HUMANITARIAN exchange

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IN THIS ISSUE

EDITORIAL

Five years after the *Taliban* seized power in Kabul, this issue of *Humanitarian Exchange* takes Afghanistan as its special feature. The country has all the ingredients of a quintessential humanitarian emergency: over two decades of brutal civil war, abetted both by the West and by regional powers, which has impoverished most of the country; a repressive, abusive and unaccountable regime; devastating natural disaster in the form of the worst drought to hit the country in 30 years; economic sanctions imposed by the UN Security Council afflicting, according to many aid workers, ordinary Afghans rather than the *Taliban*; a vast population of displaced people within the country, and refugees outside in a world that is increasingly hostile to asylum-seekers; and a response from the international community that, in the absence of any effective strategy to bring an end to this tragedy, sets out to use humanitarian action as a tool of political engagement.

Our contributors look at various aspects of this crisis. Afghan aid worker Mohammed Haneef Atmar outlines what the politicisation of aid means for ordinary Afghans, while Penny Harrison of MSF explains the challenge that the Strategic Framework and Principled Common Programming pose to the humanitarian response as a whole. Patricia Gossman, late of Human Rights Watch, makes the link between humanitarian action and human rights, and Alexander Matheou of the British Red Cross reports on the humanitarian consequences of the drought. Finally, the Refugee Council's Peter Marsden describes the extent of the Afghan refugee crisis, and sets out how civil society might respond.

As always, this issue of *Humanitarian Exchange* also takes an in-depth look at some of the key issues facing the wider humanitarian community. Jim Bishop of InterAction assesses what the Bush presidency means for USAID and American support for humanitarian action. Contributions from two African NGO workers describe their experience of trying to implement the ideals of principled humanitarian programming in Sierra Leone and southern Sudan. We have an account of how advocacy has been used in the humanitarian response in Angola, and of the humanitarian response to the Gujarat earthquake earlier this year. Françoise Bouchet-Saulnier of MSF and Carole Dubrulle of ACF examine the role of international law and justice in humanitarian action and the implications for humanitarian practitioners. Other contributors look at why we need objective measures of humanitarian need, and why humanitarians can no longer dismiss the problem of small arms as someone else's concern. Sphere's Sean Lowrie and François Grünewald of Groupe URD revisit the debate on accountability and quality first broached in *Humanitarian Exchange* 17. Finally, we round the issue off with articles from the military and from MSF on the heated issue of military involvement in humanitarian crisis response.

The politicisation of humanitarian aid and its consequences for Afghans

The politicisation of humanitarian assistance is one of the most critical issues facing humanitarianism today. In Afghanistan, argues **Mohammed Haneef Atmar**, *this politicisation has excluded and marginalised war-affected people, as well as others in need of help*

As an Afghan, I have lived through more than 20 years of conflict; as an aid worker, I am trying to propagate humanitarian values in an environment of 'organised inhumanity'. The conflict has left more than a million Afghans dead and the same number maimed for life, and produced one of the world's largest refugee and IDP caseloads. Yet the response from the West has been driven, not by these humanitarian conditions, but by domestic and foreign-policy concerns, notably the desire to isolate and punish the *Taliban* regime.

Aid, politics and impartiality

The humanitarian crisis in Afghanistan is, by any measure, severe, and marked by chronic insecurity, poverty and ill-health, mass population displacement and horrendous human-rights abuse. The country is one of the most badly-mined in the world; around 300 Afghans lose their lives and limbs each month as a result of mine incidents. Yet despite these disastrous conditions, politics, not need, has determined the purpose, extent and type of the 'humanitarian response'. During the Cold War, the millions of dollars in aid that poured into the country every year went almost exclusively to areas held by anti-Soviet forces. Once Soviet troops withdrew in 1989, humanitarian budgets fell rapidly. Between 1992 and 1999, the UN Annual Consolidated Appeals for assistance to Afghanistan received on average only 48 per cent of their needs. The UN Mine Action programme is one of the most successful in the world, yet in 2000 it was cut by half because adequate funding was unavailable.

