional judicial system and on-going conflict in the northern and eastern sections created conditions ideal for violence. Impunity was almost guaranteed. Radicals, hardliners and spoilers bent on grabbing power through violence did so without much risk of being arrested and convicted. The human desire for revenge fed on the lawlessness and impunity.

The initial spasm of post-conflict violence began immediately with the return of more than 700,000 refugees. Albanians returning from refugee camps saw gut-wrenching sights: their

relatives dead, homes burned and looted, businesses and food supplies destroyed. Symbols of Serb dominance and culture quickly came under attack. Serbs and other minority groups believed to be collaborators were both systematically and randomly killed, tortured and evicted from their homes. Non-Albanian neighborhoods were set on fire and an exodus of Kosovo's minorities continued unabated for months after NATO's entry. The violence evolved and became intra-ethnic spreading to moderate Albanians who pleaded for tolerance and an end to the revenge. In Kosovo it took six months before there was a noticeable decline in revenge driven violence. Unfortunately acts of revenge were replaced with ruthless organized criminal activity.

While the desire for revenge is only human, the act of revenge itself is not acceptable and must be addressed. The effect on the Kosovo Albanian population of decades of Milosevic's human rights abuses and accumulated discrimination is well documented and cannot be doubted. Neither can it be doubted that the ethnic cleansing and crimes against humanity inflicted during the war had a pervasive impact on the Kosovo Albanian community and left virtually no family untouched. Given this stark backdrop to the Kosovo post-war setting, only a strong policing and judicial system could have mitigated the climate of vindictiveness that perpetuates violence. The political, policing and judicial vacuums were quickly filled by self-styled local administrations that functioned outside the United Nations administration. Their presence obstructed international stabilization and reconstruction efforts. A complicating and limiting factor for forces seeking to stabilize Kosovo during this period of lawlessness were force protection requirements which limited direct contact with local civilians. Some forces moved in two-vehicle convoys, troops were heavily protected and armed and rarely conducted foot patrols amongst the civilian population, while others wore less armor and utilized foot patrols extensively to gain the confidence of the local population. Some forces rented apartments and deployed troops along ethnic fault lines within cities and villages and were thus better positioned to manage and respond to local tensions. The lack of a robust and consistent response by the international community to policing and judicial voids contributed to the lawlessness that enveloped Kosovo during the first six months after the war – the effects of which continue to be felt in reconstruction efforts.

Parallels with Iraq?

Are there parallels to draw now with Iraq? Is there a great risk of vacuums – security, political, judicial? Are there populations already affected by crimes against humanity and decades of grave human rights violations? Who are they? What communities will be most at risk for revenge and reprisal the day after a regime changes? Where are they now? Who will keep order, arrest spoilers and criminals and administer justice the day after the regime collapses? Who will prevent population movements if Saddam falls? Who will fill the gaps?

The Ba'ath party has been one bloody regime. High crimes and human rights abuses by Saddam's regime against the Kurds, Shi'a, Turkmen, Sunni and non-Ba'ath members are well known and accepted. The regime's grip extends to all ministries of the government and all security forces. The education system teaches Saddam's politics, and the administration of justice with Ba'ath appointed investigators, prosecutors and judges validates Saddam's control and abuse. The immediate post-Saddam era may include security, political and judicial

vacuums – a lawless state. Impunity is almost guaranteed in such circumstances. With over 30 years of Ba'ath state sponsored terror, many scores await settling in Iraq.

The International Rescue Committee[1] does not subscribe to the conventional wisdom that Iraqis of various ethnic and political groups lay in wait for Saddam's regime to collapse in order to go after each other and carve up the country. The overall impression is that Iraqis are sick of war and are prepared to move forward together in a post-Saddam setting. Still, isolated radicals, hardliners and spoilers, including the current regime, are likely to create tension and exploit any security vacuum. They may "cleanse" areas by forcing entire communities to move in order to access valuable resources, to solidify power, to attain ethnic homogeny or to extract revenge for past crimes left unanswered. If left free they will continue with impunity. If this happens and there are no police or judicial systems in place to control the violence, it can spiral quickly out of control with devastating effects for displaced persons. The following discussion seeks to find ways in which the displacement of vulnerable populations can be mitigated or prevented in times of tension or conflict.

A. Protecting the civilian population from acts or threats of violence that have the primary purpose of spreading terror[2].

Forced Displacements. US/Coalition forces if they enter Iraq may find a population that has been forcibly displaced by Saddam's regime or other radical elements during a military intervention. Iraq may also be suffering from ethnic-cleansing tactics by local de facto authorities that are consolidating power by "cleansing" populations from areas they intend to control. US/Coalition forces may also encounter populations displaced by reprisals and vindictive violence against vulnerable groups and individuals who are at risk because of their profession, their political or ethnic affiliation or because they are perceived by others to be collaborators or perpetrators of human rights violations. The first two scenarios are more likely to have identifiable leadership and control structures that US/Coalition forces are able to manage and contain with traditional tactics. The latter scenario however requires US/Coalition forces to be directly engaged in transitional policing and judicial processes in order to prevent displacements and provide the needed security and protection to civilians.

Geographic Populations At Risk. We know that potential flash-points are based on both geography and the characteristics of vulnerable populations. Mapping out the ethnic boundaries of neighborhoods in Baghdad (e.g., Christians, Sunni etc.), Kirkuk (Turkmen, Arabs etc.), the Shi'a towns (rival Shi'a factions) and the Tikrit villages provides a snapshot of potential fault lines for communal violence and vulnerability to human rights abuses. To know where Saddam forcibly moved and resettled populations is to know where potential tensions,

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[1] The International Rescue Committee provides life saving humanitarian aid and reconstruction assistance to refugees and displaced persons in some 30 countries that are in conflict or emerging from conflict. We seek to advocate for ways in which the displacement of vulnerable populations can be mitigated or prevented in times of tension or conflict. We have seen first hand the effects of war and the security, political and judicial vacuums that remain in the immediate aftermath of conflict. Such vacuums provide space for human rights abuses that can lead to fragmentation or undermine nation-building efforts as we have seen in Bosnia, Yugoslavia/Kosovo, Rwanda, and Afghanistan. IRC continues to advocate for a peaceful resolution of the Iraqi crisis.

[2] Fourth Geneva Convention; Art. 51, Protocol I.

reprisals and movements can ignite[3]. It is also important to know the location of isolated communities of one group within a larger concentration of another group, e.g. a Turkmen village surrounded by Kurdish villages. In order to provide effective security in the absence of local police it is essential to know where tensions may be the highest and who may be the most vulnerable to attack and revenge. Security must be restored first in these places and protection given to the most vulnerable.

