

Civil–military relations in natural disasters: a case study of the 2010 Pakistan floods

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Abstract

In 2010, Pakistan was struck by devastating floods, the latest in a series of disasters to strike the country in recent years. As it had during the 2005 Kashmir earthquake, the Pakistan military played a significant operational and co-ordination role in the humanitarian response that followed. Its role raised important questions about civil–military relations between humanitarian actors and national (as opposed to international) militaries. This article looks at the interaction between the humanitarian community and the Pakistan military in responding to the 2010 floods in order to identify key successes and challenges. It also highlights a number of

* The authors are grateful to Peter Holdsworth for his expertise and assistance in Pakistan. We would also like to thank Nicola Bennett, Surein Peres, Muhammad Ateeb, and Angela Hoyt for generously sharing their insights and contacts. This article was originally written as a discussion paper for the 2011 NGO–Military Contact Group (NMCG) conference on civil–military relations in natural disasters; the NMCG is a UK forum that aims to improve and strengthen communication between humanitarian organizations and the British armed forces and relevant government departments. We owe a debt of gratitude to Sandrine Tiller, for supporting and helping to co-ordinate the case study, and Sorcha O’Callaghan, for providing background analysis and invaluable feedback on successive drafts of the original paper.

issues that emerged in the context of Pakistan but that may also be relevant to civil–military relations – particularly between the humanitarian community and the national military of an affected state – in other natural disaster and complex emergency settings.



In recent years, the role of militaries in responding to natural disasters has grown, as the result of various factors. These include: an increase in the scale and incidence of natural disasters; a concurrent trend towards militarization of humanitarian response in conflict situations; and increased interest in disaster response on the part of militaries. Some of the reasons for military actors' increased interest in disaster response are related to public perception, staff morale, relevant training opportunities, and humanitarian operations as a means for armed forces to diversify their role and expertise.¹ Military resources were used in response to the 1991 cyclone in Bangladesh; after Hurricane Mitch in Central America in 1998; following Hurricane Katrina in 2005; in Indonesia after the 2005 Asian tsunami; in the UK during flooding in 2007; and in China in the aftermath of the 2008 earthquake in Sichuan province. More recently, the US military in particular played an important role in the response to the earthquake in Haiti in 2010. With the increased engagement of military actors in humanitarian response to both conflict and natural disasters, interaction on the ground between humanitarian and military actors has increased and has cast the spotlight on issues related to civil–military co-operation, co-ordination, and the effectiveness of militarized emergency assistance in general.

Civil–military relations in natural disasters

The international humanitarian community by and large recognizes that the military can play a vital role in disaster response. It can provide, among other things, a search and rescue capacity unmatched by the humanitarian community; logistical support; expertise and material resources for infrastructure projects; trained manpower; and, on occasion, security for relief workers. At the same time, there is serious concern that the involvement of military personnel and assets poses a potential threat to the core principles of impartiality, neutrality, and independence that underpin the work of humanitarian agencies. This in turn can threaten the security and operations of these civilian humanitarian agencies.

1 See Charles-Antoine Hofmann and Laura Hudson, 'Military responses to natural disasters: last resort or inevitable trend?', in *Humanitarian Exchange Magazine*, No. 44, September 2009, available at: <http://www.odihpn.org/report.asp?id=3030> (last visited 12 September 2011); Wilton Park, 'The use of military assets in the humanitarian response to natural disasters', Report on Wilton Park Conference 994, 28–30 September 2009, p. 1. See also Sharon Wiharta, *et al.*, *The Effectiveness of Foreign Military Assets in Natural Disaster Response*, Stockholm International Peace Research Institute, Solna, 2008; Wilton Park, 'Civil–military co-ordination in complex humanitarian situations', Report on Wilton Park Conference 895, 28–31 January 2008.

Humanitarian and military approaches to security often diverge, creating tensions between the two types of actor despite shared goals in disaster response. Military approaches to security tend to focus on deterrence, or on physical (kinetic) security, which can lead to fortified compounds and the presence of arms at distribution points. On the other hand, humanitarians, particularly non-governmental organizations (NGOs) and the International Red Cross and Red Crescent Movement, tend to rely on acceptance-based security, which seeks to gain the consent of all stakeholders in an operational area, and proscribes the presence of arms at distribution points. The question of whether civil–military relations can undermine security management and humanitarian principles is more contentious in conflict settings, where association with the military often carries the risk of loss of acceptance, access, and legitimacy for humanitarian actors, as well as increased security risks.

Further, as militaries are instruments of states, there are concerns that, when militaries are deployed to respond to natural disasters, political and security considerations may at times override humanitarian considerations, undermining humanitarian assistance based on need. For instance, humanitarians worry that the methods used by military authorities to undertake assessments and consultations with local communities may challenge their ability to provide assistance to the most vulnerable in an accountable and impartial way. There are also concerns that the short-term nature of their response to natural disasters – usually no more than six weeks – leads militaries to employ response strategies focused on immediate effect, which may undermine the longer-term ‘do no harm’ strategies of humanitarian agencies.

This article looks at the interaction between the humanitarian community and the Pakistan military in responding to the devastating floods that struck Pakistan in 2010. It is a useful case study, owing to the significant operational and co-ordination role played by the Pakistan military during the humanitarian response that followed. Its role raised important questions about civil–military relations between humanitarian actors and national militaries (as opposed to international militaries),² whose role in disaster relief has otherwise received limited attention thus far. The fact that the floods occurred against a backdrop of continued armed violence and in the aftermath of an ‘internally displaced persons’ (IDP) crisis stemming from continued military operations in the north-west also makes this a good example of the challenging dynamics associated with civil–military relations in the context of a complex emergency.

A brief note on methodology is in order here. The case study presented in this article is based on desk research, supplemented by a series of consultations with key stakeholders in Pakistan, London, and Geneva. They included representatives from the Pakistan government, the United Nations (UN), international non-governmental organizations (INGOs), the International Red Cross and Red Crescent Movement, and Pakistani NGOs and religious

2 By international militaries, we mean militaries operating outside their own national boundaries, rather than internationally mandated military forces, such as United Nations peacekeeping forces.

organizations. The interviews were conducted over ten days in May 2011 in Pakistan, in both Islamabad and Peshawar. Despite best efforts, owing to time, budgetary, and other constraints, it proved difficult to gain a wide range of views from within the Pakistan military. It was also beyond the scope of the study to undertake research with affected communities. The main issues and perspectives highlighted are therefore those of the interviewees, particularly the international humanitarian community, the Pakistani authorities, and local organizations involved in the relief effort.