For Western governments, the key concerns in Afghanistan are to do with terrorism, drugs, refugees and, at least rhetorically, women's rights. These concerns trigger a response that combines strategic withdrawal with containment through episodic military action and sanctions. Peace-making is delegated to the UN, which is clearly incapable of making peace because it does not enjoy Western commitment and support. While Rwanda and Yugoslavia 'qualify' for war-crimes tribunals, Afghanistan does not. In these conditions, humanitarian aid works at best as a fig leaf for political inaction, at worst as an instrument of foreign policy to isolate the *Taliban*. The principles of humanitarianism – humanity, impartiality, neutrality and independence – are increasingly coming under assault.

Donors may have legitimate foreign-policy concerns. But the point is that these cannot impinge on humanitarian action, whose core aim is to save lives. The *Taliban*'s policies and practices may indeed be abusive and unacceptable, but this is not a good reason for abdicating humanitarian responsibility at a time when most donor states claim to uphold human rights as a key principle of a new and supposedly ethical foreign policy.

Punitive conditionalities: punishing victims, not perpetrators

In response to the *Taliban*'s discriminatory policies and practices, donor governments – as well as some aid agencies – have imposed punitive conditionalities on their assistance. Whatever underlying principle, purpose or form these have assumed in Afghanistan, the net effect has been to undermine, rather than protect, the rights of Afghans, notably their right to humanitarian assistance. Nor have these conditionalities secured the policy shifts that donors seek.

Security conditionality

In the aftermath of the US air strikes on the alleged terrorist camps inside Afghanistan in August 1998, the US and the UK asked the UN not to send back to Afghanistan British and American nationals working as UN employees. The UK also ruled that any NGO sending any expatriate staff to Afghanistan would automatically be disqualified from UK government funding.[1] Also in 1998, ECHO stopped its humanitarian assistance to Afghanistan.

There are suspicions within the aid community that these restrictions stem not only from concerns for the safety of US or British nationals in

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[1] In late April 2001, DFID announced that the security restriction will be lifted, and that security conditionality will only be applied on a 'case-by-case basis'.

Afghanistan, but also from a desire to isolate and punish the *Taliban*. Aid actors believe that security can best be handled in the field rather than at headquarters. These measures were not imposed prior to the *Taliban*'s assumption of *de facto* authority, even though security risks were in fact more serious. And they do not apply in other countries, like Angola or Burundi, where more aid workers have been killed than in Afghanistan. Two and a half years on, nothing has actually happened to any American or Briton still working in Afghanistan.

Gender-equality conditionality

The *Taliban*'s restrictions on women, covering work, education, movement and dress, have sparked intense debate on gender issues in Afghanistan. Sadly, this debate has done nothing to enhance the basic rights of Afghan women, children and families. Given the lack of other policy instruments, humanitarian assistance has become the primary tool with which to fight gender discrimination. As a result of lobbying by interest groups like Feminist Majority and Human Rights Special Rapporteurs, immense pressure has been brought to bear on donors and aid agencies to restrict their assistance until progress is made. This has meant ill-informed conditionalities; WFP, the largest provider of food aid, has made its assistance beyond life-saving spheres conditional upon the *Taliban* changing its position, and responding favourably to UN appeals on basic rights for women. This has had no effect in Kabul, and the losers have, of course, been Afghan women and their families. Oxfam's suspension of the Logar water-supply project, in protest at the *Taliban*'s restriction on Afghan female aid workers in 1997, has done nothing to help Afghan women and their families get access to clean water. Similarly, UNICEF's conditional support has failed to promote the right of Afghan children to education. The aid agencies have in fact extended to boys the *Taliban*'s ban on female education by withdrawing their support from education where boys alone are allowed to go to school.

Capacity-building conditionality

Donors such as the UK and the US have ruled that all forms of capacity-building of state welfare institutions should be avoided because this transfers resources to an illegitimate regime. Moreover, they have also drawn a distinction between life-saving activities (which are per-missible) and life-sustaining ones (which are not). Yet in Afghanistan, the conflict has endured for so long and the human, physical and institutional infrastructure has become so degraded that this distinction is not meaningful in terms of aid programming. Short-term, localised, project-specific and relief-focused interventions will not meet humanitarian needs. What is needed is an acceptance from donors that it is possible to negotiate for principled goals with 'unprincipled people', or those who have different principles, and that it is possible to work with the state structures in *Taliban*-controlled areas in a principled way.