Vulnerable Populations. Some vulnerable populations are not only geographically centered but are scattered throughout Iraq. If the number of Ba'ath party members is believed to be around one million, reprisals based solely on party membership are not expected. Targeted revenge would be more likely against Ba'ath members individually identified as being part of Saddam's reign of terror (police, judges, prosecutors, members of the security forces perceived to be instigators of terror etc.). Moderate or emerging political and community leaders will remain vulnerable to radicals, hardliners and spoilers for some time. Identifying such individuals and then protecting them will be key to securing conditions for normalization. Forty-eight percent of all Iraqis are under the age of 18. History continues to remind us that women and children remain the most vulnerable in times of conflict and transition. Heightened awareness of such vulnerabilities must be incorporated into all planning for Iraq – both now and in the future.

Proactive Strategy. The absence of national human rights protection mechanisms in Iraq and the unlikelihood that international police, civil servants or human rights monitors will be deployed to coincide with the entry of US/Coalition forces means that military personnel will have to engage directly with the local population to foster a stable and secure environment. Reaching out quickly to local political, military, religious and community leaders is key to establishing the trust needed to manage crisis and revenge. Personnel first on the ground must have an understanding of local issues including past human rights abuses, factors driving local tensions and the political motivation of community leaders. Local leaders are key to managing and mitigating a climate of revenge and reprisals and must be included in a robust protection strategy that emphasizes justice and the rule of law. Confidence and trust must be fostered quickly.

Cautionary Note. Checkpoints, roadblocks and concertino wire can all limit hostile access to vulnerable areas and thus improve security. The duration of such security measures however must be carefully considered to avoid the creation of enclaves and ghettos that harden into segregated communities requiring never-ending security resources. However, in situations where there has been great suffering or where tensions are uniquely high, military rule may be the only way to protect the human rights of the local population. US/Coalition forces must quickly come to grip with the prospect of protecting, policing and providing judicial guarantees and due process in all or part of Iraq in order to protect civilians and prevent a slide into lawlessness. To be effective such rule must be absolutely transparent and must comply with international human rights and humanitarian law standards.

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[3] See, John Fawcett and Victor Tanner " The Internally Displaced People of Iraq" (Brookings November 2002) for an excellent discussion on the forced population movements of Saddam's regime and ethnic fault lines. http://www.brookings.org/fp/projects/IDP/articles/iraqreport.htm

B. Be prepared to provide basic judicial and due process guarantees in the aftermath of conflict[4].

Lessons Learned. One of the clearest lessons from recent military interventions is the top priority need to get the administration of justice working as quickly as possible. If the police or courts are not functioning, the entire security situation is jeopardized. Criminals roam free, the rule of law does not take hold, the most ruthless become the most influential, humanitarian assistance is diverted, and every reconstruction effort is at risk. This is precisely what happened in Kosovo. The International Force in East Timor (INTERFRET) learned this lesson from Kosovo and established a legal regime, largely based on Indonesian law, but fully consistent with the Geneva Conventions, during the transition from Indonesian to UN rule. INTERFRET and UN Civilian Police followed clear and consistent procedures governing arrest, detention, access to counsel, prison conditions and related issues thus avoiding some of the confusion faced in Kosovo. The UN Transitional Administration in Cambodia in the early 1990s created and applied a model penal code and code of criminal procedure during its mission. A similar plan may be needed for Iraq.

Policing. Currently in Iraq, all policing is conducted by hard-line Ba'ath members. The fall of Saddam means the collapse of the internal security framework. Until such time as a political solution becomes apparent for governing Iraq after Saddam, international forces must be prepared to undertake immediate policing measures. Given the disparate skills and tasks of the US/Coalition military, it is not feasible to believe that any soldier can undertake policing actions. Accordingly, there will have to be a mix of soldiering and community policing in its most basic sense. To facilitate this difficult task, clear rules of engagement that encompass arrest procedures, treatment in detention, management of detention facilities and access to detainees by counsel, family members, ICRC etc., must be delineated in advance of any military intervention. Knowing how these plans will be explained to the local populations must also be thought out in advance if confidence is to be built. Looters, killers, thieves and other criminals will require arrest and the administration of justice. If there are no credible local police, the US/Coalition forces will be expected to arrest criminals and protect the Iraqi public.

Planning for a Judicial Vacuum. As uncomfortable as this topic is for both civilians and the military, US/Coalition must be ready to roll out some kind of transparent and fair process to administer justice in the months following a military intervention if a judicial vacuum exists. Emergency judicial systems can include the selection and appointment of panels of local judges and prosecutors who can be transported around the country to ensure the due process of those detained by US/Coalition forces. This model was used in Kosovo albeit with varying degrees of success due to confusion over the applicable law, the bias of some local judges and a limited focus on pre-trial detentions and the investigation of criminal complaints. International judges and prosecutors were eventually brought to Kosovo to try the more contentious human rights violations and ethnically related hate crimes.

East Timor and Cambodia provide other models with more direct international administration. Given that US/Coalition forces will likely detain members of the Iraqi security forces, members

[4] Articles 71-76 Fourth Geneva Convention, Article 75, Protocol I.

of the Ba'ath regime and others who seek to destabilize the country, there will be an immediate need for some system to administer justice. Civilians caught up in revenge, reprisals, plunder or opportunistic crimes must also be detained by US/Coalition forces in the absence of local police and judicial structures. Knowing in advance what the applicable law will be for such behavior will facilitate the re-establishment of the rule of law. Prudent planning in this regard should consider the potential involvement of some international jurists/prosecutors to prevent the appearance of bias and prejudice by local structures tainted by Saddam's regime. Ensuring US/Coalition military logistical support to jump-start the judicial system can also be planned in advance. This includes protecting courthouses, minimizing damage to judicial offices, providing essential materials needed to administer justice (generators, computers, paper etc.), salaries and personal security for judges and prosecutors.

Past Abuses. As soon as possible after a regime change, discussion and plans for dealing with past human rights abuses and humanitarian law violations must be made available to the Iraqi people. Removing collective guilt and assigning individual responsibility for past crimes against Iraqis is an essential step for rebuilding the country and reconciling disparate groups. Failure to fulfill this transitional justice need or glossing over its importance will leave open space for frontier justice and local reprisals.

Providing Transparency. In the event of a regime change, Iraqis will need to know quickly and publicly what the policies will be for dealing with past crimes, current and future detentions and the administration of justice while civilian structures reorganize – and some time, we know, will be required to vet and regroup key government functions. US/Coalition forces should also put in place a civilian complaint procedure or ombudsman-like system to allow Iraqis to lodge concerns and comments regarding the behavior of US/Coalition military personnel. Despite the complexities, such a mechanism can serve as a critical confidence building measure for local community leaders and all Iraqis.