The discussion takes form in five sections. The first provides a brief overview of the normative landscape of civil–military relations in humanitarian relief generally. The second section turns to the specific context of civil–military relations in Pakistan, while the third gives an overview of the respective responses of the humanitarian community and the Pakistan military to the 2010 floods. The fourth section takes stock, drawing out key lessons that can be learned from the response to the flooding about both civil–military relations and the overall humanitarian response. By way of conclusion, the fifth and final section summarizes the key issues that arose in the context of Pakistan, but which may also be relevant to civil–military relations in other natural disaster and complex emergency settings.

The normative landscape: whither the role of national militaries?

Two sets of internationally recognized guidelines provide direction, co-ordination, and advice on the role of the military in international humanitarian response. These are the ‘Guidelines on the Use of Military and Civil Defence Assets in Disaster Relief’ and the ‘Guidelines on the Use of Military and Civil Defence Assets to Support United Nations Humanitarian Activities in Complex Emergencies’, otherwise known as the ‘Oslo guidelines’ and the ‘MCDA guidelines’ respectively.³ The Oslo guidelines were the result of a two-year process that culminated in an international conference in Oslo, Norway, in 1994, where the guidelines were accepted by the forty-five states and twenty-five organizations present. They were most recently updated in 2006. In 2003, it was felt that a separate set of guidelines was required for complex emergencies, as humanitarian actors and military forces were both involved in relief in places such as Iraq and Afghanistan. This led to the development of the MCDA guidelines. Both sets of guidelines are non-binding and do not affect the rights, obligations, or responsibilities of states under international humanitarian law. Both sets also affirm the primary responsibility of the affected state in disaster response, and clearly state that the use of foreign military assets is a means of ‘last resort’. They follow a similar format; the main difference is that the Oslo guidelines address natural disasters in times of peace only. The Oslo guidelines

3 ‘Guidelines on the Use of Military and Civil Defence Assets in Disaster Relief’, November 2006, and ‘Guidelines on the Use of Military and Civil Defence Assets to Support United Nations Humanitarian Activities in Complex Emergencies’, March 2003, both available at: <http://www.humanitarianinfo.org/iasc/pageloader.aspx?page=content-products-products&productcatid=8> (last visited 28 October 2011).

further affirm the importance of humanitarian principles and the primary role of civilian actors in disaster relief.

Despite being otherwise comprehensive, there is an important gap in these guidelines. They are intended to guide operations regarding the use of foreign military assets and give limited attention to the role of national militaries in disaster relief. National militaries, particularly in developing countries, are more often than not the 'first resort' of governments in large-scale disasters. In some cases, they are an integral part of national disaster-management plans and have significant experience of humanitarian operations.⁴ Though there is variation across countries, national militaries tend to be well-resourced actors who can reach affected areas quickly and play a critical role in reducing immediate loss of life. The Oslo guidelines recognize that the primary responsibility for providing humanitarian assistance lies with an affected state, and acknowledge that, in such contexts, the involvement of domestic military forces is often a 'first resort', owing to lack of capacity elsewhere. However, there is little discussion about how national and international humanitarian actors should engage with national militaries. There is also no examination of the complexities of upholding humanitarian principles in a sovereign state where the national military has the primary mandate for disaster relief, or where the national military is involved in an ongoing conflict.

The situation in Pakistan

Ranked 145 out of 169 on the Human Development Index (HDI),⁵ Pakistan has a population of 184.7 million, of which about 60% live on less than \$2 a day.⁶ It is prone to natural disasters, such as droughts, earthquakes, floods, and landslides. Owing to its complex ethnic make-up and its location in a volatile neighbourhood that includes Afghanistan, China, Iran, and India, it has also struggled to maintain stability and has frequently faced conflict, most recently as a frontline state in the 'global war on terror'. The presence of North Atlantic Treaty Organization (NATO) and US forces in neighbouring Afghanistan and the spill-over from the Afghan conflict into its territory and political life have meant that wider geopolitical considerations often play a role in shaping interaction inside and with Pakistan.

The military has been the predominant political force in Pakistan since independence and enjoys more autonomy than any other state institution. Experienced, well organized, and well resourced, the Pakistan military is more than an armed force – it has extensive economic interests.⁷ It sets the national

4 Wilton Park, 'The use of military assets in the humanitarian response to natural disasters', above note 3, p. 4.

5 See United Nations Development Programme, 'Pakistan country profile: human development indicators', available at: <http://hdrstats.undp.org/en/countries/profiles/PAK.html> (last visited December 2011).

6 OCHA Pakistan, available at: <http://www.unocha.org/where-we-work/pakistan> (last visited 28 October 2011); Development Initiatives, 'GHA Report 2011', p. 31, available at: <http://www.globalhumanitarianassistance.org/report/gha-report-2011> (last visited 28 October 2011).

7 See Ayesha Siddiq, *Military Inc.: Inside Pakistan's Military Economy*, Pluto Press, London, 2007.

security agenda and has a history of intervening, both directly and indirectly, in internal political processes. Under Pakistan's constitution, it is also obliged to come to the aid of civilian authorities in times of crisis, when called upon to do so, and has traditionally played the lead role in emergency and disaster relief. Consequently, in any international humanitarian response inside Pakistan, civil–military relations have been a key issue.

In that respect, the 2010 floods were only the latest in a series of emergencies to affect Pakistan over the past five years, during which humanitarian actors faced the challenge of ensuring principled and need-driven humanitarian action within a heavily militarized context. In October 2005, a devastating earthquake struck northern Pakistan and the disputed territory of Kashmir, killing or injuring 145,000 people and leaving an estimated 3.5 million homeless.⁸ Rescue and relief operations were led by the Pakistan military, which reached communities in remote and inaccessible areas by co-ordinating the largest humanitarian helicopter airlift ever.⁹ Although some concerns were raised, there was general support for the role played by the military and recognition of the complementary roles of local, national, and international humanitarian actors. It came to be widely regarded as one of the most effectively implemented responses to a large-scale natural disaster.¹⁰ The experience helped build trust between the humanitarian community and the Pakistan military and established the military as a primary and effective responder to natural disasters, but it also highlighted the need for more effective civil–military co-ordination.¹¹ In 2007, therefore, the Pakistan government set up the National Disaster Management Agency (NDMA) – a civilian body headed by General Nadeem Ahmed, a senior military figure. The NDMA was tasked with co-ordinating the country's emergency response, including co-operation within government and between government and humanitarian actors.

