



Humanitarianism: facing new challenges

In the increasingly complex world of humanitarian assistance, how big a role should international politics play?

by Joanna Macrae



A MEMBER OF THE RED CROSS is flanked by two columns of Rwandan Hutu refugees heading to Gisenyi, after crossing the border with Zaire in 1996. Up to 10,000 refugees crossed the border in one day, fleeing the rebel-held city of Goma.

HUMANITARIANISM used to seem so simple: picture an African child standing on a parched plain, a sack of food aid behind him offering the promise of life and hope. Now, the new image is more complex and fragmented: children as perpetrators, as well as victims, of violence; soldiers as relief workers; well-educated, urban Europeans as well as African farmers lined up for relief assistance; and mounting allegations that, far from helping, relief aid is actually making things worse.

So, what's changed? As the world reels from the unexpected and as yet uncertain successes in its first "humani-

tarian" war, in Kosovo, it is worth reflecting on why the apparently banal world of trucks of food has become a matter of high international political interest and debate.

Disastrous wars

While wars are inevitably associated with death and destruction, they are not necessarily associated with humanitarian crises. For example, between 1980 and 1988 the Iran-Iraq War claimed the lives of an estimated half a million people, 90% of whom were soldiers. Despite the war, and in part because of it, both governments involved were strengthened, consolidating their posi-

tions internally. While individual families mourned the death and injury of their loved ones, this war was not associated with famine, disease and large-scale displacement.

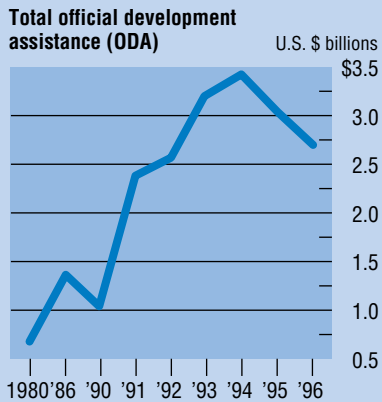
The international character of the Iran-Iraq War, and the means by which it was fought, stand in stark contrast to the majority of conflicts that have taken place since 1945, most of which have been fought within the borders of states. It would be wrong to characterize the origins of these conflicts as purely internal, since in many cases opposing sides depended on external support in order to prosecute them. During the cold war (1945–91), many internal conflicts were structured along ideological lines and became regionalized and internationalized with the respective superpowers and their allies providing political and military support to the warring parties.

However, the fact that the majority of conflicts are fought within the borders of sovereign states makes them particularly deadly. In these conflicts, the goal of warfare is not simply the occupation and control of territory but the definition of a nation's identity. In this context, war is no longer about military victory, it is about destroying the identity and dignity of the opposition. In this case, the "opposition" comprises not only soldiers, but the civilians in whose name they claim to be fighting.

It is for this reason that since 1945 civilians have accounted for 90% of war deaths worldwide. It is for this reason too that war-affected populations are among the most vulnerable people on earth. Worldwide some 40 million people are displaced from their homes by conflict. Africa's 15 million displaced people outnumber the population of all but six of the countries on the continent. The particular vulnerability of this group has been well documented. In Africa, infant and child mortality is at least 10 times higher among displaced populations than elsewhere on the continent, accounting for one fifth of its total child deaths.

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Trends in emergency aid flows*



*Excluding food aid.

Source: Organization of Economic Cooperation and Development, Development Assistance Committee Annual Report various years.

An important characteristic of contemporary conflicts is that they have been fought in extremely poor countries. Even without the particular effects of conflict, populations in these countries are already at the margins of survival, often living on less than one dollar a day and subject to the vagaries of the weather and international commodity prices in order to secure their livelihoods. These are the world's most deprived populations in terms of access to basic services such as water, health and education. This is the case not only in Africa and parts of Asia, but, for example, in parts of the former Eastern bloc, where survival rates have diminished for many sections of the population since the early 1980s.

This structural vulnerability to disaster has deep roots. Many Third World countries saw a significant downturn in their fortunes during the 1970s, as the effects of recession in the West rippled around the globe. By 1982, the Third World's share of global trade had dropped by 2%, while in Africa, terms of trade of low-income African countries fell by nearly 14% between 1979 and 1982. While trade revenues were falling, monetarist policies, reinforced by the major international development agencies such as the World Bank, reduced international financial liquidity, increasing interest rates significantly. Throughout the 1980s the debt burden continued to expand. Public debt in Africa alone increased from U.S.\$5.2 billion in 1970 to U.S.\$151 billion in 1991. At the same time, the high price of oil forced these countries to devote

an increasingly large share of declining national income to the purchase of oil and oil-related products, including fertilizers.

Against this background, a mounting crisis in the world food supply occurred during the 1970s and 1980s, and in particular, a growing dependence of the Third World on the West to meet the gaps in food supply. Between 1949 and 1951, 12 million metric tons of grain were imported by developing countries. In 1972, 36 million metric tons were imported. This food gap continued to grow throughout the 1980s. In 25 of the 36 developing countries for which data are available, food production declined significantly in the period from 1980 to 1992. During this time, food-aid imports increased from 1.6 million to 4.2 million metric tons annually.