Discriminatory Access. As reformed or new civilian authority begins to take shape, human rights violations may emerge in bureaucratic patterns of abuse. Civilians may be evicted or prevented from returning to their property through quasi-legal means such as the promulgation of discriminatory laws or the manipulation of land/property records. Access to hospitals, schools and other social services can be hindered by ethnic discrimination or membership in a vulnerable group. Such restrictions can lead to further population displacements. Remedial measures for such behavior must be available to prevent the institutionalization of discrimination. Judicial processes best fulfill this need.

C. Cultural sites, places of worship and other objects deemed indispensable to the survival of the civilian population must be protected by US/Coalition forces[5]. This should also include places where documentation essential to preserving the rights of the Iraqi people may be housed.

Water installations, irrigation works, dams, dikes, agricultural areas for crop production, food stocks, livestock, oil fields and the related infrastructure, hospitals, power plants etc. must all

[5] Article 53, Protocol I

be secured for the benefit of the population. It is critical to protect these assets from attack during an intervention and then to secure them quickly for stabilization.

Years of forced displacement have rendered millions of Iraqis without access to their homes and property. Untangling and resolving property disputes and conflicting claims will affect the rights of returning refugees and the internally displaced. To facilitate this process it is critical that property records be located and secured quickly by US/Coalition forces. Courthouses, police stations and the offices of security forces often contain documentation essential for clarifying property interests and the status of those displaced.

Political detainees and issues relating to missing persons will also require fast attention and a planned response. When Saddam opened the prisons a few months ago, he left an unknown number of Iraqis in detention as "enemies of the state" and ignored the pleas of family members searching frantically for their missing kin. Quickly the affected populations will demand action and answers from US/Coalition forces on these issues.

The summary of the issues discussed above is not intended to be comprehensive or complete. Instead it represents some of the critical issues to consider in order to minimize further displacement of vulnerable Iraqi populations in any aftermath of Saddam's collapse. In the 1991 Gulf War more displacements of the population occurred *after* the military intervention. This must not be repeated. The International Rescue Committee urges a more transparent discussion of the planning options available to maximize the protection of Iraqi civilians upon a fall of Saddam's regime. It remains the IRC's hope that the current crisis with Iraq can be resolved peacefully.

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Founded in 1933, the International Rescue Committee is one of the world's largest nonsectarian nonprofit organizations providing global emergency relief, rehabilitation, protection, resettlement services and advocacy for refugees, displaced persons and victims of oppression and violent conflict. The IRC, which currently provides assistance in some 30 countries, is committed to freedom, human dignity, and self-reliance.

For more information, visit the IRC's Web site: www.theIRC.org

Mr. HENRY. I would just like to say that there were any number of meetings that NGO's participated in with representatives of the Pentagon. On the whole, as my colleagues have said, our ability to get information was hampered by the level of secrecy and confidentiality of the planning within the U.S. Government. Much we didn't find out until very late in the game, and in general with the Pentagon, their idea of information exchange was, you know, NGO's, give us all the information you have. Thank you. And, you know, we'll call you if we have anything to share with you at a later date.

Mr. SHAYS. I'm loving this panel, and I have so many questions I'd love to ask, but I'd love to have you tell me if you agree or not or want to elaborate or whatever with Bill Frelick's testimony that we put into the record, who is the humanitarian assistance—this is from Amnesty International. He is the Director of Refugee Program. This is the paragraph. If you'll listen to this paragraph and tell me if you agree with it, "for security reasons, U.N. agencies themselves were not able to establish offices in Iraq during the first critical weeks. This created a circumstance in which the NGO's inside Iraq could not establish connections with U.N. agencies but only with the DART teams or ORHA, making their ties to the occupying power stronger. (The U.N. Humanitarian Coordinator for Iraq, Romiro Lopes da Silva, moved into Baghdad on the 5th of May.) NGO's will be watching closely how the Kuwait-based Humanitarian Operations Center, run by U.S. military and civilian forces, will be affected by the establishment of the U.N. Coordinator for Humanitarian Assistance inside Iraq. If there are two competing centers of humanitarian coordination with significantly different objectives and principles, each with its own resources to bring to bear, humanitarian assistance could become paralyzed."

Let me just tell you how I comment, and then I want to go to you, Mr. Welling. My sense was kind of the more the merrier, and I am missing something here that I don't understand about the system? And I gather that the U.N. somehow has—over time has become the structure in which NGO's kind of fit in.

So Mr. Welling, do you have a comment on what I read?

Mr. WELLING. I do. I think perhaps so we have a clarification, I certainly agree from a capacity standpoint that your observation of the more the merrier in terms of the aggregate resources that could be brought to bear is a desirable thing.

Clearly, it creates coordination problems, and I think one of the issues that we're all groping here with is the fragmentation of the parties that had responsibility or thought that they had responsibility for a piece of the activities. And uncertainty with respect to who had responsibility for the totality of the activities, and if it was ORHA, it wasn't clear that it was ORHA, and if it was the United Nations, it wasn't clear that it was the United Nations. And to our way of thinking, in fact, that uncertainty persists today.

So I would say capacity maximization is an important thing pursuant to an intelligent assessment and the coordination of capacity. So we don't see, for example, some of the things we saw in Kosovo, where tons and tons of medical supplies had to be destroyed because they were redundant or inappropriate.

Mr. SHAYS. OK. Mr. Biddle.

Mr. BIDDLE. Yes. I think they're—I've had conversations with officials at the U.N. who were confused as to what role they should be playing. There's the Offices of Coordination of Humanitarian Affairs at the United Nations, which tends to try and coordinate both the U.N. agencies and bring the NGO's in in cooperation with donors, and their role has been somewhat confused at the field level, both in terms of how NGO's interact with them, as well as interaction with other bodies related to the U.S. Government, if it is ORHA or others.

I have seen it in the draft resolution that was at least put forward in the press to the U.N. There was attempt to begin to clarify the role of the U.N. in that role, and I think that's an important thing that needs to be pushed from the U.S. perspective to make sure that there is an understanding of what they will be doing and how they will interface both with the United States and the coalition efforts to reconstruct and rehabilitate——

Mr. SHAYS. And would you care to say how you think that should be, that——

Mr. BIDDLE. We've been on the record, and we've written to President Bush saying that they should be the lead coordinating body in bringing both humanitarian and longer-term reconstruction.

Mr. SHAYS. Which is consistent with your testimony. Right?

Mr. Von Bernuth.

Mr. VON BERNUTH. A couple comments. One, yes, the U.N. was late getting into the country, but on the other hand, there had been an active dialog in Larnaca and Jordan and Kuwait between the U.N. agencies and NGO's, so it wasn't that there wasn't a lot of discussion going on.

Second, we almost always do have a problem in emergencies with multiplicity in terms of direction. Usually, it's a donor working group on the one hand and a U.N. group on the other hand. But lip service, at least, is usually given to the U.N. as taking primacy in terms of that coordinating role.

