

Humanitarian Assistance and Disaster Relief Operations and Legal Framework in South Asia

Post-independence, India has been an avid provider of humanitarian assistance and disaster relief. However, India's involvement and contribution in the given sphere has been evolving rampantly in the past decade. It has conducted various humanitarian aid operations, humanitarian assistance, and disaster relief around the world, especially in its neighbouring states. Its presence could be highly measured in the South Asian states, amongst which there are various evacuation operations, humanitarian airlifts, and sealifts operations. India has recently published a formal guideline on international humanitarian assistance and disaster relief, which further accesses and analyse the operational framework and the guiding principles that are prevalent in governing and overlooking the Humanitarian Assistance and Disaster Relief (HADR) operations. This article focuses on the major HADR operations, humanitarian airlifts and sealifts, and disaster relief undertaken by India in the South Asian states, specifically in the recent years. It also focuses on the guiding principal and operational framework governing these operations, alongside regional and international cooperation.

Introduction

In Oct 2024, guidelines for international Humanitarian Assistance and Disaster Relief (HADR) were published by the National Disaster Management Authority (NDMA), with the aim to provide the impacted nations a prompt, efficient, coordinated, and timely HADR reaction.^[1] The most important factor in advancing humanitarian efforts has been international cooperation. Nevertheless, despite political disputes, humanitarian aid and relief are generously given and accepted. Additionally, this promotes cordial ties with foreign countries. Numerous humanitarian crises have occurred in the last ten years, including the immediate aftermath of armed conflicts, the COVID-19 pandemic, natural disasters, and extreme weather events brought on by climate change.^[2]

There are more and more nations participating in disaster relief efforts. 16 states promised to provide humanitarian aid for the Bosnian crisis in 1990. Following the Indian Ocean tsunami in 2004, 92 governments promised to provide humanitarian aid to the impacted countries. Following its independence, India transitioned from being a beneficiary of help to a donor state, and it currently contributes up to 12 per cent of all humanitarian aid sent to non-Development Assistance Committee member nations.^[3] Earlier, wealthy countries in the West used to be the top donors of humanitarian aid, using their economic might and military might to exert 'Soft Power' all over the world. However, the reversal of western 'Expeditionary' HADR operations has occurred, with regional groups offering comparable support, due to the shifting global order, the growing dependency on multilateral issues within a region, and the economic growth of nation.

Despite not having a formal HADR policy, India has participated in relief efforts and sent humanitarian aid throughout South Asia and beyond. The Ministry of External Affairs' Development Partnership Administration (DPA) branch is principally in charge of overseeing the nation's external HADR. Together with the Ministry of Defence, other central government agencies, regional states, and civil society, DPA organises international activities on a domestic level.

India and Humanitarian Assistance and Disaster Relief

India's cultural and spiritual values serve as the foundation for its humanitarian aid philosophy. All of the great religions—Islam, Buddhism, Christianity, and Hinduism—promote empathy for the suffering. The word *daan* in Hindi refers to 'Charity without motive'. Over the years, a number of natural disasters have positioned India to fortify its domestic disaster management systems. In Dec 2005, the Indian Parliament established the Disaster Management Act, and in 2009, the Central government unveiled the Disaster Management Policy. It signalled a change in how catastrophes were handled by taking a 'Holistic, multi-dimensional, and multi-disciplinary approach' that included preparedness, response, mitigation, prevention, relief, and rehabilitation. In reality, the military is called in at the start of a crisis and is typically the last to go, even if civilian authorities are the primary responders for disaster management.^[4]

According to the 1994 Oslo Guidelines, "Humanitarian Assistance must be provided with the core principles of Humanity, Impartiality, and Neutrality, and must also fully respect the sovereignty of states".^[5] India has been one of the avid providers of HADR, and believes respecting sovereignty lies in the heart of providing HADR.

India has conducted a number of activities in the last ten years to aid its neighbours, particularly the South Asian countries. In general, these operations can be divided into:

? **Humanitarian Airlift/Sealift Operations.** The late General Bipin Rawat, Chief of Defence Staff, emphasised the significance of streamlining defence cooperation within a region on 7 Dec 2021. At an event for PANEX-21, a HADR exercise aimed at fostering stronger regional collaboration, he was speaking to representatives from Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) nations.^[6] The enormous volume of Indian diasporas worldwide is a fundamental factor in why airlift and sealift operations are among India's primary HADR toolkits. They had to be evacuated in emergency situations.

? **Disaster Response.** India's HADR has historically focused on natural disasters, such as earthquakes, floods, storms, etc. As global surface temperatures rise, there is a considerable chance that some of these calamities, especially floods and storms, may occur more frequently and with greater intensity. The regions of South and Southeast Asia are particularly susceptible to this occurrence. India's HADR initiatives are, therefore, primarily concentrated in these two areas. On the other hand, India has also reacted to appeals for aid from distant areas like West Asia.

Following COVID, India has conducted a number of noteworthy HADR operations in response to humanitarian crises brought on by armed wars and natural catastrophes, including the following.

Humanitarian Airlift/Sealifts Operations.