Between the 2005 earthquake and the 2010 floods, Pakistan faced a number of humanitarian emergencies. Civil–military relations, which had been characterized by mutual goodwill and respect during the 2005 earthquake relief effort, became increasingly strained as the result of a changing geopolitical environment and increasing insecurity. The so-called 2008–2009 IDP crisis, when military operations against militants led to the displacement of over two million people from Khyber Pakhtunkhwa and the Federally Administered Tribal Areas was of particular note.¹² Though involved in military operations, the Pakistan military also played a

8 Andrew Wilder, 'Perceptions of the Pakistan earthquake response', Humanitarian Agenda 2015: Pakistan Country Study, Feinstein International Center (Tufts University), Medford, MA, 2008, p. 3, available at: <http://sites.tufts.edu/feinstein/2008/humanitarian-agenda-2015-perceptions-of-the-pakistan-earthquake-response> (last visited December 2011).

9 C.-A. Hofmann and L. Hudson, above note 1.

10 Marion Péchayre, 'Humanitarian action in Pakistan 2005–2010: challenges, principles, and politics', Feinstein International Center, Tufts University, Medford, MA, 2011, pp. 4–5, available at: <http://sites.tufts.edu/feinstein/2011/humanitarian-action-in-pakistan-2005-2010> (last visited December 2011); A. Wilder, above note 8, pp. 3–7 and 12–16.

11 M. Péchayre, above note 10, p. 5.

12 Humanitarian Policy Group, 'A clash of principles? Humanitarian action and the search for stability in Pakistan', HPG Policy Brief 36, Overseas Development Institute, London, 2009, p. 2, available at: <http://>

major role in co-ordinating the humanitarian response. The military characterized the crisis as a function of a wider 'law enforcement' operation, leading it to control humanitarian access, as well as the distribution of relief, to affected populations. It also came to view the international humanitarian community as slow, inefficient, and an operational hindrance.¹³ On the other hand, humanitarian actors were wary of the military, given its role in armed violence, and concerned that co-operation with it could undermine their core principles and security. Different aid actors had different levels of co-operation with the military; overall, humanitarian agencies faced criticism for not challenging what was viewed as significant politicization and militarization of the response, and corresponding restriction of 'humanitarian space'.¹⁴ A real-time evaluation of the response argued that the failure to address this encroachment set poor precedents in a context where future complex emergencies were likely.¹⁵

The 2010 Pakistan floods response

The 2010 floods, the worst in Pakistan's history, began in late July following extremely heavy monsoon rains. Initially the provinces of Khyber Pakhtunkhwa and Balochistan were flooded, followed by Sindh and Punjab as the waters surged downstream, transforming the Indus River basin into a vast inland sea that submerged approximately a fifth of the country's landmass – an area larger than England.¹⁶ Around 2,000 people were killed and 1.7 million homes were damaged or destroyed. Over 20 million people were severely affected (homeless, injured, malnourished, or sick) across 84 of Pakistan's 121 districts, more than the total number of people affected by the 2004 Indian Ocean tsunami, the 2005 Pakistan earthquake, and the 2010 Haiti earthquake combined. The disaster was

www.odi.org.uk/resources/details.asp?id=3765&title=conflict-humanitarian-pakistan-stability-taliban
(last visited December 2011).

- 13 John Cosgrave, Riccardo Polastro, and Farwa Zafar, 'Inter-agency real time evaluation (IA RTE) of the humanitarian response to Pakistan's 2009 displacement crisis: commissioned by the Inter-Agency Standing Committee', Final Report, Version 1.95, DARA, 9 August 2010, pp. 33–34 and 38–39, available at: http://daraint.org/wp-content/uploads/2010/10/IARTE_PK_displacement_2010_report.pdf (last visited December 2011).
- 14 The term *espace humanitaire* was coined by the former Médecins sans Frontières (MSF) President Rony Brauman, who described it as 'a space of freedom in which we are free to evaluate needs, free to monitor the distribution and use of relief goods, and free to have a dialogue with the people'. Johanna Grombach Wagner, 'An IHL/ICRC perspective on humanitarian space', in *Humanitarian Exchange Magazine*, Issue 32, December 2005, pp. 24–26. J. Cosgrave, R. Polastro, and F. Zafar, above note 13, pp. 38–39; Humanitarian Policy Group, above note 12, p. 1.
- 15 J. Cosgrave, R. Polastro, and F. Zafar, above note 13, pp. 4 and 39.
- 16 Except where noted otherwise, the facts and figures in this section of the report are drawn from the following: Riccardo Polastro *et al.*, 'Inter-agency real time evaluation of the humanitarian response to Pakistan's 2010 flood crisis', DARA, March 2011, pp. 17–18 and 55, available at: <http://daraint.org/2011/03/30/1354/report-inter-agency-real-time-evaluation-of-the-humanitarian-response-to-the-2010-floods-in-pakistan/> (last visited December 2011); Niaz Murtaza *et al.*, 'Pakistan floods 2010: the DEC real-time evaluation report', ThinkAhead, March 2011, p. 5, available at <http://www.dec.org.uk/node/1776> (last visited December 2011).

compounded by pre-existing poverty, inequality, inadequacies in governance, and, in the case of Khyber Pakhtunkhwa and Balochistan, conflict and displacement.