Third, in practical terms, if you'll look, for instance, at education, UNICEF can play a very constructive role, for instance, in bringing together multiple donors who will support a UNICEF-mandated education reform package. Multiple NGO's who regularly work with UNICEF and government officials within Iraq who will feel comfortable working with a U.N. agency in a way that a bilateral donor or government is not going to be able to do.

So there really is a special role that the U.N. can play, for instance, in organizing the education sector or organizing the health sector, that a unilateral donor will not be able to do.

Mr. SHAYS. Thank you. Mr. Henry.

Mr. HENRY. Oh, yes. CARE has made an effort from the beginning to coordinate very actively with the United Nations, and despite their lateness in arriving and in Baghdad, we have been coordinating with them closely, primarily in Aman. If we're critical of anything, it was their decision to originally base their operations in Larnaca, Cypress, which was too far from the scene when most NGO's were actually either in Jordan or in Kuwait.

In terms of the role of the United Nations, I think, you know, what it comes down to at the end of the day are two things. One,

who sets the priorities. Right? The more the merrier, yes, but at the end of the day in something like this, there have to be priorities, someone has to set them, and, you know, you do have the potential for two competing frameworks, right now the ORHA framework and the U.N. framework, and that is potentially problematic.

And second who is, will——

Mr. SHAYS. And they differ?

Mr. HENRY. Sure. I mean, one is a U.S. Government Pentagon-managed structure, and the other one is——

Mr. SHAYS. And those structures are different, but do their goals differ and their objectives and so on differ?

Mr. HENRY. Well, I think both sides would probably—you know, ask them, but I think both the Pentagon and the United Nations would probably say that, you know, once you get beyond the very high-level goal of rebuilding, you know, Iraq, they would disagree on a lot of things.

Mr. SHAYS. Would you all agree with that really quickly? Mr. Von Bernuth, you've said——

Mr. VON BERNUTH. I'd agree.

Mr. SHAYS. Mr. Biddle.

Mr. BIDDLE. I'd agree, and there are going to be micro and macro issues. There's the large-scale issues, and then there's going to be what a U.N. agency or body might see at the community level versus what another agency, bilateral or in this case U.S. Government agency might see.

Mr. SHAYS. Mr. Welling.

Mr. WELLING. I don't have anything to add.

Mr. SHAYS. Mr. Henry, I interrupted you.

Mr. HENRY. The final thing is what's very important in these kind of complex emergencies when you have so many actors is there has to be a form and there has to be a framework within which we all interact, and the question is going to be who is going to provide and create that framework. So, you know, at the end of the day NGO's will do a lot of the work, you know, with funding from the U.N. and from the U.S. Government and other donors, but the existence of that framework in that form is vital for our efforts in making sure that there aren't major gaps on the one hand or big overlap and duplication.

Mr. SHAYS. Yes. I came with a bias that maybe is so offbase, that you need to correct me. I came with a bias that the U.N. takes so long to make a decision, that basically you just can't wait that long. So I came with this decision that if the U.S. military did it, it might be 3 years, and if the U.N. did it, it might be 7 or more. But what I'm getting a sense from your testimony is that they go into automatic pilot. There's not a lot of decisions that go back to the U.N. that take a long time to be decided. Is that correct? I don't want to put words in your mouth, but disavow me of my misconception here or confirm it.

Mr. WELLING. Well, I don't think it's necessarily a question of timeframe. I think it's a question of experience and expertise. I think that the point that's been made before about expertise and division of labor, I think, is a valid one.

Mr. SHAYS. And the U.N. has it then?

Mr. WELLING. The U.N. has it and the expertise, and I also think an important point from a U.S. taxpayers standpoint and from an aggregate capacity standpoint, it's clear the United Nations has access to donors on a basis that no unilateral organization is going to have. The U.S. Government will not have the same access to donor resources that the United Nations would have on some of these programs in education, health care and infrastructure rehabilitation.

Mr. SHAYS. Mr. Biddle, anything to add to what?

Mr. BIDDLE. I would echo that. I think the burden-sharing aspect is critical because donor governments are going to participate if they view it as an international effort as opposed to an effort by one, two or a small group of governments and the expertise factor is a given in that. There's no question that the U.N. is an international body, and sometimes things will take longer in working through it, but from the perspective also of the current situation in Iraq, the military and the other efforts of the U.S. presence in the field is going to need to be directed, especially at this time, to providing a secure environment. So you're also dealing with capacity. You want to allow others to come in and share in the relief and rehabilitation efforts, and the U.N. is the best vehicle to ensure an international cooperative effort.

Mr. SHAYS. Mr. Von Bernuth.

Mr. VON BERNUTH. The U.N. in the aggregate, certainly can be slow and cumbersome and many times has been, but the agencies that we're talking about, UNHCR, World Food Program, UNICEF have each of them a particular mandate, a particular set of interventions that they've worked on and a number of other crises like this. They've worked in the Balkans. They've worked in Afghanistan, etc., and the people that they're bringing in to work on the ground are people that many of us have worked with in other crises, and I think they can be reasonably efficacious, as well as bringing in a far broader spectrum of supporters.

Mr. SHAYS. Thank you. Mr. Henry.

Mr. HENRY. I think the U.N. is imperfect, as are all institutions created by man, but they have a role to play, and if they put some of their best people, you know, in the field, in Iraq, they can play a very important role.

Mr. SHAYS. Well, I'm struck by the fact that—Mr. Welling, you were the most forceful on this, about the need to designate a central authority, and you talked about turf battles and so on. And before I go to Mrs. Maloney who has joined us, can I envision a U.N. being a major participant without the United States losing its ability to kind of take some definitive action in terms of humanitarian efforts? In other words, will the United States have to give up as they invite the U.N. in?

Mr. WELLING. No. I don't see it as a zero-sum game. In other words, I don't think there's any sense in which the United States would have to compromise its interests. You made the point several times during these hearings that with respect to goals, broad-based objectives, the objectives of the humanitarian community and the objectives of the American people and the British people have the same objectives. I think this is a question now of effectiveness and efficiency. The war has been won. There's a set of tasks that need

to be accomplished, and we should be about identifying the parties who are the most competent to accomplish the tasks on the table.

Mr. SHAYS. Anybody have something to add to that before I go to Mrs. Maloney?

Well, I'm going to want another shorter round, but Mrs. Maloney, you have the floor. And thank you for joining us.

Mrs. MALONEY. Thank you very much, and I—you all represent extraordinarily important organizations that have really responded to world crises in the past. That I believe our government is working very strongly with the United Nations. In fact, we are funding them. USAID has provided $1.2 million to the United Nations office for the coordination of humanitarian assistance to support several initiatives in Iraq, including the Humanitarian Information Center. So we are working with them.

I'd like to ask each of you, to whom do you, as a nongovernmental organization involved in assistance programs in Iraq, report? Who do you report to? Do you report to the Humanitarian Information Center? Do you report to the U.S. Government, USAID or to your board of directors?