The way forward: establishing systemic accountability

The global governance system will prove to be ethically unjustifiable and practically impotent in dealing with the crisis in Afghanistan if it does not itself have ethical accountability. Donors' foreign policy must be held accountable in terms of its strategic assessment, its response and the consequences of its political action – or inaction. This applies not just with regard to domestic constituencies, but also with regard to the Afghan public. Afghans can legitimately expect the world community to engage in ways that are more constructive and effective than strategic withdrawal, containment and a one-sided arms embargo. The warring parties too need to be held accountable for their actions; the absence of a mechanism akin to the human-rights courts for Yugoslavia and Rwanda must be addressed. Making it clear that Afghanistan is not somehow exempt from international human-rights law could do more to influence the actions of the country's warring parties than the current conditionality approach. Finally, there needs to be accountability within the aid system itself. As long as they are fulfilling donors' conditions and meeting their institutional interests, there is no mechanism by which humanitarian agencies need to account for their actions. There is thus a growing need for some form of 'ombudsman' and an 'aid court' to listen to Afghans' untold stories about how humani-tarianism is failing them.

Mohammed Haneef Atmar is Programme Coord-inator, International Rescue Committee, Afghan-istan. Website: www.intrescom.org/index.cfm.

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The Strategic Framework and Principled Common Programming: a challenge to humanitarian assistance

Penny Harrison *describes the challenges to humanitarian action in Afghanistan posed by the Strategic Framework and the strategy of Principled Common Programming*

The protracted conflict in Afghanistan has created patterns of assistance marked by a confusing interplay of international and national actors. The Strategic Framework (SF) and Principled Common Programming (PCP) were devised in part in response to pressure from donors, who believed that there was a lack of coordination and coherent planning in aid delivery in Afghanistan. By openly questioning their sustained financial support for humanitarian assistance, donors encouraged a structural change in the UN's political and humanitarian arms. Afghanistan, like Somalia, Burma, Chechnya and Sudan, is an example of what can happen when attempts are made to address the dual mandates of the UN – political objectives and responding to humanitarian needs – in complex crises.

The Strategic Framework, according to the UN, is an umbrella under which a strategy incorporating political, aid and human-rights dimensions can be developed. This starting-position is entirely apt for the UN system – but the inclusion of the political dimension is precisely what humanitarian assistance cannot accept. Initially, the Strategic Framework was presented as a mechanism of UN reform. However, with the support of donors the concept was endorsed for the broader 'assistance community' operating in Afghanistan. The Strategic Framework is predicated on the assumption that all the actors should speak with one voice, and adopt a coherent approach in which peace and assistance strategies are linked. But the assumption that a unitary and principled approach is possible, required or desirable among actors with very different mandates, charters and modes of operation raises some fundamental dilemmas.

Principles

What is at stake? In general, the UN system should act as a filter between the policies of member governments and their efforts to find political solutions to conflicts on the one hand, and the impartial delivery of humanitarian assistance on the other. Yet the Strategic Framework and PCP offer precisely the converse. The perception that humanitarian assistance can be used explicitly as a tool of peacebuilding or conflict management ignores the principle of impartial action – arguably the most fundamental principle we have.

Are notions of independent and impartial action redundant, or accepted as temporarily and conveniently redefined in a gallant act of compromise for the sake of a higher concept of peace? Have we forgotten that international humanitarian law establishes the bases under which states and belligerents are expected to allow NGOs to assist people during an internal conflict, and to do so independently and impartially?

One could argue that the UN sees the SF and PCP structures as filling the void left by the absence of a legitimate and internationally recognised government. This may be entirely appropriate for the UN, but it is not appropriate for humanitarian agencies. The result is that Afghanistan has become one of the testing grounds for an 'accepted' logic which explicitly links political and humanitarian objectives.

What is principled in an approach that supports the reduction of protection to a negligible level, and that pays 'compensation' to the authorities for the construction of IDP camps and for security protection? We can and should aim to work together operationally, but not under the pretence of a defined 'international community'. We must be transparent about our negotiations and engagements with the authority structures, and respond to acute needs which require alleviation.

Operations

If humanitarian action is to be effective, it is imperative that clear distinctions are drawn between the policies and motivations of the UN and donor governments on the one hand, and NGOs and the ICRC/IFRC on the other. It is clear that, with the UN assuming a dual role as both humanitarian agency and political negotiator, the demarcation of the roles of other actors in the field is confused. For some agencies, financial dependence on donor governments makes questioning these processes difficult. But is this funding worth the price if the trade-off is the reduction of humanitarian action to the lowest common denominator?

