

# ACBAR POLICY BRIEF

## NGO position paper concerning the Provisional Reconstruction Teams<sup>1</sup>

### 1. *Introduction*

This position paper is drafted for use in upcoming meetings in Washington (on January 16, 2003 at the United States Institute for Peace) and with US policy makers in Kabul (on January 20, 2003).<sup>2</sup> It is based on both the widely-accepted humanitarian principles shared by many NGOs,<sup>3</sup> and the experience of international NGOs in Afghanistan. It is aimed at an informed audience familiar with both the PRT concept and NGOs' humanitarian mandate.

After ACBAR (the Agency Coordinating Body for Afghan Relief) issued its first policy statement in December 2002, the Coalition deployed two Provisional Reconstruction Teams (PRTs) in Gardez and in Bamyan; a deployment in Kunduz will follow later this month.

### 2. *Concerns based on NGO experience of PRTs to date:*

While the pilot PRTs are in early stages, they nonetheless raise causes for concern that fall into two general categories: (A) areas requiring clarification in the PRT concept; and (B) questions about implementation.

#### A. *Areas requiring clarification*

**(1) *The overall purpose of the PRT's remains unclear.*** Coalition representatives have expressed varying rationales for the PRTs. In a November 21, 2002 presentation, Coalition representatives stated that the PRTs' main purposes were to enhance security and to strengthen the authority of the Afghan administration. In January 2003, Coalition representatives in Bamyan stated during a presentation to the NGO community that the

---

<sup>1</sup> These teams were formerly called Joint Regional Teams (JRTs). Pursuant to a request from the Afghan government, the name was changed. During the pilot phase the term "Provisional Reconstruction Teams" will be used. When the pilot phase is complete the term Provincial Reconstruction Teams will be applied.

<sup>2</sup> It is hoped that this document will be useful thereafter as a record of NGO concerns. At a future date, ACBAR also aims to include an annex with a background overview of the PRTs.

<sup>3</sup> Annex A contains the Red Cross/Red Crescent Code of Conduct to which most international NGOs have committed themselves.

PRTs' primary purpose was hunting for Al Qa'ida. With respect to the aim of coordination, NGOs have also heard different views at different times.<sup>4</sup>

**(2) *The legal framework for the PRTs is unclear.*** To date, NGOs know of no legal framework authorizing the work of the PRTs or any transparent reporting mechanism through which accountability for PRT actions can be achieved or PRTs' success measured. There is neither a documented agreement with Afghan administration nor terms of reference that clearly articulate the PRTs' purpose, mandate, and legal accountability; nor has reference been made to the PRTs' responsibilities under international law.

**(3) *It is not clear how the PRT strategy will achieve its stated security goals.*** The viability of the PRTs as a response to the security problem posed by the lack of a national security structure has yet to be articulated to the assistance community. Nor has there been adequate clarification of contingent plans in the case that the PRTs not succeed in their stated goals.

**(4) *There is a lack of clarity on the security and protection function of the PRTs.*** As yet, the Coalition has not clarified whether or how PRTs will address potential and ongoing human rights abuses against civilians in their proximity.

## **B. Concerns with Implementation**

**(5) *Implementation has been rushed and lacking in governmental involvement.*** The speed of the PRT rollout appears to be motivated by neither demand from the Afghan administration nor urgent community needs, but by pressure from Coalition policy makers. To date, no government point person responsible for coordinating PRTs' work has been identified. Absent greater integration with and leadership from the Afghan administration, claims that PRTs strengthen the reach and credibility of the central authorities will remain suspect, and may actually undermine the credibility they seek to strengthen.

**(6) *The PRTs have limited awareness of and integration into government and UNAMA efforts to coordinate reconstruction.*** The Afghan government are in the process of developing, with UNAMA's facilitation, a Consultative Group structure to coordinate the overall Afghanistan reconstruction effort. In January 2003, a preliminary presentation of that structure was made to NGOs and PRT members in Gardez. The PRT representatives stated that they had not been informed of the Consultative Groups, and were learning of it for the first time.

---

<sup>4</sup> Hence: (1) in a presentation on December 19, 2002, a representative from USAID's OTI said that PRTs will aim to improve the coordination of assistance; (2) in a January 9, 2003 UNAMA regional coordination meeting, a member of the Gardez PRT team stated that PRTs would facilitate better information flows of assistance to promote a better overall response by the assistance community, but *not* engage in coordination; and (3) on January 12, 2003, donors were informed that PRTs might provide a mechanism through which donors could fund various projects in a coordinated manner.

**(7) *The PRTs have yet to demonstrate that they have either the capacity or mandate to identify urgent community needs.*** The PRTs aim to accomplish political and military goals, but are not mandated to identify areas or types of greatest need, as humanitarian organizations are. In Gardez, moreover, six expatriate male military advisors execute PRT needs assessments. Having limited relations with and experience in Gardez communities, this team is unlikely to identify successfully areas of greatest need across gender, economic, and political spectrums.