This economic crisis was reflected in the political domain. As the ability of Third World states to sustain themselves declined and they were unable to provide access to basic goods and services or social and economic security, so reliance on coercive methods of government increased. In 1960, 26 of the developing states that were then independent were under some form of military control. By 1982 this number had reached 52, and by 1992 it was up to 61. In this context, it is unsurprising that persistent and violent challenges to the state emerged throughout the Third World.

Thus, Third World conflict can be understood not only as a *cause* of poverty and suffering among civilian populations, but also as *symptomatic* of the vulnerability of these political economies. This vulnerability is to a degree economic, but it is primarily political, reflecting a crisis of governance and public institutions. It is for this reason that conflict-related emergencies are differentiated from natural disasters by calling them "complex *political* emergencies," denoting the primarily political character of these disasters.

The tactics of modern warfare can push populations from a position of chronic poverty to disaster. The deliberate destruction of livelihoods—the burning of crops and discriminatory employment practices—means that populations lack the ability to produce and to buy food and other necessities. Prices of basic goods, including food, usually escalate rapidly as supplies are

reduced and as military, commercial and political forces manipulate markets, deliberately restricting the flow of goods, particularly into besieged towns. Although such tactics disempower and demoralize the enemy, they also allow some to profit from the parallel market.

In this context, people's options narrow quickly. Unable to produce or procure adequate food through their usual means, many people are forced to sell their remaining assets and/or to move in search of security and other means of securing a livelihood. As the successive conflicts in the former Yugoslavia have shown, forcible displacement of civilian populations through the use of direct violence and by making their lives and livelihoods untenable because of discrimination is part of a process of political and social engineering. It is about one section of the population redrawing political maps, and about seizing the assets (such as land and housing) of another. Thus, the humanitarian crises associated with wars from Afghanistan to Zaire have not just been unfortunate but unintended by-products of conflict—they have been its goal.

Survivors of the famine in Biafra will testify that there is little that is new in these strategies. (Biafra was the part of Nigeria that declared its independence in 1967. Starvation and disease resulted when Nigerian forces surrounded it and cut off supplies. Biafra ceased to exist in 1970.) What has changed significantly over the last three decades has been the international response to these war-induced humanitarian crises.

Relief during the cold war

Given that the tactics of internal warfare are designed to kill civilians or to force them to abandon their livelihoods and their homes, it is unsurprising that those who try to prevent or mitigate the effects of these strategies are undertaking a very difficult and highly political role. One commentator aptly described the intercession of relief agencies in war as "...akin to spectators in a stadium running down onto the field while a football game is in progress so as to reduce the incidence and severity of the tackling."

During the cold war, the ability and willingness of international actors to watch and intervene in the deadly "game" of war was limited. Efforts to

provide its victims with humanitarian relief were confined by the boundaries of sovereignty. In the context of the superpower stand-off there was absolute respect for the principle of negative sovereignty, in other words, an agreement by states not to intervene in the internal affairs of others. Governments' abuses of the human rights of their citizens were seen to fall within the domain of internal affairs, and, with few exceptions, were not seen to constitute a major threat to international peace and security that would justify intervention.

Within this framework of respect for sovereignty, the scope for humanitarian action was limited and heavily weighted in favor of the sovereign power. The provision of relief assistance was confined largely to the periphery of conflict—to relatively secure government-held territory, particularly towns, and most significantly to the assistance of refugees who had fled their countries of origin and crossed an international border into a second country.

Within war zones, and particularly in rebel-held territory, international assistance was heavily circumscribed not only by high levels of violence but also by the dependence of aid agencies on securing the consent of governments to their engagement. Furthermore, at least until the 1980s, the majority of relief assistance was provided through national governments. For example, it is notable that in 1976 the then European Community channeled over 90% of its relief budget through national governments in affected countries.

The important exception to this general rule was the work of the International Committee of the Red Cross (ICRC). Since the late 19th century, the ICRC has sought to alleviate the worst effects of war. Initially, it focused on developing a body of law to regulate the conduct of conflict and prevent its worst excesses, and to mitigate the suffering of soldiers wounded and captured in battle. As the concept of total war took hold, first in the Boer War (1890–1902) and then in the lead-up to World Wars I and II, the ICRC took on an increasing role in providing relief to civilians.

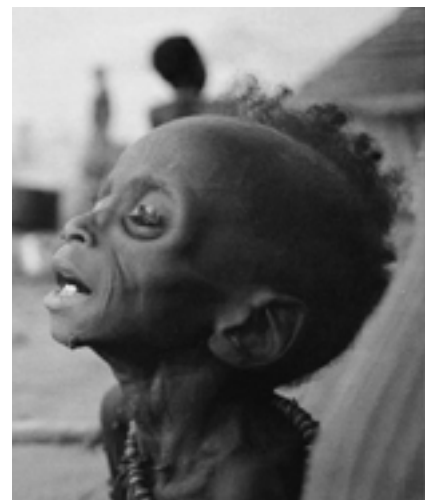
The work of the Red Cross Movement rested upon two key principles—neutrality and impartiality. Neutrality means not taking a political position in relation to the conflict in terms of its origins and outcomes. Impartiality

means the provision of relief on the basis of need and regardless of political affiliation, race, nationality or creed. These principles derive from both an ethical belief in the essential humanity of people and their equal right to assistance, and also from an essentially pragmatic stance. Because the ability of the ICRC to secure access to all was contingent upon its acknowledging that humanitarian intervention would not provide military advantage to either side, it maintained close contacts with military and political leaders at high levels in conflicts and would intervene only with the consent of both sides. Where such consent was withheld, as in the case of Biafra, the ICRC would not intervene.