From my perspective, the overall consequences for agencies outside the UN appear four-fold. First, the SF and PCP challenge the very basis of impartial and independent humanitarian action in

complex crises like Afghanistan; second, they have a direct operational implication in terms of needs–driven response; third, they challenge the relationship between NGOs and the authorities; and four, they raise the question of potential security risks. The UN's non–recognition of the *Taliban* and perceived links between the UN and US policy pose real problems for other organisations working in Afghanistan.

In addition, establishing a model of coordination among a diverse range of actors should be questioned. To state, as the PCP does, that assistance partners 'agree to speak with one voice on issues of principle' and 'agree on collective conditions for engagement and disengagement when human rights are violated and human distress increased' is laudable, but impossible to implement in practice. We all have varying modes of engagement – some strictly humanitarian in nature, others developmentalist, others with a solidarity perspective. And then there is the UN, and the international foreign–policy concerns of donor governments. There will never be consensus between the UN, national and international NGOs on contentious issues, for example negotiating freedom of movement within the country. The capacity of agencies to speak out and act independently cannot be compromised.

What of needs?

If agencies agree that principles matter and responsive action to needs is the aim, then what is the fate of humanitarian action and the people who are targeted for support under this approach? There appears to be an innate contradiction in the formulated objectives which apply a develop–mental approach on relief. Where does alleviating suffering and life-saving fit in this approach when the emphasis is on 'empowering' Afghan society? How do the Strategic Framework and the PCP tackle questions like the conditions for IDPs and their protection, the acute need for response to drought, and ensuring that refugee return is voluntary and that refugees are protected? Perhaps before creating an archetype for a form of 'consensual' action, all agencies should review what these processes really represent. Are these mechanisms going to improve our capacity to be present and to effectively address needs? I would say that this is not the case.

The sanctity of impartiality?

Neutrality, impartiality and independence of action must be safeguarded if the operating space for humanitarian action in conflicts and complex crises is to be maintained. In terms of their practical application, these notions are forgotten in the peace agenda, and opportunities are missed for operational negotiation for greater access to reach vulnerable populations. Fundamentally, these mechanisms do not improve the humanitarian

Principles of the Strategic Framework for Afghanistan

1. Life-sustaining humanitarian assistance shall be provided in accordance with the principles of humanity, universality, impartiality, and neutrality.

2. Assistance shall be provided as part of an overall effort to achieve peace.

3. International assistance will be provided on the basis of need; it cannot be subjected to any form of discrimination, including of gender.

4. Rehabilitation and development assistance shall be provided only where it can be reasonably determined that no direct political or military advantage will accrue to the warring parties in Afghanistan.

5. Institution and capacity-building activities must advance human rights and will not seek to provide support to any presumptive state authority which does not fully subscribe to the principles contained in the founding instruments of the United Nations, the Universal Declaration of Human Rights, the Convention on the Rights of the Child, the Convention on the Elimination of Discrim-ination against Women and International Humanitarian Law.

6. Assistance activities must be designed to ensure increasing indigenous ownership at the village, community and national levels and to build the country as a whole.

7. Assistance activities must attain high standards of transparency and accountability, and must be appraised, monitored, measured and evaluated against clear policy and programmatic objectives.

The approach

'The Strategic Framework approach is predicated on the assumption that successful performance towards peace-building in the field requires the strengthening of the vital links between the political process and the assistance programme … Ongoing consultations must ensure that the political and assistance strategies build on each other's strengths and maximize the opportunities for reinforcing the logic for peace in Afghanistan.'

situation for Afghan people, who are in need of life-saving assistance and protection.

Penny Harrison is Head of Mission for MSF-Holland in Tajikistan. She worked for MSF in Pakistan/Afghanistan during 2000. Website: www. artsenzondergrenzen.nl.