**(8) *No guidelines articulate how PRT interventions will be demarcated clearly from civilian implemented assistance.*** Afghan assistance workers in Gardez are concerned that if PRTs work in close physical proximity to NGOs, communities will no longer distinguish between military- and civilian- implemented assistance. This blurring of roles may have a significant negative impact on the relationship of NGOs in Gardez with the communities they serve and may pose security risks if civilian humanitarians are perceived as collaborating with an unwanted military force and channelling intelligence to it.

### **3. NGO recommendations**

Based on these concerns, NGOs remain convinced that the military should not engage in assistance work except in those rare circumstances where emergency needs exist and civilian assistance workers are unable to meet those needs due to lack of logistical capacity or high levels of insecurity on the ground. The Coalition's comparative advantage lies in the provision of security through traditional military and police means.

Should the military nevertheless elect to continue engaging in general assistance and reconstruction work over the objections raised above, ACBAR stresses the following:

#### **A. For the Coalition**

NGOs respectfully recommend that:

1. The Coalition clarifies its positions on the issues raised in the first four points listed above to the assistance community working in Afghanistan: (1) The overall purpose of the PRT's; (2) the legal framework for the PRTs; (3) how the PRT strategy will achieve its stated security goals; and (4) the security and protection function of the PRTs.
2. All reconstruction work by PRTs should fall under civilian leadership. This is essential to ensure that this work: (1) is founded on the knowledge and experience of the assistance community in Afghanistan; (2) integrates effectively with existing civilian-led assistance coordination efforts; and (3) is driven primarily by the aim of achieving long-term positive impact for Afghan communities.
3. The military should agree to a transparent accountability mechanism against which the impact of its engagement in assistance and reconstruction will be measured. All military engagement in assistance should be transparent and accountable based on a

code of conduct agreed upon between government representatives, the military, and representatives of the civilian assistance community.

4. The military should take specific steps to ensure that communities, policy makers, and the general public do not confuse military- and civilian- implemented assistance. In this regard, (1) any civil-military coordination should take place in civilian-managed demilitarized locations (no arms, etc.), distinct from existing NGO-only coordination locations; and (2) soldiers should wear uniforms at all times. At no time should the military refer to its engagement in assistance as “humanitarianism” or to NGOs as “force multipliers” as both such misnomers blur the distinction between civilian- and military-led interventions.
5. The military should articulate their rules of military engagement in circumstances where they are also providing assistance.

## **B. For the Afghan Administration**

NGOs are concerned that (1) the lack of communication between government and the PRTs may result in governmental priorities not being met; (2) there is a potential for wastage of resources through needless issuance of expensive contracts; and (3) there is no plan as yet for governmental involvement to ensure sustained positive impact of projects executed or facilitated by the PRTs. Therefore, NGOs respectfully recommend that:

1. The Afghan administration should establish a focal point to co-ordinate the PRT initiative. NGOs are particularly interested to learn about the administration’s plans for PRTs given that a stated aim of the PRT involves expanding the influence of the Kabul administration in other parts of Afghanistan.
2. All provincial governors should be informed of the administration’s policies and recommendations regarding the PRT

## **C. For the United Nations**

NGOs welcome the UN’s proactive efforts to develop a position on the role of the PRTs. They are also heartened to see that UNAMA will facilitate communication between PRTs and the wider assistance community.

In this regard, NGOs recommend that the UN:

1. Continues to monitor the PRTs’ developing role, and to facilitate communication between all parties.
2. Continues to promote the role of central government and civilian leadership of PRT interventions.
3. Develops and share operating principles with Government, NGOs and the Coalition.



## **ANNEX A: Background on Humanitarian Perspectives.**

While NGOs represent a range of viewpoints, there are certain principles upon which the majority of NGOs agree, such as the Red Cross/Red Crescent Code of Conduct. According to that code, humanitarian action should adhere to the following principles:

1. The humanitarian imperative comes first.
2. Aid is given regardless of the race, creed or nationality of the recipients and without adverse distinction of any kind. Aid priorities are calculated on the basis of need alone
3. Aid will not be used to further a particular political or religious standpoint
4. We shall endeavour not to act as instruments of government foreign policy
5. We shall respect culture and custom.
6. We shall attempt to build disaster response on local capacities.
7. Ways shall be found to involve programme beneficiaries in the management of relief aid.
8. Relief aid must strive to reduce future vulnerabilities to disaster as well as meeting basic needs.
9. We hold ourselves accountable to both those we seek to assist and those from whom we accept resources.
10. In our information, publicity and advertising activities, we shall recognize disaster victims as dignified humans, not hopeless objects.