The floodwaters also devastated fertile agricultural lands, livestock, stored commodities, water supply and sanitation facilities, and essential infrastructure. This included more than 5,000 miles of roads and railways, 7,000 schools, and 400 health facilities, thereby washing away years of development efforts and future livelihoods.¹⁷ With around 80% of food reserves lost and entire farming communities destroyed, food prices soared nationwide. The overall economic damage caused by the disaster was assessed at \$9.7 billion by the World Bank and the Asian Development Bank.¹⁸

Scant months prior to the onset of the flood disaster, an important initiative had been undertaken by the humanitarian community to ensure more principled civil–military interaction. This was the adoption in early 2010 of country-level Pakistan Civil–military Guidelines by the UN humanitarian country team (HCT),¹⁹ which were developed by the UN Office for the Co-ordination of Humanitarian Affairs (OCHA). The guidelines are comprehensive and meticulous; and they recognize the differences between responses to complex emergencies and those to disasters in peacetime and set different standards and thresholds for civil–military interaction in each. However, in both contexts the guidelines seem to acknowledge the potentially negative implications of the use of military assets for the perception of humanitarians' neutrality and impartiality in Pakistan. They set out as a principle that 'military and civil defence assets shall not be used to support humanitarian activities' in response to complex emergencies or natural disasters that occur in the larger context of complex emergency. The guidelines recognize, however, that in certain extreme and exceptional circumstances the use of military assets may be required, and they set out five criteria to help assess where this may be the case. These are: use of the asset is based solely on humanitarian criteria; it is a last resort, when a highly vulnerable population cannot be assisted or reached by any other means and there is no appropriate civilian alternative; the urgency of the task at hand demands immediate action; use of the asset is clearly limited in time and in scale; and use of the asset is approved by the HCT.²⁰

These country-specific guidelines were set out to achieve two things: to provide a unified strategy towards civil–military relations for the HCT that specifically and clearly recognized the role of the national military; and to provide the Pakistan government and military with a better understanding of the humanitarian principles under which the international humanitarian agencies operated. However, despite the attempt to agree a unified strategy towards

17 M. Péchayre, above note 10, p. 9.

18 World Bank, 'ADB-WB assess Pakistan floods damage at \$9.7 billion', press release no. 2011/134/SAR, available at: <http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,,contentMDK:22733998~pagePK:64257043~piPK:437376~theSitePK:4607,00.html> (last visited December 2011).

19 The Humanitarian Country Team (HCT) is a group of UN agencies, including OCHA, WFP, and UNHCR, tasked with providing strategic-level decision-making during disasters.

20 Nicki Bennett, 'Civil–military principles in the Pakistan flood response', in *Humanitarian Exchange Magazine*, Issue 49, February 2011, available at: <http://www.odihpn.org/report.asp?id=3167> (last visited 12 September 2011).

civil–military relations, differences in opinion remained within the humanitarian community in relation to the use of military assets. Particularly with respect to the definition of ‘last resort’, there was a lack of agreement on the principles within the donor community and it was also clear from interviews that the Pakistani authorities did not endorse the guidelines. As is outlined below, the lack of universal endorsement of the guidelines, and of a common position towards civil–military relations, led to divisions both within the humanitarian community and between humanitarian actors and the military and political communities.

Response of the Pakistan military

Given its obvious capacity, constitutional mandate, strength, and experience, the military (alongside the local population and civilian authorities) was among the first to respond to the crisis. Troops were mobilized within seventy-two hours to evacuate people and distribute immediate life-saving assistance, including rations from the military’s own supplies. Over 600 boats and a range of aircraft, including C-130 planes and helicopters, some belonging to foreign militaries but put under the control of the Pakistani authorities, were used to reach cut-off parts of the country, allowing 850,000 people to escape to safety.²¹ The military also set up field hospitals, mobile veterinary teams, and over 100 relief camps. Afghanistan, Australia, Japan, the UAE, and the US also mobilized military personnel, medical teams, field hospitals, and air logistics facilities. According to NDMA officials, Pakistan’s armed forces spent nearly 25% of their annual budget on the flood response.

Most interviewees, irrespective of their particular views of the military, thought that the Pakistan military had committed significant resources to mount an effective response, which had helped prevent a greater loss of life, although the humanitarian situation a year later suggests that the scale of the crisis overwhelmed even this effort. There was also criticism of the Pakistan military for a lack of humanitarian expertise, despite its involvement in previous emergency responses such as the 2005 earthquake and 2008–2009 IDP crisis. In the view of the humanitarian community, the military’s targeting of assistance to those in need was poor (therefore not necessarily reaching the most vulnerable), and there was a focus on physical (or kinetic) security as opposed to acceptance-based security.

The Pakistani authorities and the humanitarian community do not always share the same standards for evaluating needs, which can cause misunderstanding and confusion when information is shared between humanitarian agencies and the government. Further, humanitarians felt that the Pakistani authorities prioritized damage assessment over the humanitarian needs of affected people. Many thought that the military’s response also lacked disaster reduction or disaster preparedness

21 UK House of Commons International Development Committee, ‘The humanitarian response to the Pakistan floods: government response to the Committee’s seventh report of session 2010–12’, 12 July 2011, p. 3, available at: <http://www.publications.parliament.uk/pa/cm201012/cmselect/cmintdev/1435/1435.pdf> (last visited December 2011).

strategies. Normally, such strategies would be expected of the civilian government, but, given the mandate and role of the military in Pakistan, there was an expectation that these should have formed part of the Pakistan military's responsibilities.

Response of the international humanitarian community

The humanitarian response in Pakistan was one of the largest relief operations launched by the international community. The UN appeal for the floods, for example, was the largest one-country appeal for a natural disaster in its history until that point.²² Key roles played by the international humanitarian community included the provision of mobile disease early warning systems, which, along with an integrated food, nutrition, and water and sanitation approach, were considered effective in controlling major epidemics of diseases. Millions were prevented from falling into food insecurity, thanks to the World Food Programme (WFP) and its partners increasing their distribution from three million to eight million beneficiaries between August and October 2010.²³

However, the sheer scale of the emergency meant that the response was soon stretched to the limit. Some critics have suggested that the international response was too late to be considered immediately life-saving, except in a few areas, and that it instead served as a second wave of support.²⁴ Notably, funding through the UN-led cluster system, and in some cases through direct donors, was slow to become available to implementing agencies and equally slow to be disbursed. This was because of both the process-orientated nature of the cluster system and the slowness of donors to fulfil their pledges to the UN consolidated appeal.

Overall, aid agencies faced significant challenges in scaling up their operations. Their presence tended to be concentrated in larger towns and areas. This was in part for logistical reasons, but also due to political and security considerations, particularly in the districts in Khyber Pakhtunkhwa that were affected by conflict and lay close to the border with Afghanistan. At the onset of the disaster, most humanitarian agencies only had a presence in Khyber Pakhtunkhwa because of their continuing engagement with previous disaster responses (mainly the 2005 earthquake and the 2008–2009 IDP crisis).²⁵ Further, the damage caused by the floods to supply lines and communication networks meant that only large and established organizations with national and regional stocks of relief items, such as the International Committee of the Red Cross (ICRC) and the UN High Commissioner for Refugees (UNHCR, also known as the UN Refugee Agency), were able to respond immediately.²⁶ Humanitarian capacity was even weaker in Balochistan, Punjab, and Sindh, where the numbers of people affected were also higher: around 8.2 million and 7 million people were affected in Punjab and Sindh

22 OCHA, 'Pakistan: one year on', 2011, pp. 23 and 61, available at: <http://www.unocha.org/top-stories/all-stories/pakistan-one-year> (last visited December 2011).