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Working in a political vacuum: humanitarian aid and human rights in Afghanistan

Many in the humanitarian community see their work as essentially neutral, and distinct from the more political concerns of human rights organisations. In Afghanistan, argues **Patricia Gossman**, *this distinction is artificial and impossible to maintain*

The arrest in August 2001 of staff of a German relief organisation has made strikingly clear that being a humanitarian worker in Afghanistan can be a perilous occupation. Calculating such risks has become much harder as the *Taliban* has imposed new regulations on foreigners and aid programmes – moves that some see as an attempt to force all foreigners to leave. Many in the humanitarian community view their work as essentially neutral, and advocacy on what are really questions of governance and the rule of law as more properly a function of a human rights organisation. But what the arrests demonstrate is that, professions of neutrality notwithstanding, intervening in any way in Afghan society is essentially political. Relief organisations have been on the front line in this political fight not only because they are the repositories of foreign values, but also because they are seen as capable of changing Afghan society and thus threatening those in power. While most humanitarian workers in Afghanistan do not fear arrest in the normal course of their work, many Afghans do. Afghanistan under the *Taliban* is a police state, where the arbitrary exercise of power has left ordinary Afghans vulnerable to grave human rights abuse. It is also engulfed in an armed conflict in which the parties involved have violated the laws of war with impunity. Unfortunately, human rights abuses like these receive scant attention from the outside world.

A history of abuse

In the 23 years of Afghanistan's wars, providing humanitarian assistance and protecting the human rights of ordinary Afghans have always been linked. The mass repression that accompanied the Saur revolution of April 1978 and the Soviet invasion of December 1979 drove some five million refugees into Iran and Pakistan. Pakistan became the primary staging-ground for resistance operations and the conduit for CIA-supplied weaponry to the *mujahidin* opposition to the Soviets. Scores of humanitarian agencies established themselves primarily in Pakistan to assist the refugees, and a number of NGOs with links to solidarity groups based in Europe and the US also provided cross-border assistance to *mujahidin*-held areas, some of it directly to the commanders. Testimony from the refugees formed the core of reports by international human rights organi-sations about abuses by Afghan communist and Soviet forces, particularly the massive use of Soviet firepower in indiscriminate attacks and the repressive control the Soviet-backed government exercised in cities like Kabul.

The practices of the *mujahidin* began to come under scrutiny by human rights organisations in the early 1990s, when it became clear that the withdrawal of Soviet forces would lead to the formation of a government made up of these groups. At the same time, more humanitarian agencies began shifting their focus to work inside Afghanistan. In Pakistan, NGOs found themselves facing increasing threats from *mujahidin* groups critical of efforts to support women's education. Several *mujahidin* groups that had long been favoured by Pakistan in the delivery of CIA-supplied weaponry were particularly notorious for attacks on NGOs and for other human rights abuses, including assassinations of Afghans who supported the former king, Zaher Shah, or who were critical of the Islamist groups. But the *mujahidin*'s international patrons, particularly the US and Pakistan, were more concerned about securing a *mujahidin* victory than about the character of the government that might ensue.

The years of chaos and bloodshed that followed the *mujahidin*'s coming to power in 1992 saw most of the international community – with the exception of some humanitarian groups – backing away from any kind of engagement on Afghanistan. Even for the humanitarians who stayed, insecurity impeded efforts to reach populations in need. Although some humanitarian groups had become more aware of the pitfalls of working through local leaders, securing 'humanitarian space' was inevitably a daily struggle of negotiating with (and paying protection money to) any number of commanders. Deterred by the difficulty and dangers of investigating violations inside the country, and by the lack of political engagement on Afghanistan among Western countries, international human rights groups did very little monitoring and documentation, even though the period 1992–95 was marked by atrocities, including mass rape, systematic summary executions and indiscriminate shelling. That lapse has undermined the credibility of the UN and

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international human rights groups when they have criticised the *Taliban* for human rights violations.

The emergence in 1994–95 of the *Taliban* as a major power had a number of consequences that initially appeared contradictory. Its early campaigns against local, predatory warlords around Qandahar created more secure conditions for the delivery of assistance and, once it had solidified control over the south and west, appeared to eliminate the need for the international community to negotiate with multiple actors. (In fact, the opposite was true as aid workers found that an agreement struck in Kabul or Qandahar might mean nothing elsewhere in the country, and vice versa.) At the same time, the *Taliban*'s policies provided serious reasons for the humanitarian community to limit engagement. Its policies towards women, particularly banning women and girls from schools and universities and from most forms of employment outside the home, fuelled major confrontations with the international community. These policies have continued to strain the *Taliban*'s relationship with the UN and non-governmental relief organisations, leading some agencies to scale down programmes or threaten to withdraw non-emergency assistance altogether.