Mr. Henry.

Mr. HENRY. Well, yes. I mean, first and foremost as a nongovernmental organization, we are accountable to our board of directors and our mandate and mission as an organization.

Now, of course working in a context like Iraq, we're subject to whoever, you know, is the power that be in any given context, ma'am.

Mrs. MALONEY. So who do you report to?

Mr. HENRY. Well, we don't report to anyone, but, for instance, we have accepted funding from the Office of Foreign Disaster Assistance, and one of the issues that we have worked to clarify is we've said, look, in that context, we will report to the Disaster Assistance response team, which is part of OFDA and that we do not want to amend, will not accept reporting directly to the military.

So as regards U.S. Government funding, we are reporting to and accountable to the Office of Foreign Disaster Assistance, which is a part of AID and under the Department of State.

Mrs. MALONEY. Well, are you reporting to the United Nations Humanitarian Information Center to let them know what you're doing so that they can coordinate? Because now they are funded by our government to help coordinate. I'm wondering have you interacted with them?

Mr. HENRY. We are actively interacting with all of the specialized agencies of the U.N. We're working particularly closely with UNICEF and the World Food Program, because our programs focus on water supply, sanitation, food, health. So that's the main—the main players really in Iraq for the United Nations today are the specialized agencies such as UNHCR, the World Food Program, UNICEF, and they are the people we're working with.

The coordination folks had literally just arrived in Baghdad in the last week or two and really haven't fully gotten up to speed.

Mrs. MALONEY. Although you have been supported by USAID in the past, did your funding increase dramatically recently because of Iraq to respond to this problem?

Mr. HENRY. Not dramatically, but we have received assistance. We have received CARE, a grant of $4 million which we understand could go up to as much as $10 million for immediate relief and reconstruction activities including in the water supply, sanitation and health sectors.

Mrs. MALONEY. Mr. Von Bernuth.

Mr. VON BERNUTH. We've received a mix of funding. We have, right now, received funding from Norway, the British Government, USAID through an instrument similar to the one that Mr. Henry just described, the World Food Program and private resources.

In regard to the utilization of each of those moneys, we have a reporting obligation to the donor. Overall, in terms of overall program, I would not say that we report to any of them. I would say as a member of the community, we have an information-sharing responsibility, both with ORHA in Kuwait and when it gets underway, with the UNOCHA coordinating mechanism in Baghdad. But it doesn't constitute a report to; it constitutes a share information with and collaborate with.

Mrs. MALONEY. Well, as one who works for our children, Save the Children—and I think they're probably the most vulnerable. I've read about children being kidnapped, being blown up by mines, just terrible, parents not wanting their children to go to school because of the turmoil and the fact that they do not believe security is there, and when the U.S. Government is withdrawing troops, who do you call when you have a security problem? Who do you call when you find out that there's such turmoil in a certain area, that children cannot go out in a street? Is there a phone number you call? Do you call the military? Who do you call for security for the children?

Mr. VON BERNUTH. That is a very good question. We have all of us today in our testimony basically said that as the occupying power in Iraq today, we would call on the U.S. Government to ensure that adequate police services are in place, security is in place, so that people don't need to worry about leaving their homes and don't need to worry about sending their children to schools.

Mrs. MALONEY. But there is turmoil. I have numbers I could call in New York when there's a security problem.

Mr. HENRY. There is no 911 in Baghdad today.

Mrs. MALONEY. There is no 911, there is no police department, there is no place you can call and say, there's turmoil in this particular school.

Mr. BIDDLE. And that's one of the reasons that children aren't going to school and women are staying at home and allowing men to go out and do the shopping. Especially in Baghdad, there's a real fear on the security level.

Mrs. MALONEY. And I support the United Nations for many, many reasons, one of which is burden sharing, and I just came from a hearing on Financial Services where we're talking about the deficit, we're talking about the trade deficit, the growing deficit and the economic challenges that we have in our own country, and I'd like to know, what is your USAID commitment, and did it come—grow up or grow because of Iraq, Mr. Von Bernuth?

Mr. VON BERNUTH. The Iraq instrument that we received represents $10 million, and it's a short-term instrument all to be used

within this given fiscal year. About 50 percent of our total funding comes from the U.S. Government, mostly from AID, and that represents about $85, $90 million a year from the U.S. Government. So this represents a tenth of it for this fiscal year.

Mrs. MALONEY. And how long do you think you'll be in Iraq? Is there any timetable that's been given to you? This contract you said was for a year, but are they saying it's going to be a continuing contract? Do you have any sense of how long you'll be in Iraq?

Mr. VON BERNUTH. The current U.S. contract we have is for 6 months actually, not for a year, and we've been offered the opportunity to bid another contract which would be for, I believe, a year, possibly extendable to a year and a half. So the U.S. Government, in terms of its funding, is looking at fairly short-term instruments right now. I think we strongly believe that the commitment in terms of work in Iraq has to be in a much more multi-year basis. Rebuilding a society isn't going to take place in 6 months or a year. So we would hope that we would be able to work with the Iraqi people for a number of years.

I gave the example earlier of Afghanistan, where we've been working in Afghanistan since 1989, and we stayed through the Taliban period. And we're still working there. We've seen U.S. Government funding instruments wax and wane during that period several times.

Mrs. MALONEY. Well, we're hoping that other citizens of the world community will donate not only to the United Nations and donate to Iraq, but donate to organizations such as the one that you represent. Are foreign governments coming up and contributing to the effort, or is our country carrying the whole burden?

Mr. HENRY. Well, CARE, I can say, is receiving funding from the Australian Government, the UK Government, the European Government, the Norwegians, the Canadians and the United States, and we are also working with both UNICEF and the World Food Program. So there is an international effort.

Mrs. MALONEY. What about Mr. Von Bernuth with the Save the Children?

Mr. VON BERNUTH. I mentioned earlier that we've received funding support so far from Norway, from DFID, which is the British Government equivalent of AID, from the World Food Program, and we currently have proposals funding with Finland and Canada.

Mrs. MALONEY. That's terrific, and I'd like to ask the same questions if I could from Mr. Biddle and Mr. Welling. What is the U.S. commitment? Has it grown larger? How long is the commitment for you to be in Iraq? And are other nations coming to help you? And also going back to the Humanitarian Information Center, it seems if we're funding someone to somewhat coordinate information on humanitarian efforts with the United Nations, it seems that like all of you should be, sort of, in there sharing information so that you—there's a central place—you said we need a central place. Possibly this could serve as a central place to share this information.

Mr. BIDDLE. We're actively in touch and coordinating with the UNOCHA team on the ground, as well as with other NGO's in locations that we operate in and with any other bodies that are working, including, obviously, local communities, which is the critical group that we need to work with to ensure that we are both reach-

ing the most vulnerable populations and building in a mechanism to sustain our work past our involvement.