23 R. Polastro *et al.*, above note 16, p. 35.

24 *Ibid.*, p. 34.

25 *Ibid.*, p. 9.

26 *Ibid.*, p. 38.

respectively, as opposed to 3.8 million in Khyber Pakhtunkhwa.²⁷ The inter-agency real-time evaluation concluded that coverage of humanitarian needs was proportionally larger in Khyber Pakhtunkhwa than in Sindh.

Lessons learned

One year on from the floods, water and sanitation facilities have been restored and about 1.6 million homes, as well as other buildings, bridges, and roads, have been rebuilt.²⁸ However, Oxfam estimates that more than 800,000 families are continuing to live in makeshift tents and shelters, while more than one million people still need food assistance.²⁹ There have been outbreaks of disease as the result of inadequate access to clean drinking water and sanitation facilities; hunger, malnutrition, and lack of security remain serious concerns. Flood-prone areas still have weak levels of resilience and preparedness for disasters, leaving survivors vulnerable to another crisis. Taking stock is therefore vital. A number of lessons can be learned from the 2010 floods about civil–military relations, as well as about the overall humanitarian response.

Lessons learned about civil–military interaction

Improved humanitarian outcomes?

Despite the shortcomings of the overall response to the floods, many interviewees highlighted the complementary roles played by humanitarian and military actors. In particular, the role of the military in serving as ‘first responders’³⁰ in evacuating people and distributing relief to isolated populations was seen to have prevented massive loss of life. Humanitarian actors in turn were credited with helping to bring the humanitarian situation under control; their work to minimize hunger and the outbreak of epidemics was considered instrumental in stopping a second wave of deaths. Furthermore, while the military possessed the quickest means of delivery, it was primarily the humanitarian actors who had international access to key relief items, as well as the specialist knowledge to ensure their efficient use. This highlights the distinct but complementary roles that can be played by military and humanitarian actors in emergency response and how these roles can help meet the humanitarian imperative.

27 UK House of Commons International Development Committee, above note 21, p. 2.

28 Ajay Chhibber, ‘Pakistan’s flood victims still need support’, in *Washington Post*, 13 August 2011, available at: http://www.washingtonpost.com/opinions/pakistans-flood-victims-still-need-support/2011/08/02/gIQAWlmxBJ_story.html (last visited December 2011).

29 Arif Azad and Helen McElhinney, *Ready or Not: Pakistan’s Resilience to Disasters One Year on from the Floods*, Oxfam Briefing Paper 150, 26 July 2011, p. 1, available at: <http://policy-practice.oxfam.org.uk/publications/ready-or-not-pakistans-resilience-to-disasters-one-year-on-from-the-floods-138689> (last visited December 2011).

30 See R. Polastro *et al.*, above note 16, p. 33.

However, these complementary roles were not without their complications. The humanitarian response has been criticized for its lack of a principled approach, based in part on an absence of independent needs assessment and limited access, but also owing to claims of civil and military control over the distribution of aid.³¹ Interviewees were also concerned about the military's limited understanding of the importance of impartiality in the distribution of aid, which they claimed led in part to the disproportionate level of support to Punjab compared to other areas. There were also technical differences: for instance, the government of Pakistan had a different interpretation of the transition from relief to recovery, and rejected the relevance of Sphere standards in some sectors.³² This confirms again that, while there may be improved humanitarian outcomes when civil and military actors work together, this is not without cost to other humanitarian principles and adherence to internationally recognized standards.

Inconsistency and different interpretations of 'last resort'

The question of whether humanitarian actors should transport food and other heavy goods using military assets arose very quickly, given the scale of the flooding and the impassability of large areas (particularly in the northern districts of Swat, Kohistan, and Shangla, where almost all major bridges and roads had been washed away or severely damaged).³³ Using the in-country civil–military guidelines, the HCT endorsed the use of military helicopters on the grounds of 'last resort' by the World Food Programme (WFP) to transport food to areas that were inaccessible by other means, at least until the UN Humanitarian Air Services could take over.³⁴ With flooding expanding into southern areas and affecting accessibility in large areas of Balochistan, Punjab, Sindh, and Gilgit–Baltistan, this authorization was broadened to include the transport of a range of life-saving relief items across Pakistan, involving UN agencies and a number of NGOs. The UN agreed measures to limit potential negative implications, such as ensuring that military officials were clear that their involvement was limited to the transportation of goods, and that humanitarian and media representatives' passage on military flights was restricted.³⁵ These decisions have since been criticized, with concerns raised in particular about humanitarian actors' use of military assets in areas of Balochistan and Khyber Pakhtunkhwa, where the Pakistani military is active operationally.³⁶

31 Christopher Stokes, 'Drowning humanitarian aid', in *Foreign Policy*, 27 October 2010, available at: http://afpak.foreignpolicy.com/posts/2010/10/27/drowning_humanitarian_aid (last visited December 2011).

32 The Sphere Project was launched in 1997 to develop a set of minimum standards in core areas of humanitarian response. This resulted in the publication of a handbook, *Humanitarian Charter and Minimum Standards in Humanitarian Response*, which was last updated in 2011. The standards set out in the Sphere handbook are widely accepted by the humanitarian community.

33 Transport and medical facilities were provided by both Pakistani helicopters and international assets on loan – American Chinook helicopters, British Bailey bridges, and Chinese field hospitals to name a few – which created an ambivalent situation regarding the distinction between international and national military assets, though international markings were removed or covered up.

34 M. Péchayre, above note 10, p. 12.

35 N. Bennett, above note 20.

36 See, for example, R. Polastro *et al.*, above note 16, p. 37.

The government did not permit the UN Humanitarian Air Services to deploy civilian helicopters at first;³⁷ therefore initially, when air access was most needed, the only air assets allowed into the north-west were military.