Biafra was a formative moment in the history of humanitarian action in another way. As one commentator has noted, after this war the ICRC would "...never be alone in the field and never free of the competition that has come to mark modern humanitarian work." Quietly and very slowly the international humanitarian system began to expand. One of the first indications of this expansion was the formation by a group of French doctors in 1971 of Médecins Sans Frontières (MSF), or Doctors Without Borders, recently awarded the Nobel Peace Prize. This group of "revolutionary humanitarians" included some who had been disillusioned by the response of the Red Cross in Biafra, and in particular its failure to speak out publicly regarding the scale of horror and suffering in that war. This group interpreted ICRC's discretion, which it argued was vital to its neutrality, as complicity in massive abuse of human rights. Since that time, MSF has grown enormously, now boasting an international network of agencies which seek not only to provide assistance, but also to bear witness to unfolding conflicts and effects and advocate publicly for an end to abuses of human rights.

Humanitarian space

As the cold war thawed, so the scope for humanitarian action began to expand. The effective military disengagement of the West (and indeed of the Eastern bloc) from Africa in the mid-1980s provided one of the first indications of the demise of absolute respect for sovereign borders, which in turn offered new opportunities for humanitarian action. Some of these first tentative



AT AJIEP, IN SUDAN, a starving boy cries inside a compound run by Doctors Without Borders. The group provides medical aid in countries devastated by natural disasters, such as drought and earthquakes, or unnatural ones, such as war.

steps toward humanitarian interventionism were taken in the Horn of Africa. The cross-border operations into rebel-held areas of Ethiopia and what is now Eritrea were organized by indigenous organizations affiliated with the liberation fronts. The aid convoys that crossed into Ethiopian territory from Sudan were "illegal" and were undertaken without the consent of the Ethiopian authorities. Initially the relief effort relied only on private funds from international nongovernmental organizations (NGOs) and from the diaspora of people from these regions. From the late 1980s, however, these agencies received the majority of their funds from the U.S. Agency for International Development (AID) and the European Commission, albeit channeled discreetly through intermediary private voluntary organizations (PVOs).

What this represented was an extension of emerging development-assistance policy into the humanitarian sphere. In the development sphere, there was a radical rethinking of the role of the state in economic and political development, with an increasing emphasis on the role of the private sector, including PVOs, in the financing and provision of basic services. In countries experiencing emergencies brought on by conflict, some political analysis suggested that, far from being part of the solution, the state had become part of the problem. Rather than engage with the state in order to bring about its re-



AN ETHIOPIAN WOMAN cleans wheat grain salvaged from a storehouse after it was bombed by Eritrean forces. The wheat was part of 2,000 tons of grain destined for distribution to 13,884 displaced persons in Adigrat, Ethiopia.

form, to varying degrees international assistance agencies sought to work outside it. Relief aid represented the culmination of this approach.

In countries such as Ethiopia after 1974, Cambodia in 1982 and Sudan after 1989, for example, development assistance was virtually suspended by Western nations in protest against the policies of the respective regimes. Only relief, channeled through international—usually private—organizations, remained in place. Relief therefore came to symbolize not simply the existence of massive humanitarian need, but an effective questioning of sovereignty. While development assistance implied legitimacy of regimes, relief did not. Despite its antistate rhetoric, development assistance still conferred legitimacy upon, and required the authority of, state institutions for its implementation.

It was against this backdrop that the humanitarian system familiar in the late 1990s began to emerge. It constitutes a complex network of agencies, private and public. Fueled with funds by both donor governments and the general public in Western countries, the assistance community comprises three major pillars: the Red Cross Movement (ICRC and the national Red Cross societies); specialist agencies and funds of the

United Nations (UN Office of High Commissioner for Refugees or UNHCR, UN Children's Fund or UNICEF and the World Food Program or WFP are the most important operational agencies); and PVOs. All of these different bodies have the advantage of enabling donor governments to provide assistance in conflict-affected countries without channeling resources through the recipient government.

Thus the rise of relief, and the evolution of its strategies, was a response to the crisis of governance and of welfare in many developing countries. It was also a political message from powerful donor countries to Third World states regarding expected norms of behavior and the changing rules of international relations.

Nowhere was this new order more evident than in the international response, led by the U.S., to the humanitarian consequences of the conflicts in northern Iraq and Somalia. In the case of Iraq, military force was deployed in order to allow Kurdish refugees in Turkey to return to their homes. In the aftermath of this crisis, the UN General Assembly adopted Resolution 46/182. This sought to improve the UN's coordination of relief operations and to sustain the momentum for humanitarian intervention initiated by the formation of safe-havens in Iraqi Kurdistan. Importantly, it stated:

The sovereign, territorial integrity and national unity of states must be fully respected in accordance with the Charter of the UN. In this context, humanitarian assistance *should* be provided with the consent of the affected countries, and *in principle* on the basis of an appeal by the affected country (emphases added).

As a review of the initiative notes, the inclusion of terms “should” and “in principle” set a precedent for violation of sovereignty if the international community justified intervention on humanitarian grounds. This resolution thus paved the way for a doctrine of humanitarian intervention.