- **Operation Ajay.** India started Operation Ajay on 11 Oct 2023, in response to the war that broke out between Israel and Hamas. The evacuation of Indian nationals from Israel was the operation's goal. Six special flights have been used to transport 1,309 Indian citizens, 14 Overseas Citizen of India card holders, and 20 Nepalese so far.^[7]
- **Operation Kaveri.** The Sudan Armed Forces and the paramilitary Rapid Support Forces, the two main factions of the military administration, began battle in Khartoum, the capital of Sudan, on 15 Apr 2023. Over 14,000 people have died as a result, and over 8 million have been displaced. On 24 Apr 2023, India began Operation Kaveri to evacuate

Indian citizens from the nation. Overall, 18 Indian Air Force (IAF) missions, five Indian Navy ship excursions, and 20 commercial flights assisted in the evacuation of around 4,097 individuals, including 136 foreigners.^[8]

- **Operation Ganga.** The biggest war in Europe since World War II began on 24 Feb 2022, when Russia invaded Ukraine. On 26 Feb 2022, India responded by initiating Operation Ganga, which aimed to evacuate Indian citizens—primarily students—from Ukraine via its neighbours, Romania, Poland, Hungary, and Slovakia. 90 flights, comprising 76 commercial and 14 IAF flights, returned 18,282 Indian nationals to India between February and March.^[9]

Disaster response.

- **Operation Karuna.** The strongest Bay of Bengal cyclone in the past ten years, Cyclone Mocha, made landfall in Myanmar on 14 May 2023, bringing with it landslides, flash floods, storm surges, and torrential rains. Sittwe, the capital of western Rakhine state, was destroyed to a degree of up to 90 per cent. On 18 May 2023, India launched Operation Karuna in response, and Indian Navy ships quickly provided about 40 tonnes of relief supplies.^[10]
- **Operation Dost.** A massive 7.8 magnitude earthquake rocked northern Syria and southern Turkey on 6 Feb 2023. Complete cities were devastated, and almost 40,000 people died. On 8 Feb 2023, India began Operation Dost in retaliation. India supplied a professional search and rescue crew, equipment, necessary medications, and other relief supplies using the IAF's cargo planes. Additionally, India has sent Syria more than six tons of emergency aid.

Key Actors and Legal Framework Governing the Humanitarian Assistance and Disaster Relief Operations

The goal of the NDMA on HADR operations is to give the impacted nations a prompt, efficient, coordinated, and responsive HADR response. It also offers the main tenets and foundation for operations. Respect for national sovereignty is one of the core tenets that underpin HADR operations. The NDMA guidelines underscore that any assistance provided by external agencies or countries must occur with prior consent from the affected state, thus respecting its autonomy in managing crisis situations. This principle aligns with international norms stipulating that sovereignty is paramount when conducting humanitarian missions, which also reinforces the importance of collaborative efforts where affected nations can accept or reject international aid as per their legislative framework.^[11]

The guidelines also outline a methodical framework for South Asian countries to work together, which is essential to develop a coordinated response system that improves the efficacy of disaster management initiatives. Countries can promote a coordinated response plan that respects each nation's legal and regulatory systems by outlining particular roles, duties, and resources that can be deployed during emergencies through bilateral and multilateral agreements. Provisions governing the deployment of personnel, resources, and technologies necessary for efficient disaster response should also be included in these cooperative agreements. Mutual assistance agreements, for example, can involve exchanging information

regarding capacity-building and disaster preparedness programs, enabling nations to improve their emergency management systems.

The NDMA standards' focus on legal readiness for disaster response is another crucial element that is emphasised. Ensuring that legal frameworks are in place to enable prompt and effective humanitarian assistance involves adopting national laws and policies that are in line with international norms. The legitimacy of HADR operations is further increased by adherence to current international treaties and conventions pertaining to disaster management. South Asian nations may guarantee that their disaster response systems are both efficient and accepted by the international community by coordinating their national laws with their international commitments. This would make collaboration and assistance during crises easier.

Disaster management could benefit greatly from the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC), which is led by India. A transboundary strategy to crisis management and risk reduction is necessary due to the numerous cyclones and occasional tsunamis that the Bay of Bengal experiences. Although BIMSTEC was established in 1997, it wasn't until the 2004 Indian Ocean tsunami that its members realised how important collaboration was. Although there was a brief spike in interest in regional cooperation as a result of this tragic tragedy, BIMSTEC quickly lost ground at the regional level. Despite implementing some regulations and being prepared to work on capacity building, member nations lacked the relief mechanisms necessary for success.^[12]

In order to address this issue, the 2016 retreat of BIMSTEC leaders asked for collaborative exercises to enhance collaboration in disaster management and launched a BIMSTEC disaster management exercise modelled by South Asian Annual disaster management exercise. These exercises were held in India in 2017 and 2020. 80 delegates from Bangladesh, India, Myanmar, Sri Lanka, and Nepal participated in the second BIMSTEC disaster management exercise, which simulated addressing flooded areas using local resources. In 2018, BIMSTEC also held a workshop on developing disaster warning systems and established a Centre for Weather and Climate.

The employment of military and governmental resources in disaster management is currently the main focus of BIMSTEC. A higher degree of stakeholder variety, including the private sector and all agencies involved in marine security, should be prioritised at the regional level, according to some, in order to guarantee that talks find methods to strengthen the resilience of each of their sectors.

Conclusion

Through its HADR initiatives, which have been essential in fortifying regional ties, India has made a name for itself as a reliable leader and partner during times of crisis. By responding swiftly and efficiently, India has not only saved lives during humanitarian emergencies and natural disasters but has also promoted invaluable confidence and goodwill throughout the region. Above all, India has shown its commitment to regional security and stability through its HADR efforts.

India has demonstrated its readiness to assist its neighbours in times of need by providing aid swiftly following natural disasters such as floods, tsunamis, etc. For example, India gained the

respect and gratitude of the affected nations for its swift response to the 2004 Indian Ocean tsunami and the 2015 Nepal earthquake, demonstrating its ability and willingness to offer aid outside its borders. Furthermore, alliances and diplomatic ties in the region have improved as a result of India's HADR initiatives. By giving aid without expecting anything in return, India has won the trust and respect of its neighbours.

Endnotes

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