Lack of consistency among humanitarian agencies was evident across all civil–military debates. Many local NGOs, while demonstrating different levels of interaction depending on their political affiliation, largely accepted the role of the military in the response as a natural governmental function. The Pakistan Humanitarian Forum,³⁸ representing a large number of international humanitarian NGOs working in Pakistan, made a collective decision not to use military assets, national or international. However, local NGOs were frequently not party to what were largely debates by international actors on civil–military relations. Within the international humanitarian community, there were different interpretations of when the threshold of ‘last resort’ to use of military assets had been reached, while still others – including Médecins sans Frontières (MSF) and the ICRC – argued against the use of military assets in their own operations in order to safeguard perceptions.³⁹

Geopolitical pressures

Given the severity of the humanitarian crisis and Pakistan’s proximity to Afghanistan, the question of whether NATO military assets should be involved in the response was almost inevitable. In early August, NATO offered assets, including an air bridge,⁴⁰ to the Pakistan government. This happened on 20 August, at which point NATO also publicly offered this capability to humanitarian organizations. The issue led to heated debate in the humanitarian community, owing to the role of NATO in the Afghan conflict and the regional political implications. Representatives from the UK, US, and Pakistan governments advocated strongly for humanitarians to use the air bridge,⁴¹ claiming that it would speed up delivery and reduce costs associated with assistance. These assertions were challenged at the time, and have been since, by OCHA.⁴² Meanwhile, the European Commission Directorate-General for Humanitarian Aid (ECHO) took a different position, letting it be known that, if any of their implementing partners violated humanitarian principles in the use of military assets, they would be in breach of their contract. The HCT finally ruled out use of the NATO air bridge on the basis that it was not a last resort because civilian transport was available. Despite this collective decision, WFP

37 M. Péchayre, above note 10, p. 10.

38 The Pakistan Humanitarian Forum was established in 2003, following the 2002 earthquake in the northern areas of Pakistan. Membership of the forum includes nearly all the major INGOs in Pakistan, including Oxfam, Save the Children, Action Aid, and Islamic Relief. The forum collectively represents the international humanitarian community with the UN and the Pakistan government.

39 Indeed, both also refused their activities to be included in the UN situation updates.

40 ‘Air-bridge’ is a term in logistics to describe the route and the means of delivering material from one place to another using an airlift.

41 UK House of Commons International Development Committee, above note 21, pp. 5–6.

42 See N. Bennett, above note 20.

and UNHCR used the air bridge on a short-term basis,⁴³ as did a number of NGOs. It is important to note that at no time did NATO planes fly into areas affected by conflict or the disaster. Instead, supplies were flown directly from Europe to Chaklala Airbase outside Islamabad.

Different approaches to security

Other challenges related to the use of armed escorts. Certainly, there was pressure from Pakistani authorities to use armed escorts in specific districts of Khyber Pakhtunkhwa, Punjab, and Sindh.⁴⁴ This was met with different responses from humanitarian actors, with some accepting the armed escorts, others gaining exceptions, and still others suspending operations. Many humanitarian actors were extremely reluctant to use armed escorts provided by the Pakistan military or police because they believed that it would undermine their acceptance in the long term and place their staff and programmes at risk. The Pakistani authorities, on the other hand, were fearful of the media attention that a serious security incident involving an international actor would bring, and therefore insisted that humanitarian actors used police escorts in a number of sensitive areas. While Pakistani authorities in Islamabad often understood humanitarian security strategies, that understanding did not filter down to the field in Punjab and in some places in Khyber Pakhtunkhwa, which led to an insistence on the use of armed escorts, confusion about the necessity of No Objection Certificates, and nervousness of provincial authorities to allow expatriate staff to deliver aid. This, perhaps more than any other issue, frustrated the relationship between humanitarian actors and the Pakistani authorities at the field level.

Lessons learned about humanitarian response

One of the central issues to emerge from the response to the Pakistan floods is that it matters how a crisis is characterized. There is often significant disagreement among responders over this issue. Humanitarian principles, particularly neutrality and impartiality, are recognized by humanitarian agencies as key to facilitating safe and secure access to populations in need. As this is particularly pertinent in situations of armed violence or conflict, the level of civil–military interaction that will be perceived as appropriate will change depending on the context: risk thresholds will vary, while different civil–military guidelines apply in times of peace or conflict. How a crisis is perceived and defined is therefore key to the level and pitch of civil–military relations.

Pakistani authorities and organizations, as well as some UN agencies and INGOs, viewed the 2010 floods as a purely natural disaster; following on from that, they perceived the sensitivities felt by others around neutrality and acceptance as

43 Pakistan Civil–Military Coordination Working Group meeting, 30 September 2010, available at: <http://bit.ly/Jzs2qA> (last visited December 2011).

44 *Ibid.*

inappropriate. However, for members of the International Red Cross and Red Crescent Movement, a number of INGOs, and some UN agencies, the 2010 floods took place in the context of a larger complex emergency. Issues around neutrality and acceptance were seen to be highly relevant. This divergence in understandings of the crisis was felt across the board in civil–military relations, including over the use of military assets, the use of armed escorts, and the applicability of guidelines.

Broadly speaking, it is possible to identify three distinct approaches taken by international organizations:

1. Those who saw themselves responding to a purely natural disaster tended to follow the Oslo guidelines;
2. Those who saw themselves responding to a complex emergency, in which both the Pakistan national military and NATO were perceived to be parties to a conflict, tended to follow the MCDA guidelines and to maintain an appropriate distance from the military where possible;
3. Those who saw themselves responding to a natural disaster within a complex emergency, for which there are no international guidelines and where neither the Oslo guidelines nor the MCDA guidelines provide guidance on civil–military relations with the national military, tended to have varying responses to civil–military issues.

Local NGOs had diverse positions. Some showed little concern for civil–military issues and accepted the heavy involvement of the military as normal. Access was the only issue on which they interacted or negotiated with the army. Others were less ambivalent and had poor or distant relations with the military. However, this had had greater impact on their positions and operations during the 2008–2009 IDP crisis; many interviewees stated that such concerns were largely irrelevant during the 2010 flood response.