We also received a cooperative agreement to respond to humanitarian needs in Iraq from the U.S. Agency for International Development's Office of Foreign Disaster Assistance. In our case it was a $5 million cooperative agreement for 6 months. We have not applied for further funding at this stage. We're going to watch to see how the situation evolves, whether our services will be needed over the long-term in Iraq.

There have been large, I think, requests for proposals put out by USAID for longer-term work, which we declined to apply for at the time. And in terms of European or international support for our work, I just came back from a visit to some of the European capitals and some of the funding agencies in Europe, and a lot of the questions I got were specifically wanting to know how we were going to operate in an impartial fashion, were we being directed by the U.S. military, and what assurances could we give to some of our traditional donors that, in fact, we were maintaining our own standards and our own commitment to our principles of being both impartial and responsible to ourselves in assessing and delivering services on a needed basis.

And I should come back to Congressman Janklow's question specifically. I was trying to think. Nothing came into my mind at the time of your question, but in the case of Colombia, we've had some local partners in Colombia that have refused to work with us if we had U.S. Government funding, not because they were opposed necessarily to U.S. policy or the money itself, but because it actually endangered their operations. They could be seen as a potential target from a particular group, be it a paramilitary force or one of the guerilla forces for whatever view that funding may—how it may be perceived at the local level.

So it's a question of perception sometimes as much as anything, and one of the reasons I raised the U.N. to begin with is the perceptions in some communities in Iraq that they may not want to work with the United States because it's directing the assistance with a particular goal in mind that may be not necessarily accurate, but unfortunately can add to confusion as to what the objectives of an assistance program are.

Mrs. MALONEY. Well, all of you represent in many ways truly international organizations. My time is up and the chairman is going to continue, but I did want to let you know, Mr. Biddle, that we had a fundraiser for your organization yesterday in the district that I represent. So I hope that will be helpful—more helpful in your efforts, and I congratulate all of you, and we're all praying for you.

Mr. SHAYS. You've got a nice district.

Governor Janklow.

Mr. JANKLOW. Thank you very much. If I could, I just really have a couple of questions. Y'all heard the testimony of General Garner, his kind of speech. Which one of his 11 points were—and I realize maybe you didn't write them all out, but to the extent you can recall, did any of them trigger your head? I guess they're up on the board there. Like, geez—is he too optimistic, and if so, with respect to which ones?

Go ahead, Mr. Henry.

Mr. HENRY. Well, I think reestablishing town councils and provincial governments that are seen to have genuine legitimacy in the eyes of their communities in that kind of timeframe would be very difficult. You could put in place very temporary kind of structures, but I think we need to recognize that those kind of political processes will take much more time than something like purchasing the crop or getting the refineries moving so that you can buy gasoline in Baghdad.

Mr. JANKLOW. Mr. Von Bernuth.

Mr. VON BERNUTH. I noted that on three points from his list, that I thought were probably not as feasible as some of the others, of which installed town councils was one. The second one was the training of the police, getting a police force actually to be credible and operational by June 15, I think it was. And the third, deeply related to the second, was establishing security.

Mr. JANKLOW. Mr. Biddle.

Mr. BIDDLE. I would echo what Rudy had to say, that security issue is going to be the most challenging. If we look at Afghanistan, the bombing ended there in December 2001 and it's still a very unsecure environment. These are very different countries obviously, different stages of development, but the fact is, postconflict settings are extremely difficult to sometimes assess where the threats may—where they may come from and what the circumstances may be. And the issue of policing and creating basic judicial procedures and law and order throughout the country is going to be very difficult. And to have that in hand within the next 45 days would seem to me to be a very great task.

Mr. JANKLOW. Mr. Welling.

Mr. WELLING. Yes. To be fair to General Garner, I'm not sure whether he meant these to be in priority order, but if he did, we would probably have all different opinions of——

Mr. JANKLOW. I'm just wondering which ones you think aren't feasible to get done.

Mr. WELLING. I don't have anything to add to what my colleagues have said about feasibility. I would say our perspective, we were surprised that a higher priority and more discussion wasn't given to dealing with the emergency health care needs of the already fragile or endangered populations, cholera being a subset of all that, but there's clearly a much wider range of things that require immediate assistance from a health care standpoint.

Mr. JANKLOW. Look, if I could to all of you at the risk of being accused of being insensitive, which, you know, I don't think I am, but who knows, I think everybody understands the concern of a great number of Americans with respect to some of the people on the continent who historically have been somewhat givers, at least to their old colonies and old areas. And I'm not into France bashing, but given their conduct prior to the war, given the way they treated our Secretary of State, basically sandbagging him, giving the documentation that's been found and the business relationships between the last government of Iraq, which I assume people like as little as our Armed Forces over there, I think all of your organizations can understand the concern about a lot of taxpayers in this country about contributing money into a pool where that country

may have—and some others may have any voice at all with respect to what's going on, at least in the short-term in Iraq. Am I making sense?

Mr. WELLING. Yes. I guess I'd like to say—and I didn't get to answer Mrs. Maloney's question——

Mr. JANKLOW. And I don't want you to answer in such a way as to jeopardize your people.

Mr. WELLING. No. I understand. We don't take any money from the U.S. Government, so we're certainly sensitive to our donor's attitudes with respect to political questions.

I think two observations. I think one is most Americans—and I think this is the strength of the American people—have the ability to disassociate political things from humanitarian things, and the response that we got in the wake of Iraq, both from individual donors and from corporate donors suggests to us that they have the ability to make that differentiation.

I certainly understand the emotional dynamic that you're describing, that people would like some company in this boat, they would like some people to be contributing and they wouldn't be very happy about relieving some of these other countries' obligations of bearing their fair share. I think that's perfectly reasonable.

But I do think that the American people have the ability to differentiate between those two things.

Mr. JANKLOW. Any of the rest of you?

Mr. HENRY. Well, I would just say that I think the U.S. Government, you know, can choose. We can have a smaller pool of money that we completely control, or we can have a bigger pot of money into which, you know, as many governments as possible will be contributing.

And, you know, that is in part the debate that will play out in the U.N. Security Council in the next week or two, and I think, you know, our perspective is, you know—you have to create an international framework that everyone can buy into if you want them to also be putting their money, you know, into that structure.

So it just comes down to that simple calculus.

Mr. JANKLOW. I'm not sure their money is not important at this point in time.

Mr. HENRY. That is a decision we have to make.

Mr. JANKLOW. Right, that is a value judgment we have to make, but you would understand given the fact that none of you work for a government, you're all independent, you're true to your own ideals of each of your respective organizations, you can understand the concern of taxpayers of this country vis-a-vis contributing to your organizations to the extent you may or may not be dealing with others that some consider to be at least in the short term if not the long term people who tried to get some of our soldiers killed and tried to make the endeavors that our country embarked on unsuccessful.