The optimism that force could be used for a humanitarian purpose has wavered over the past decade. The experience in Somalia had dented, seemingly irrevocably, the idea that international troops, particularly U.S. troops, could and should intervene on humanitarian grounds in other people's wars. U.S. PVOs and the global news network CNN were pivotal in generating

support for the deployment of these troops in 1992, whose mandate was to protect the delivery of food aid to hundreds of thousands of Somalis. Such a deployment was seen to be necessary because of the high rates of violent looting and manipulation of food aid by the different warlords. The mission ended in disaster. A military stand-off between U.S. troops and Somalis resulted in deaths on both sides and culminated in a revenge attack on U.S. troops. Captured by the world's media, the pictures of the mutilated bodies of U.S. soldiers dragged through the streets of Mogadishu, Somalia's capital, will probably be among the seminal images of the century. The withdrawal of the U.S. contingent was inevitable.

When arguing for a concerted international response to the famine in Somalia, then UN Secretary General Boutros Boutros-Ghali contrasted the sluggish response to African suffering with that of the humanitarian effects of the war in Bosnia-Herzegovina. Here, UN forces had been deployed to protect relief convoys at an early stage of the war. The volume of relief allocated to populations in Bosnia-Herzegovina dwarfed that provided to any other emergency at that time. The budget for former Yugoslavia of the UNHCR, the lead agency in the country, exceeded that for the whole of Africa. This generosity in terms of relief did not stop the killing, however, underscoring once again the need to protect the people for whom the aid was destined.

The legacy of Somalia was felt in spring 1994, when ethnic conflict in one of the smallest and poorest countries in the world led, in just three months, to the slaughter of an estimated 500,000 to 800,000 Rwandans. In the aftermath of the conflict and the genocide, 2 million people fled to neighboring countries. These terrible events were to expose the fact that, in the aftermath of Somalia, the international community had yet to develop an alternative strategy to deal with violence within states' borders.

In the UN Security Council, the U.S., among other permanent members, resisted the use of the term “genocide” for the unfolding events in Rwanda, precluding its obligation to intervene under the Genocide Convention. The UN Security Council also failed to provide a response when strong evidence

emerged that the massive refugee camps in Zaire (now Congo) were being controlled by the political and military forces responsible for the genocide. The mandate of the UNHCR, which was running the camps, stipulates that those responsible for war crimes and crimes against humanity are not entitled to refugee status or assistance. The UNHCR and the hundreds of PVOs working alongside it, however, lacked the mandate or the tools to separate those who were armed and responsible for the genocide from the innocent victims. Aid agencies could not act as policemen, advocates, judges and jailers. Instead, they stood accused of feeding the killers and of enabling them to regroup in order to mount an attack on the newly formed government in Rwanda. In the end, the Rwandan government seized the initiative and dismantled the

camps, forcing their inhabitants either to return to Rwanda or to flee deeper into Zaire. In the course of this turmoil, large civilian populations disappeared from the international radar screen, among whom were an estimated 50,000 children.

By the late 1990s, the experiences of Somalia, Bosnia-Herzegovina and Rwanda, together with those of the quieter, but nevertheless tragic emergencies in countries such as Afghanistan, Angola, Liberia, Sierra Leone, Sri Lanka and Sudan, were raising profound questions for all those who called themselves humanitarians and claimed humanitarian concerns. More money than ever before was being spent on emergency aid (see chart on p. 88). Despite this, and some have argued because of it, suffering continued seemingly unabated. ■

security, and the situation for the Kosovar population was becoming steadily more dangerous and difficult. The bombing of Serbia, which began on March 24, 1999, was not authorized by the UN Security Council. The NATO allies did not seek a Security Council resolution, confident that both China and Russia would veto it. Rather, the allies argued that their intervention in the internal affairs of a sovereign state was legitimate because it was designed to alleviate extreme abuses of human rights and thus prevent a major humanitarian crisis from emerging. An additional, although less frequently asserted, justification was that the action was a response to a threat to international peace and security, since a large outpouring of Kosovar refugees could have destabilized the region.

Both the legality and the legitimacy of the intervention, as well as the effectiveness of the NATO strategy, have been widely debated. Despite emphasizing the severity of the threat to civilian Kosovars, the allies relied on aerial bombardment without deploying ground troops, leaving the estimated half a million displaced Kosovars unprotected. The NATO bombardment also precipitated an intensification of Serbia's strategy of ethnic cleansing, leading to massive and rapid displacement of over a million people. Questions have been raised, too, about the sustainability of the political framework put in place by the UN after the Serb

A new humanitarianism?

THE MOUNTING and diverse critiques of humanitarian action are spawning the formation of what has been dubbed a new humanitarianism. As yet, it would be wrong to see this as a single, coherent doctrine. Rather, the different actors who constitute the humanitarian system and who interact with it in the political and military domains are each proposing different modifications to the existing framework of humanitarian action.

Kosovo: precedent or exception?

A first strand of the new humanitarian discourse is the need to shift emphasis from the protection of humanitarian supplies to the protection of people threatened by violence. A major evaluation of the international response to the conflict and genocide in Rwanda concluded that aid had been used as a substitute for political action—a Band-Aid applied much too late to prevent much of the suffering and death in that region. Similarly bleak conclusions might be drawn from any number of conflicts in recent decades. However, it was the specter of Bosnia-Herzegovina that was particularly haunting for European and U.S. policymakers.