While principles and guidelines had a dominant influence over how civil–military relations were understood, there were some pragmatic considerations that also affected the different positions that actors took and that were independent of the different frameworks through which they viewed the crisis. These included:

- a) *Scale of the disaster and the humanitarian imperative.* The number of people affected in the 2010 floods was unprecedented in Pakistan. The need to deliver assistance as quickly as possible, and the obvious and readily available life-saving capacities of the military, may have softened some humanitarian agencies' positions towards civil–military interaction, while also encouraging the military to engage with humanitarian responders to the greatest extent possible.
- b) *Size of programmes.* The size of an agency's programme has an effect on its willingness to work with the military and to use military assets. The overwhelming amount of aid distribution, even in large-scale operations, was done with the use of civilian contractors. Agencies, such as WFP, that were delivering huge amounts of food to affected people largely through civilian means were not willing to take a hard stance on the small portion of their total

- assistance delivered using military assets, which risked damaging their relationship with the Pakistani authorities.
- c) *Organizational mandate.* Organizations active in areas of armed violence in Pakistan, particularly MSF and the ICRC, were not willing to risk their longer-term interests and acceptance with armed actors by using military assets. In these cases, organizations tended to use low-tech methods such as donkey caravans to reach remote communities.
 - d) *Media and public pressure on the Pakistani authorities.* The pressure within Pakistan to deliver aid quickly and effectively was extremely high. The civilian government at the time was quite fragile. Given the scale of the disaster, it was important for the government, as well as for the military, to respond quickly to maintain their popular legitimacy. This explains, at least in part, their desire to control the humanitarian operation to the greatest extent possible.
 - e) *Geopolitical pressures on all actors.* Humanitarian agencies, international donors, and the Pakistani authorities were all heavily affected by geopolitical sensitivities. The international media were quick to point out that charities allied with militant groups were filling gaps where the Pakistani authorities and international humanitarian agencies were not responding adequately. This led to a general fear that, if the charity wings of militant groups were distributing aid on a large scale, then support for these organizations and ideology would increase.
 - f) *Lack of knowledge of civil–military principles and guidance on all sides.* Many in the humanitarian community and among the Pakistani authorities professed awareness of the Oslo and MCDA guidelines and of civil–military issues in general. However, a detailed and nuanced understanding of the issues was rare, resulting in possible overreactions or misunderstandings with regard to civil–military issues, which damaged relationships between civil and military actors. These included the different interpretations of ‘last resort’, which is explained well in the guidance. One reason for this was too much dependence on written guidelines and limited in-country training and dissemination, both during the flood response and in the period preceding it. While there was a major emphasis on formulating guidelines and gaining HCT endorsement, less attention was paid to ensuring that the resulting guidance was disseminated and understood.

Conclusions

Principles and pragmatism in civil–military interaction

Humanitarian agency views on civil–military relationships are rooted in humanitarian principles, particularly neutrality and independence. Humanitarians argue that they require distance from the military, particularly during conflict, in order to obtain access to and be accepted by populations in need. Different aid organizations pursue these principles in different ways. MSF, for instance, seeks to ensure financial

independence, so its programmes in Pakistan are not funded by any governmental donor. This is a tool that it uses for negotiating access, as it can claim that its response is on the basis of need alone and is independent of the political priorities of donor governments.

Ensuring acceptance in a complex environment such as Pakistan is not easy. For example, gaining international access in Pashtun-dominated tribal areas has long been difficult, owing to negative local perceptions of international actors, which have been further eroded by the 'global war on terror'. The role of the UN and other actors in supporting internationally led stabilization efforts in Pakistan in the context of the IDP crisis has not helped with local perceptions of independence and neutrality.⁴⁵ Security concerns in Pakistan have increasingly led humanitarian organizations to adopt protective and deterrent security measures, often meaning that their staff are confined to highly fortified compounds in large cities.

As a result, few humanitarian organizations operating in Pakistan – with the exception of MSF and ICRC – seek contact or maintain relationships with non-state armed actors in Pakistan, and therefore do not have access to populations under their control or influence. Without these relationships – which require skills, ongoing analysis, effort, and dedicated capacity to build – the degree to which agencies are perceived as neutral and accepted by non-state armed actors is unclear, arguably regardless of their degree of interaction with the military. Whereas UN agencies are prevented from engaging with some non-state actors in Pakistan owing to institutional constraints such as the prohibition of engagement with proscribed groups, international NGOs have the potential – at least in principle – to do more in this regard.

Those agencies that have maintained contact with non-state armed actors in Pakistan have tended to view civil–military issues in a more nuanced manner and as integrated into a holistic and contextualized understanding of humanitarian principles. In relatively peaceful areas such as northern Sindh, the use of military assets was often seen as a relatively minor issue by them. In others, such as the Federally Administered Tribal Areas, where armed violence is prevalent, it was viewed as much more sensitive and critical. Yet, in all cases their decision-making was guided by interest in maintaining engagement with non-state armed actors and thereby their continued ability to access populations in areas under the latter's control or influence.

This raises the question of the relationship between humanitarian principles and civil–military relations. In particular, it begs questioning the degree to which the use of civil–military assets *per se* is fundamental to an organization's neutrality, or whether it is just one of many issues that play into how it is perceived. On the one hand, refusal to use military assets can be interpreted as an effort to ensure a principled approach. On the other hand, in the absence of any previous engagement with non-state armed actors, it can be perceived as a knee-jerk reaction, or even grandstanding over principles, if not combined with a detailed and nuanced understanding of context.

45 Humanitarian Policy Group, above note 12, p. 7.

Approaches to the affected state

The primary role of the affected state in disaster response is a principle affirmed by the Oslo and MCDA guidelines, UN General Assembly Resolution 46/182, and the Sphere handbook, and the appropriateness of this approach has been confirmed by independent research.⁴⁶ While the role and responsibility of the affected state has been accepted as a matter of law and policy, it has rarely been fully integrated in practice into the approaches taken by various international humanitarian actors toward national authorities. Yet co-ordination between national militaries and humanitarian actors is essential in large-scale natural disasters such as the 2010 Pakistan floods, owing to the overwhelming humanitarian imperative.

Given the necessity for civil–military co-ordination in Pakistan, country-level civil–military guidelines were developed in 2009 by an HCT working group. This was led by OCHA and endorsed by the HCT to cover civil–military interaction in humanitarian relief operations during both complex emergencies and peacetime. This initiative was particularly important given that the relevance and application of international civil–military guidelines is unclear in a context where most of the military assets in question are under the control of the national military (as opposed to foreign militaries). Within the humanitarian community, the guidelines were widely thought to be detailed, useful, and thorough. However, the guidelines had not been officially accepted by the Pakistani authorities by the time of the floods and have yet to be signed off by the government of Pakistan in 2012. When pressed for an answer as to why these guidelines have still not been accepted, representatives from the NDMA argued that they were not applicable to a sovereign nation such as Pakistan with an internationally recognized capacity for disaster response and a wealth of experience acquired through participation in UN peacekeeping operations around the world. They felt that the guidelines were more appropriate for humanitarian emergency settings in which no functioning government exists.