Any of you disagree with that?

Mr. HENRY. How dare we?

Mr. JANKLOW. No, no. You——

Mr. BIDDLE. Well, I think we wouldn't want to put it in that purely bilateral context. I think what we're looking at is the multilateral framework that the U.N. provides and using that as the

mechanism to move forward burden-sharing and cooperation and building that extra layer of legitimacy so that others build into the process in a way that hopefully will make it that much more successful which is in the U.S.'s interest. That I think is the bottom line.

Mr. JANKLOW. If you can help me—Mr. Biddle, maybe you can help me with something else. I think you feel pretty strongly that you need to be separated from our government, our military. I accept that.

Mr. WELLING. Those are not the same things.

Mr. JANKLOW. I'm sorry. I mean the military side of our government in Iraq. I apologize. That's what I meant to say, one.

And two, that you've been very forceful in terms of your testimony that our military should be in a security role, because anything else they basically do, they're not going to be trusted or they run the risk of not being trusted of substantial numbers of people in Iraq. Yet at this point in time, at least from the television stuff that we're able to see at times, there's a huge amount of support when the military has been able to work with civilians to get the electricity turned on, watching the military give water to people when it's given out, watching the British troops distributing food. I haven't—sure I see the animosity and I see they're able to bring large crowds. It's in a particular area where no one has been friendly to us anyhow, so I don't think that surprises too many people, but my point is that is it that's unique about aid-giving now that's different about what we've been able to see over the last several weeks in terms of the enthusiasm for the public for the nonmilitary functions that military people are doing?

Mr. BIDDLE. Well, I think the bottom line is—if I can get to the perception aspect of this, there is obviously a fear as to what the long-term intentions of the U.S. Government may be among some sector of the population.

Mr. JANKLOW. But isn't that true as long as we have people with uniform there, no matter what their function and role is, whether—if they're not giving out food, they're not helping with medical care, they're not restoring services but they're patrolling the streets helping guard the citizenry, I would think that the public would be far more concerned about that than the——

Mr. BIDDLE. Well, I think that's right, and I think that's where the conformity aspect comes into play where on an expertise level, obviously civilians with expertise in providing humanitarian assistance are best suited to do to play that rule and the military is best suited to provide security so that those actors can go about doing their job.

And, in fact, I've seen on television certain members of the military saying, you know, let's go back to our primary mission which is to fight wars and provide a secure environment, so I think there is an understanding. As conflicts and as you get into a secure enough environment for civilian agencies or private contractors or companies that are obviously going to be going into Iraq, there is a role for the military in that transitional phase and obviously they're doing an outstanding job at that—those tasks at that time. But I think as you go further down the line, you want to actually have specialization in——

Mr. JANKLOW. I agree. I don't think we have a huge level of disagreement on that.

Mr. WELLING. I think I may have a slightly different view about this in the following respects. I don't think anyone is saying—we're not saying that it's outside the scope of the American government's resources to accomplish this objective. I think what we're saying is that there are important policy issues that arise in the context of assigning responsibility to in that each organization is going to feel deferently about and depending on how you come down on those issues, you may have diminished expert capacity. But what we're saying is from the perspective of the American people, what's the most efficient way to accomplish these objectives and what's going to be the smart way for the U.S. Government to do it from a longer-term policy standpoint. If we were so convinced that we could do this effectively and we were prepared to take the accountability and be judged based on the results, that's clearly our prerogative. I think the question is being raised whether that's both the smart thing to do and the cost-efficient thing to do.

Mr. BIDDLE. There's of the aspect to this which was raised to your question Congressman Shays about getting to know each other and there are force protection guidelines that the military has to adhere to. And unless those are changed, it's difficult for the military to go out and do some of the things it needs to do at the local community to be able to interface, get to know what's going on and to do their job, especially obviously they're armed and they have a different role traditionally in the eyes of a civilian population. And for that reason, it seems appropriate, as my colleague has just said, to allow those different actors to play their separate roles.

Mr. HENRY. If I could just say a couple things, first of all, CARE believes that if the military are the only actors in a position to provide life-saving humanitarian assistance to people, they should do it, and we congratulate them for doing that where they have done it in Iraq. So it isn't, you know, just a turf kind of thing. We're not saying the military should never do that. Saving lives is the most important thing, and if the military are the only people who can do it, then they should absolutely do it.

You know, on this sort of burden-sharing issue, the way I look at it as a taxpayer myself is we the American taxpayers can either pick up the whole tab for what is going to be a very expensive banquet in Iraq in the coming years, or we can go Dutch with the rest of the international community. And I would rather go Dutch. And the way to do that is to bring everyone in to a framework that makes them feel a sense of—a part ownership of that process.

Mr. JANKLOW. I'd just far rather go Dutch than French.

Mr. SHAYS. Mrs. Maloney has a few questions. I'll have a few. We will get you out of here. Your problem, gentlemen, is that you're too interesting and too informative. That is the problem.

Mrs. MALONEY. I have constituents and organizations calling me that want to contribute and want to be part of this effort to help Iraq.

During 9–11, we had a command central that would pool—you could go to with your resources and they would tell you where to go, or they'd tell you what resources they needed. Where can I di-

rect constituents and organizations that are calling me saying they want to be part of this great effort to help Iraq? Where do they go? Where do we direct them?

Mr. BIDDLE. I would say to each of these organizations, Web sites—you can get online. You can find out how to volunteer. There's a wealth of information available.

Mrs. MALONEY. But I think they want to be plugged in, I think into the whole U.S. effort and not particularly an organization, an who's coordinating it? USAID? Would you direct them to USAID? I don't know.

Anyway——

Mr. HENRY. Most of our organizations are—not all our members have interaction, which is the biggest umbrella of international agencies and they have a list of all the member agencies doing work in Iraq, and you can get to their Web site and from their Web site to ours.

Mrs. MALONEY. That's helpful.

One of the most troubling things that you've said to me is that there is nowhere to call for security, and if you don't have security, you don't really have a society, because society cannot function if people are afraid to walk out of their homes to buy food or go to school. And we have to restore security before we can really provide adequate health care or aid to our children or food or whatever. So what is your idea of how we should do that? Should we—we have to—what is your idea of how—should we bring in an international force? Should it be the U.S. military? Should it be a funded Iraqi group? How do we make this happen?

Mr. BIDDLE. Well, that—under the Geneva conventions, that's the responsibility of the occupying power to find out and determine the best ways to do that. There are obviously—there are various options that might be available to them, internationalizing the peacekeeping efforts to increase the number of forces on the ground or bring in more coalition forces. International constabulary force to support police training and expand the level of security across the country, changing the force protection guidelines of the coalition forces to be able to do more creative things on a security measure. We're not experts on this. These are just ideas and things that we've seen in other settings around the world, but the bottom line is that it is the responsibility of the occupying power to develop approaches to meet this need, and I do think it permeates all the aspects that we've described of our work in the field.