The North Atlantic Treaty Organiza-

tion (NATO) military action against Serbia in 1999 is presented by many as being a response to this criticism. Military action followed months of diplomatic efforts within the European Union, the Organization for Security and Cooperation in Europe and the UN. The deployment of human-rights monitors had failed to yield improvements in



THOUSANDS OF KOSOVARs were contained in an open field at a border crossing called *Brace* in Macedonia, with virtually no medical assistance, little food and limited access for aid agencies. The Macedonian government feared the massive influx of ethnic Albanians could destabilize its own fragile ethnic mix.

withdrawal. Whatever the political and legal rights and wrongs, for humanitarian actors a distinct set of issues have emerged from the Kosovo case.

First, while welcoming a political intervention to address the root causes of humanitarian crises, the legitimacy and legality of such a deployment of force is important to clarify. Appealing to humanitarian objectives to legitimize such an intervention means appealing to universal values regarding the essential humanity of all people. If military intervention to secure humanitarian objectives is selective, then its legitimacy is potentially compromised, particularly in the eyes of non-Western populations and their governments. The fact that no similar actions are planned to respond to the equally alarming humanitarian crises in Africa, still less in Chechnya, the separatist Russian republic, makes it easier for such actions to be portrayed as part of a new world order where the West is imposing its values on others. Both Russia and China have failed to adhere to international legal standards in their treatment of minority groups, and, in the case of Russia, to conform to international humanitarian law during the course of the conflict in Chechnya. The fact remains, however, that they are permanent members of the Security Council.

The lack of a global consensus regarding humanitarian principles and values, and the use of force in securing them, could mark a new source of tension between the West and other powers. The lack of a rule book also opens the possibility that others may claim illegitimately the right to intervene militarily in second countries on “humanitarian” grounds. In other words, any softening of sovereignty implies a reanalysis of the rules governing intervention by states in each other’s affairs. Some people argue that a way out of this problem is to codify the conditions under which the international community is obligated to intervene militarily to prevent or mitigate humanitarian suffering. This is something that has been resisted because it would imply an obligation to act universally, with the political and financial costs this would entail.

The problems regarding the selectivity of response have significant implications for those involved in the delivery of humanitarian assistance. If the enterprise of delivering humanitarian

assistance becomes closely associated with a wider process of political and military experimentation regarding the post-cold-war order, then the pillar of neutrality on which the humanitarian enterprise has rested is removed.

Historically, humanitarian aid agencies have sought to maintain their independence from the political arena. This neutrality, and the appearance of neutrality, are more difficult to sustain in situations where they become associated with a particular political position.



NINIAN, CARTOONISTS & WRITERS SYNDICATE/cartoonweb.com

In the case of Kosovo, this association was determined not only by the nationality of many humanitarian organizations based in and largely funded by NATO countries. It is also potentially compromised by the close association of civilian, humanitarian organizations with military and political actors at field level. If soldiers are working alongside civilian groups in building camps, and donor-government representatives are becoming involved in routine decisions regarding the allocation of scarce humanitarian resources, the distinctions between them become quickly blurred.

Political humanitarianism?

Some commentators, particularly in the U.S., argue that the blurring of the lines between humanitarian assistance and international politics is an inevitable part of the coming of age of the humanitarian enterprise. It is naive, they argue, to think that humanitarian assistance is anything other than political. Inevitably, the provision of resources in these environments will have a political impact; the trick is to use the leverage provided by such assistance positively to build on local capacities and to provide a basis for peace. Under this approach,

the whole concept of neutrality is outmoded and needs to be replaced by a much more active, political form of humanitarianism, integrated with foreign policy objectives of peace and security. This approach is comfortable for many U.S. PVOs, which are often linked to constituencies in recipient countries, for example, through church groups. These links make a pure interpretation of neutrality inherently difficult to sustain.

Others argue, however, that such an integration is problematic ethically and operationally. At an ethical level, they argue, it is far from clear that the foreign policy objectives of the major powers always coincide with the interests of conflict-affected populations. For example, action came only very late in East Timor (decades after the Indonesian campaign against pro-independence militia began), and not at all in Chechnya. The concept of neutrality, they argue, does not mean being politically blind to the potential for warring parties to manipulate relief supplies for their own ends. Rather, it is an active concept, requiring humanitarian actors to undertake extensive political analysis in order to protect the integrity of their work. They distinguish, however, between a politically *informed* approach to humanitarian action and one which is politically *driven* by the foreign policy interests of donor countries.

Defenders of the principle of neutrality also point to the fact that its importance is not only moral, but also practical. Negotiating access to the victims of conflict has frequently been contingent upon aid agencies proving to the warring parties that such assistance would not give military advantage to the opposing side. If humanitarian assistance becomes associated with a particular side in a conflict, then it may also be seen by the opposing side as a legitimate target, so reducing access to victims on that side of the conflict.

Regulating the humanitarian system

A further feature of the humanitarian assistance landscape is increasing concern about how to ensure the legitimacy and accountability of aid interventions in conflict-affected countries. However flawed in practice, the accountability of international aid has traditionally rested on the idea that the recipient state would sanction and monitor flows within a

particular country. Indeed this remains the norm for development aid relations. How then to ensure the accountability of assistance in those countries that political scientist Robert Jackson has called quasi-states, in other words, those countries where a central government does not exist (for example, Somalia), is not recognized as the legitimate authority by the community of states (for example Cambodia from 1982 to 1991), or where the state's involvement in human-rights abuses at home and behavior toward third countries renders it an international pariah (for example, Sudan, Serbia, Iraq)?