Given the meticulous nature of the guidelines themselves, the problem lay more in the process by which they were developed and presented to the Pakistani authorities than their actual content. In view of the primary role played by the Pakistani authorities within the country and their recognized leadership in previous crises, the development of civil–military guidelines would have required a participatory approach and careful relationship management by the international humanitarian community. However, instead of a set of guidelines developed jointly, the Pakistani authorities felt that they had been presented with a *fait accompli* in the form of guidelines mainly developed by international humanitarian organizations, which dictated how the Pakistan government should interact with the international organizations operating on its territory.

46 Paul Harvey, 'Towards good humanitarian government: the role of the affected state in disaster response', HPG Policy Brief No. 37, Overseas Development Institute, London, 2009, available at: <http://www.odi.org.uk/resources/details.asp?id=4196&title=good-humanitarian-government-affected-state-disaster-response> (last visited December 2011).

Guidelines themselves are not binding; they only guide practice if there is 'buy-in' from all sides. Proper participation, accompanied by sustained and nuanced humanitarian diplomacy, is required to obtain the vital ingredient of 'buy-in'. Though different organizations and individuals had contrasting views on how the process had been managed in Pakistan, in the final analysis it was the perception of the Pakistani authorities that mattered most and that prevented the guidelines from being accepted. The failure of the country-level guidelines to be accepted by the Pakistani authorities ahead of the 2010 emergency demonstrates that the diplomatic skills required to obtain buy-in are as important as, if not more important than, the technical skill required to develop solid guidelines. Part of the problem is that the relationship between national militaries and international humanitarian actors has tended to be seen as a rivalry. This is inappropriate given the role of the affected state and the necessity of civil–military interaction in such large-scale disasters.

Local organizations and civil–military relations

Local organizations, particularly those that did not regularly serve as implementing partners for international agencies, had little awareness of civil–military issues. They tended to view the pervasive military presence as a permanent aspect of life in Pakistan and were largely unaware of guidelines on civil–military relations developed by international humanitarian organizations. Many of these organizations had grave reservations about the role of the military, but did not see working with, or independently of, the military as a particularly relevant concern. In some cases, owing to the volunteer base that they had within affected communities, it was clear that they were correct in not placing too much emphasis on civil–military relationships, as many search and rescue activities could be carried out by people within the affected communities themselves before military assistance had arrived. Meanwhile, other local actors have challenged the high degree of focus among international humanitarian actors on how they co-ordinate with the military, as opposed to how they could be influencing the actions of the military, as a 'black and white' interpretation of principles.⁴⁷ When thinking about civil–military principles in the context of local organizations, their unique dynamics and positions need to be taken into account. It is unclear how appropriate guidelines and civil–military approaches, originally developed for international organizations, are for national organizations, and much more study is required to understand this critical issue.

Gaps in guidance

There are clearly gaps in international guidelines that govern civil–military relations. In particular, there is little or no guidance on engagement with national militaries.

47 Zahir Shah, 'Military–humanitarian relations in Pakistan', in *Humanitarian Exchange Magazine*, Issue 49, February 2011, available at: <http://www.odihpn.org/humanitarian-exchange-magazine/issue-49/military-humanitarian-relations-in-pakistan> (last visited December 2011).

Existing guidelines also make a sharp distinction between complex emergencies and natural disasters in peacetime. However, matters are not always so black and white in actuality. Nonetheless, the issue is vital, because the way in which a crisis is characterized matters for the pattern of civil–military relations that subsequently develop. During the Pakistan flood response, responders who saw themselves addressing a pure natural disaster tended to have a laxer approach to civil–military relations, while agencies who viewed the crisis as part of a larger complex emergency tended to take a stricter line with regard to the use of military assets. Given the increasing number of natural disasters occurring in conflict contexts, inconsistency in the application of guidelines is likely to manifest itself elsewhere.

During the 2010 floods, there was not only disagreement about the relevance of guidelines but also about how they were interpreted; in particular there was disagreement about how the concept of last resort was interpreted. Disagreement existed among government actors (namely Pakistan, the US, UK, and ECHO), as well as among humanitarian responders. According to OCHA, some agencies that did not resort to military assets argued that it was possible to carry out their humanitarian action using civilian assets, and so the threshold had not been reached. Others claimed that last resort only applies when there is a direct and immediate threat to life and security, and so was largely relevant only in the immediate life-saving phase of the response. Others argued that cost should be a consideration in ‘last resort’, especially when advocating for the use of strategic air assets funded by NATO. The HCT’s interpretation included the need to save lives and to alleviate suffering, including through indirect means, allowing for authorization to be provided for the use of military assets to transport relief items to areas that were hard to access.⁴⁸

While in certain instances interpretation was on the basis of principles, it was often also related to pragmatic concerns, such as the size of the operation and even whether the agency was prepared to move to a new location or whether it had funding. The fact that ‘last resort’ and the guidelines themselves can be interpreted in such vastly different ways undermines the very value of guidance and points to an urgent need for greater clarity and agreement on the principle.

The gap in existing guidance on engagement with national militaries can be addressed in part by the development of country-specific guidelines, as was the case in Pakistan. However, as Pakistan also shows, guidelines themselves are insufficient. Guidelines, whether international or country-specific, are not binding and will only guide practice if they achieve buy-in from humanitarian agencies and the national authorities. International humanitarian agencies need to invest more in sensitizing national authorities to internationally recognized humanitarian principles through respectful and participatory engagement, and not simply assume that these principles will automatically be respected. A corresponding civil–military strategy could be promoted through nuanced humanitarian diplomacy. It is worth considering that country-specific guidelines have very rarely been accepted by

48 See N. Bennett, above note 20.

national governments and militaries. Yet the humanitarian imperative makes principled and effective co-ordination between humanitarian agencies and governments essential, particularly in large-scale natural disasters, where national militaries are likely to take a leading role. This in turn underlines the critical importance of addressing the question of 'ownership' by the affected state, in terms of both guidelines and the overall humanitarian response.