

Should the world intervene when a country refuses disaster relief?

BY DANIEL POLLACK AND ROBERT REISER, OPINION CONTRIBUTORS — 02/13/20 01:00 PM EST
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Australia is just beginning to recover from being devastated by the worst bushfires in decades. Scores of people were killed, thousands of homes destroyed, and an estimated 18 million acres of land were burned. Humanitarian aid and assistance was forthcoming and welcomed from countries around the globe. Prime Minister Scott Morrison tweeted on Jan. 6: “Thank you to the US, Canada, NZ and Singapore, who are providing support to help us fight these terrible #bushfires, including firefighters, helicopters and troops. We deeply

appreciate the many other international friends who have offered support.”

Back in 2011, the world watched as the northern coast of Japan was hit by a 9.1 magnitude earthquake. The death toll exceeded 20,000, with 2,500 missing. Such major natural disasters always trigger a rush of international support to provide relief. Japan reported that 102 countries and 14 international organizations offered humanitarian assistance. Most of the offers of

support were accepted; some were declined.

Three years earlier, Cyclone Nargis tore into Myanmar in the North Indian Ocean Basin. More than 138,000 people died, many of them children. While offers of international aid were quickly made, Myanmar's military rulers disallowed or delayed deployment of significant numbers of those offers. Unnecessary and untold human misery resulted.

Refusing international relief is not just the province of marginal governments trying to prove efficacy. While it is relatively uncommon for a country to refuse all disaster assistance, many have shown reluctance to receive country-to-country interventions. The United States refused some of the world's assistance following Hurricane Katrina in 2007. Japan reportedly was slow to accept aid following the 1995 Kobe earthquake. The reasons for refusal range from a lack of administrative capacity, as evidenced in Katrina, to India's promotion of disaster competence as proof of global economic standing, to the unnavigable red tape and fear of governmental humiliation in the case of Japan. Whatever the reasons, many people paid a high price for their government's inaction.

Is there anything international human services agencies and the family of nations can do when a country eschews relief efforts? As far back as 1648, the Treaty of

Westphalia formally recognized the territorial state as the boundary between countries and the absolute right of each country to assert sovereignty over its own territory. This classicist view is echoed in the United Nations Charter of 1945 in Chapter 1, Article 2(7): "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state... (p.3)."

Globalization spurs increasing measures of commerce, mobility and caring. Simultaneously, it makes us challenge the principle of fixed borders and limits of a country's sovereignty. Still, with the mainstays of sovereignty and self-determination accepted as normative, offers of international assistance are provided only with the agreement of the affected country. There is an obvious tension between two strong desires — to intervene, and not to intervene. No matter how outwardly benign and well-meaning, the potential to abuse offers of humanitarian aid exists.

It is not cynical to think that a country may offer humanitarian aid to mask its desire to intervene in the internal affairs of the affected country. How does one distinguish offers made in good faith from those that are less than genuine? Lacking are specific criteria that allow the international community to determine when consent to assistance may be justifiably withheld and when such consent is

unreasonable. Even if such criteria could be constructed and agreed to, what enforcement mechanisms could be used?

When the issue has been apprehending war criminals or addressing gross human rights violations, the international community on occasion has been able to gain consensus for the use of force. The same accord regarding humanitarian aid following a natural disaster has been absent. Unsolicited and unsought intervention — especially when accomplished by or accompanied by the military — may be viewed as an improper incursion which compromises a country's integrity.

The alleviation of human suffering always should be at the core of every country's mission. Organizing and providing crisis intervention and helping to mobilize multidimensional responses to those afflicted is both necessary and proper. So, too, is raising awareness and advocating for the acceptance of relief from all quarters. But there may be a more proactive role to be played, one that is not entirely predicated on a country's willingness to accept post-disaster relief.

There is a pressing need for accuracy in documenting, analyzing and reporting efforts to provide humanitarian aid following large-scale natural disasters. Specifically, we need to adopt a sound methodology for reliable fact-finding.

If a country turns down offers of assistance, the responsibility of the broader family of nations does not disappear. It may remain dormant, but it should be ready on short notice to be mobilized.

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