The lack of a clear framework of governance has important implications for the way in which aid functions. If recipient-country governments are not regulating the quality, distribution and volume of aid flows, who is? For example, in these situations, who should decide where scarce resources should go and how they should be distributed to ensure equitable and efficient coverage? This issue is particularly problematic given the number and diversity of aid agencies working in emergencies, each of which works according to its own mandates and procedures and funding arrangements.

One solution is to try to maximize the participation of national professional and civil groups in decision-making, in other words, to legitimize decisionmaking nationally. In authoritarian societies, however, those with power frequently lack legitimacy, while those with legitimacy may lack power. Thus, a key role for humanitarian assistance becomes the empowerment of civil groups, enabling them to play a more effective role in decisions regarding resource allocation and management. So, for example, training might be given to civil wings of rebel movements to enhance the workings of emerging judicial and public-administration structures. This sort of work has been undertaken by the UN in southern Sudan, with funding from the U.S. government. This approach responds to a criticism that the provision of large volumes of humanitarian assistance has allowed warring parties to abrogate their responsibilities to civilian populations under their control, blocking the formation of strong and effective state-society relations. By developing the capacity of political groups to provide the

administrative and judicial framework for public life, the relations between them and society become more firmly embedded and legitimate. Such a process might result not only in improved respect for civilians during the course of a conflict, but also provide the basis for future governance.

Others counter, however, that the majority of warring parties consistently behave badly with respect to civilians under their control and that investments in the capacity-building approach are slow to mature and uncertain in their yield. It is often difficult to identify a "good guy" in today's wars. To engage with rebel groups responsible for massive abuses of human rights is to condone such abuses and to strengthen those very institutions that are responsible for violence. In the meantime, children are dying and there is a need to save them now. Furthermore, the boundaries between civil, political and military society are usually blurred in conflict-affected societies. Some church authorities were heavily implicated in the genocide in Rwanda, for example.

The UN has sought to respond to the problem of decisionmaking in situations of contested and uncertain statehood by adopting what it has called a Strategic Framework approach. This seeks to provide a unified mechanism through which all the different actors—UN, PVOs, NGOs, bilateral donors—can analyze needs and allocate assistance. However, the extent to which it can act as a legitimate authority to decide on the allocation of international aid resources is defined by the willingness of UN agencies, PVOs, NGOs and donor governments to allow the UN coordinating body—say, for Afghanistan—to determine how their money should be spent. Unsurprisingly, most have proved unwilling to relinquish their control over programming decisions, rendering the Strategic Framework process little different from information-exchange forums, common in humanitarian programming.

The Strategic Framework is an example of an attempt to fill the hole of governance in defining complex political emergencies. The lack of an effective and legitimate organization to regulate humanitarian action means that the numerous UN, international organizations and PVOs are working within the limits of their own mandates and re-

Codes of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief: Principle Commitments

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 endeavor not to be used as an instrument 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 program beneficiaries in the management of relief aid;
8. Relief aid must strive to reduce vulnerabilities to future 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 human beings, not hopeless objects.

sources. Until recently, there were no rules or standards against which their performance could be measured.

The need to define rules to guide humanitarian action in wartime was highlighted during the early 1990s when a growing body of evidence suggested that aid was being manipulated by warring parties. Recognizing this, and the threat that this posed to the credibility of humanitarian assistance, a number of PVOs got together with the Red Cross Movement to develop the Code of Conduct for Disaster Relief. This builds on the fundamental principles of the Red Cross to guide the provision of relief assistance and identifies 10 core principles (see box above).

In particular conflicts, aid agencies have also worked together to establish more country-specific strategies to guide their work. Thus, for example, in Liberia and Sudan, the UN and PVOs have formulated principles to guide their work and to hold aid agencies and rebel

movements accountable for violations of these codes. These are important initiatives and testify to the recognition by aid agencies of the complex political environment within which they work and the need to develop explicit strategies for navigating it. However, experience suggests that warring parties' adherence to the tenets of international humanitarian law and human-rights law is contingent upon their own strategic interests, and does not primarily reflect a response to pressure from humanitarian actors. This implies that the impact of humanitarian principles in terms of reducing manipulation of aid and in facilitating access while not insignificant is not likely to be defining. Rather, there is a need for a parallel political process which exerts pressure on warring parties to conform to the rules of war.

Furthermore, while many aid agencies have subscribed to principles to guide their interventions, there is no global body that monitors their adherence to them or that can apply sanctions if and when they do not conform to

these principles. Thus, if an agency delivers aid which then attracts an attack from rebels, or if poorly trained medical professionals mistreat patients, at present there is no mechanism to hold either the agency or the individual accountable.

Some have argued that there is a need to define and establish a global body to regulate the conduct of humanitarian operations and to hold accountable those agencies which do not meet basic standards of care and attention. Others, such as MSF, have argued that attempts to define and implement such codes represent a threat to the independence of humanitarian action. They fear that donor governments will use these standards inappropriately to select the agencies to which they provide support and so exert unwarranted political influence on the organization of relief. In the U.S., the concern is rather that the heavy hand of regulation will increase the costs and reduce the flexibility and innovation of humanitarian action. Here the emphasis remains on self-regulation. ■

Islamic-fundamentalist Taliban reversed its policy of discrimination against women. Even in the high profile cases such as Bosnia-Herzegovina, it has been argued that the outpouring of humanitarian assistance was motivated not purely by altruism, but by a concern to contain the conflict, and in particular to avert large-scale population movements into Western Europe.