Particularly there was a report in the New York Times today that one of the issues in addressing cholera right now is the fact that the health system is so affected by the security environment, that hospitals are underequipped, staff are scared to go into the hospitals, that they've had to send the cholera tests up to Kuwait to have them checked.

So it's not just a question of the sewage and the electricity and the mechanized aspects of addressing this in an urban environment. It's also the fact that you can't even address the specific health intervention for a given case because of the environment in the country right now. And granted, there have been challenges in the case of cholera in the country over the last 12 years, but usually the health system was trying to identify cases and respond to

it quickly. So preventing a cholera outbreak is going to be that much more difficult because of that.

Mrs. MALONEY. In conclusion, I'm concerned very much about the economic burden to America. We have many problems here at home in our own schools and our own health care delivery system, and I agree with Mr. Henry that we should go Dutch, that we should get as much help as we can. And one obvious place is the frozen Iraqi assets. I believe $1.7 billion in our own country, and there are probably assets from the Saddam Hussein Government in many countries around the world. And one approach would be to freeze that money and return it to the Iraqi people in terms of hospitals, teachers, schools, sanitation and clean water systems. And I wondered what your comments would be on that.

Mr. HENRY. Well, by all means what we have to remember is that Iraq not only has some assets that can be seized, they have massive debts, and that is probably the biggest financial problem that's going to have to be sorted out in the years to come, is how can we pay for the reconstruction of Iraq while, you know, also allowing Iraq to overcome its huge debt burden.

Mrs. MALONEY. Thank you. Any other comments on freezing Iraqi assets in foreign countries?

Mr. SHAYS. Let me just finish up here real quick. I'm not asking for you to comment if you don't have a particular reaction, but I want you to react to anything General Garner said or Mr. Greene or Mr. Garvelink said. You've sat here all day long since 2 p.m., plus, and was there anything that General Garner said that you want to put on the record either reacting positively or negatively to what Mr. Greene or Mr. Garvelink said, any of you? Yes.

Mr. VON BERNUTH. Just for starters, I was a little bit surprised when General Garner said there was no humanitarian crisis in Iraq, and he then went on to describe the conditions that he had just observed in Basra of sewage flowing through the streets, hospitals that weren't functioning very well, etc. I think there was a preexisting humanitarian crisis in Iraq before the war happened, and I think that crisis in some areas has only been exacerbated as the health systems, etc. have been looted and savaged and what have you.

So I would take issue with that statement.

Mr. SHAYS. OK. Any other comment that any of them said that you would like to speak about?

Mr. HENRY. Well, as I've already noted, I think Mr. Garvelink's suggestion that things aren't so bad in the health care system, I just don't accept as being an accurate statement of the current situation in Iraq.

Mr. BIDDLE. And I would just say that General Garner's timeline might be a bit optimistic on the number and variety of issues need to be addressed during that short a period.

Mr. WELLING. I'm just going to add that I think that the point that you made earlier is, if you have someone in your office who you want to be responsible for something so you can go to one place and give credit if it succeeds or one place to understand why it doesn't if it didn't, was manifest in some of the discussion that we had here today with people being responsible for different parts of the puzzle and not necessarily being able to address questions, that

if you had someone who had primary responsibility as the central point of control here, some of the questions that were presented would have been answered.

Mr. SHAYS. I don't want this last question to take 5 minutes to answer, but I would like someone to define success and then tell me if we are going to succeed. Mr. Biddle, your mouth started to move first.

Mr. BIDDLE. I mean, I'll take it in the short-term. I think one of the reasons all of us have focused on the security issue is we're worried about losing the hearts and minds of the Iraqi people. They've lived under 12—or 25 years of a brutal dictatorship. They suffered through a number of wars, repression of minorities and dissident. They've had a very challenging time, and the opportunity now to create a better society obviously through the removal of Saddam Hussein means that you need to touch people at their very core existence, which means being able to help them achieve some of their particular needs in the near-term.

So health care, education for children, a secure environment to live in and obviously the transition to a governing process at the local and provincial and national level.

But in the near-term, I think that really means the law and order, secure environment and then beginning to address these critical services, health, water, education and, of course, the food issue could become a challenging one in the near-term as well, and making sure that the Oil for Food Program distribution process is successful in meeting the needs of the population in the near-term. I would say that's going to determine the success over the next 6 months or so.

So security on the one hand and basic human needs as you move to a larger reconstruction, transitional governance, larger issues that will obviously take some time. But I think those two aspects—and they go hand in hand together.

Mr. SHAYS. Anybody else want to make a comment? Yes?

Mr. VON BERNUTH. I go back to your observations of your visit to Iraq not very long ago and what it meant to see it as opposed to read about it, and I think for me success is going to be when I visit Iraq and see kids going to school in the morning, see women being able to go out to market, see people milling about the streets in a casual way in the evenings, see storefronts opening up and be able to travel from town to town without going in a convoy. That's going to be success.

Mr. SHAYS. I saw you, Mr. Biddle, nod your head as well.

Mr. BIDDLE. It was more eloquently put in terms of the image he created. So I laud him for that.

Mr. SHAYS. But you started it. And so you gave him time to think.

Mr. Welling.

Mr. WELLING. It's a very important thing, to have time to think, yes. I think that success will be defined both for the Iraqi people in terms of quality of life which is better than the quality of life that they had prior to the war, so that not only do we need to meet the standard of what existed there before, but obviously our aspiration is to do something substantially better than that, and I personally think there's no question that we'll succeed, because I think

that the—I think the American people have been engaged in this and understand that not only is it a great opportunity, but it's part of our obligation in undertaking this in the first instance.

Mr. SHAYS. Should we end on that positive note? You all have been a wonderful panel. Mr. Henry, you wanted to say something.

Mr. HENRY. No. I just wanted to say that we will know that we've achieved success when the majority of the Iraqi people say that their lives are better than they were before, not just before the war but before this long nightmare that they've been living through.

Mr. SHAYS. Right. And do you think we are going to succeed?

Mr. HENRY. I think we can succeed if we're prepared to commit the resources and stay the course.

Mr. SHAYS. And based on what you've said we have done in Afghanistan, that would not be a positive model for us.

Mr. HENRY. We think more would need to be done.

Mr. SHAYS. OK. I think all of you are a credit to your organization, and I think very highly of each of your organizations, in part by the presentation that you all have made today, and I thank you very much for participating in this very—I think very educational and helpful hearing. Thank you so much. And with that, the record will remain open for 2 weeks to provide information about documents, and with that we will adjourn this hearing. Thank you.

[Whereupon, at 6:04 p.m., the subcommittee was adjourned.]

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