The humanitarian sphere is characterized by new uncertainties and increasing diversity in terms of the definition of its objectives. Some critics argue that humanitarian aid is doing little to address the root causes of the crises in which it works, simply handing out food aid year in, year out. They argue that the time has come for humanitarians to get off the fence and to become part of a coherent political strategy for the resolution of conflict. Others suggest, however, that the palliative function of humanitarian assistance is an end in itself. While the ability of the international community to formulate consistent and coherent conflict-resolution strategies remains patchy, humanitarian actors should stick to their original function of trying to make the conduct of war more humane and to allow people to survive it with dignity.

These debates are not new. The trade-offs between neutrality and complicity in mass human-rights abuses were familiar to the International Committee of the Red Cross in dealing with concentration camps in Germany during World War II, for example. However, in the post-cold-war world, articulating a response to these dilemmas has become particularly pressing.

This urgency derives from changes in the political environment within conflict-affected countries and from changes in international political relations more broadly. The nature of conflict appears to be changing significantly. Intertwined with political objectives regarding the organization and control of state power are also complex patterns of conflict to control access to key resources, particularly primary commodities such as timber (Cambodia, East Timor), diamonds (Sierra Leone, Liberia and Angola), opium (Myanmar, Afghanistan) and oil (Sudan, Angola). These resource conflicts reflect the breakdown of the political and economic structures conventionally associated with statehood. The

Humanitarian community at crossroads

A REVIEW OF CURRENT TRENDS and debates suggests that the humanitarian community finds itself at a historical crossroads.

The unparalleled flow of resources into the humanitarian sector can be seen as a reflection of a new generation of international relations whereby borders and sovereignty no longer define the boundaries of humanitarian action. Now more assistance is reaching more people in more and more difficult circumstances, sometimes by use of force. Behind this headline, however, something more complex is taking shape. The expansion in humanitarian space can be seen as an expression of the increased willingness of the international community to invest in accessing conflict-affected populations.

Paradoxically, it can also be seen as symptomatic of a process of wider political disengagement. In the majority of countries, the provision of humanitar-

ian assistance is not accompanied by high profile political or military intervention. Rather, international actors are increasingly delegating responsibility for essentially political tasks to the humanitarian sphere. More often than not it still remains the case that humanitarian action is a substitute for political action. Not only do humanitarian actors continue to work in extremely violent conflicts unsupported and unprotected by international political and military engagement, they are also under pressure to play an enhanced role in conflict management. Thus, they are at the forefront of political processes of negotiating access and observing the conduct of conflict. They are also often at the front line between warring parties and the international community. For example, in Afghanistan, there was strong pressure on the UN and PVOs from governments, including the U.S., to withhold humanitarian assistance until the ruling

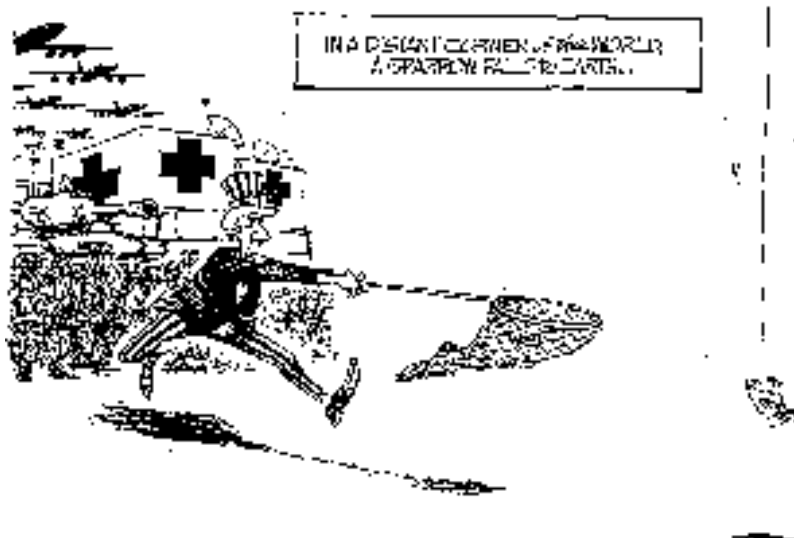
flow of these resources is increasingly unregulated and untaxed by the state, depriving it of essential revenues to conduct basic functions of government—from maintaining a functioning judiciary to the provision of health and education services. The level of violence associated with attempts to control these valuable assets is high, and in highly fragmented and sometimes factionalized armed movements the means of regulating it through conventional command and control structures is limited.

This pattern of conflict is stretching conventional strategies of delivering humanitarian assistance. Instead of two opposing sides, there may now be four or five. The framework of respect for humanitarian assistance seems to be breaking down as more and more aid workers are taken hostage and killed. Conflict resolution is also becoming a more difficult task, as the number of actors and their different interests grow. Even if peace agreements are secured, translating improved military security into social and economic security and thus reducing the need for international assistance becomes highly problematic, since the institutional and political framework for secure livelihoods and the provision of basic services is typically lacking.

Civilians stand in the midst of such conflicts, lacking protection from violence and thus the ability to develop and maintain sustainable livelihoods. It has become painfully clear that the primary need of populations living in such environments is not only or even primarily food aid, but security. The questions are how to achieve this and can it be sustained? This is the major challenge facing the international community, one which has stimulated a new wave of political experimentation, starting in Iraqi Kurdistan and seen most recently in Kosovo and East Timor.

While the world awaits the results of these experiments and their codification into international norms, humanitarian assistance remains one of the only forms of international engagement in the majority of internal wars. Yet support for this most fundamental gesture of human solidarity—the provision of food, health care and shelter to those in the midst of war—appears to be on the wane. With the exception of the Kosovos, it is now becoming routine that donors provide

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less than half the funds requested by the UN in its emergency appeals. Despite the increase in the total volume of assistance in the past decade, it is not enough to meet the increased need.

Humanitarian assistance remains on the front line of internal conflicts and of international debates regarding whether and how to pick up the pieces of other people's wars. How these debates are resolved will be revealing in terms of the nature of the post-cold-war political order. On the one hand is the promise of a political humanitarianism and on the other the prospect of a humanitarian politics. The former looks to achieve an integration of political and humanitarian action, seeing assistance as part of a strategy of conflict prevention and resolution. Taken to its logical conclusion, it implies taking sides, providing assistance (humanitarian and otherwise) to one side rather than the other, and taking a clear and loud advocacy position. The latter is a more minimalist position. It implies limiting the objectives of humanitarian assistance to the provision of palliative relief and maintaining a fire wall between such assistance and wider political processes of diplomacy and military action. It implies a more structured division of international labor between the different spheres.

It is difficult to know how to interpret the mounting dissent within the humanitarian community and to assess its implications. It is not clear whether and how warring parties will be able to distinguish between the different schools of humanitarian thought and will therefore realign their position in relation to international efforts to pro-

vide assistance. There has been no consensus, either, on the accountability of humanitarian actors.

U.S. policy options

Although most humanitarian crises result in international action, U.S. decisions about how and whether to respond have wide repercussions.

■ Does it make sense for the U.S. to fund different types of humanitarian actors, which adopt very different interpretations of their roles and functions in conflict situations? Or should the U.S. strive for greater consistency and coherence in its approach?

■ Should the U.S. respond to complex political emergencies whether or not it has a geostrategic interest? Should it send troops or just equipment and advisers?

■ Should the U.S. give more support to multilateral initiatives, for example, by increasing payments to the UN for peacekeeping? Can the U.S. successfully opt out of multilateral actions?

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Whichever course comes to predominate, the humanitarian sphere will fail unless there is a clear international political strategy for dealing with the ravages of internal war. Of itself, humanitarian assistance can provide invaluable succor to those who have lost much, but without a process of political action, it cannot resolve humanitarian suffering. The question now is how and whether these two spheres should be linked? The jury remains out. ■



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DISCUSSION
QUESTIONS

1. Should the U.S. and its allies develop a set of criteria that would trigger international military intervention when populations are subject to mass violations of human rights?

2. Should international assistance be regulated by a global body to ensure its quality and that it is not doing more harm than good? If so, which organization should play such a role? If not, what other mechanisms might be used to make the humanitarian system more accountable?

3. Do you think recent humanitarian interventions in Kosovo and East Timor set a precedent for future responses to conflict-related emergencies? To what extent are similar interventions likely or desirable in other, on-going wars in Africa and elsewhere?

4. In the absence of such a political intervention and thus the persistence of widespread insecurity and widespread abuses of human rights, should the UN and other international agencies provide relief aid to the victims of conflict?

5. To what extent do the principles of neutrality and impartiality still provide a useful guide for humanitarian action? What might be the implications of giving up these principles?

6. In the absence of effective and legitimate state structures in conflict-affected countries to guide decisions regarding the allocation of aid resources, should there be a global mechanism in place to coordinate needs assessment and to channel resources accordingly?

7. Should humanitarian assistance be subject to conditions in the same way that development assistance is? For example, if warring parties do not respect international humanitarian law, should aid be withheld? Who should decide?

8. Should humanitarian assistance focus on the delivery of basic, material supplies such as food and medical aid, or should it be used for economic development?

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AMNESTY INTERNATIONAL U.S.A., 322 Eighth Ave., New York, NY 10001; (212) 807-8400; Fax (212) 627-1451. ■ An impartial and independent organization that campaigns for the preservation of human rights. The on-line resources contain the latest news and links to Amnesty affiliates worldwide as well as human-rights-related websites. www.amnesty.org

HUMAN RIGHTSWATCH, 350 Fifth Ave., 34th fl., New York, NY 10118-3299; (212) 290-4700; Fax (212) 736-1300. ■ An independent, nongovernmental organization dedicated to monitoring and preserving human rights around the world. Publications include the annual **World Report**. www.hrw.org

HUMANITARIANISM AND WAR PROJECT, Brown University, 2 Stimson Ave., Box 1970, Providence, RI 02912; (401) 863-2728; Fax (401) 863-3808. ■ An independent policy research initiative based at Brown University's Watson Institute. In addition to country-specific case studies from Armenia to Cambodia to Sudan, this project also produces thematic, comparative studies. Its publications are available on the Internet. www.brown.edu/Departments/Watson_Institute/H_W

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*You can find links to this document and additional readings on our website at www.fpa.org/program.html