A conflicted response

The 'principled' approach and 'rights-based programming' that many groups adopted in response laid out, in many cases for the first time, ground rules for engagement. These have been heralded as a significant step forward in bringing together human rights standards and humanitarian practice. However, there is still lack of clarity about precisely what the fundamental principles are, and what should be done when they are violated, raising the question of whether it is really feasible to take such an approach when the *Taliban* is committed to principles diametrically opposed to those the aid community is attempting to promote. For example, the response to the July 2000 edict prohibiting Afghan women from working for international agencies revealed serious underlying disagreements about whether conditionality should be imposed on assistance, and if so, what kind.

Humanitarian groups working in Kabul have long become accustomed to the 'duck and weave' approach to attempts by the authorities to interfere with programmes: lying low, avoiding confrontation, and keeping programmes going as best they can. Many were concerned that a response to the edict from the overseas headquarters of the various agencies involved would not take into account realities in the field, particularly the fact that edicts are not enforced uniformly throughout the country, and may not even affect programmes outside Kabul. Others, primarily from UN agencies, were troubled by the inadequacy of the response, and argued for a more confrontational approach. The gap between the two remains wide.

A million Afghans have died in conflict

While a flexible approach often appears to work at the local level to keep programmes going, it would be a mistake to assume that humanitarian organisations can moderate the behaviour or policies of the core *Taliban* leadership – or that of any other group for that matter. In the five years since the *Taliban* took power, there has been no evidence to suggest that engagement of that kind might lead to real change.

The international dimension

The essential problem remains that 'rights-based programming' and human rights protection in general cannot begin to have an impact in a vacuum of political engagement at the international level. International human rights advocacy on Afghanistan has been inconsistent and inadequate, with gender discrimination and the destruction of large religious artefacts the only issues on which the international community appears capable of sustained attention. The pervasive nature of all other human rights abuses largely escapes scrutiny altogether. Even large-scale atrocities garner only short-lived headlines: the massacre of some 2,000 civilians – most of them Shia Hazaras – when the *Taliban* took control of Mazar-i Sharif in mid-1998 was widely condemned, then forgotten; the massacre of 3,000 *Taliban* prisoners the year before by forces allied with the United Front received even less attention, confirming for the *Taliban* that 'universal' human rights norms are not applied even-handedly.

Human rights researchers have documented more than 13 massacres of civilians and non-combatants in the past four years; most merit scarcely a mention in the international press. In addition, there are countless other cases that, taken together, paint a picture as grim as anywhere on earth: arbitrary arrests, 'disappearances', routine torture, discrimination and violence against minority groups, and deliberate attacks on civilians, including the destruction of entire towns and agricultural fields. The abuses, together with the drought, have prompted thousands of new refugees to flee the country, or join the ranks of the internally displaced, struggling for survival. Afghanistan was among the world's most impoverished and under-developed countries before the

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war; 23 years of conflict have pushed it to the bottom, or off the charts altogether.

Nor has the international community made a concerted effort to curb support for Afghanistan's warring factions. Until recently, Western policy towards Afghanistan has been shaped almost entirely by US and Russian security interests. The one-sided UN Security Council sanctions, dictated by the interests of the US and Russia in curbing the *Taliban*'s support for Osama bin Laden and Chechen fighters, have yet to be enforced. Although the Six-plus-Two contact group (made up of Afghanistan's neighbours, plus the US and Russia) has the stated aim of promoting a peaceful solution to the Afghan conflict, curbing the flow of arms into Afghanistan, and promoting respect for human rights, most members have continued to provide military assistance, with no regard to the human rights practices of the parties they support. As the Human Rights Watch report *Afghanistan: Crisis of Impunity* puts it:

> Pakistan has provided the Taliban with military advisers and logistical support during key battles, has bankrolled the Taliban, has facilitated transshipment of arms, ammunition, and fuel through its territory, and has openly encouraged the recruitment of Pakistanis to fight for the Taliban.

In turn, the parties allied in the United Front receive military support from Iran and Russia.

Officials in the US and donor governments in Europe have begun to rethink their policies towards Afghanistan. Those policies should include finding enforceable ways to curb the arms flow to

What rights for women?

Afghanistan, and spur efforts to indict and try individuals responsible for war crimes. Peace negotiations should exclude all such individuals. As the problems related to Afghanistan's civil war and the smuggler's economy that sustains it have implications for security throughout Central and South Asia, serious efforts to protect human rights and establish a government that would be accountable to the people have to be linked to just such a larger, regional political strategy for bringing about an end to the conflict and rebuilding Afghanistan. In the absence of that, the humanitarians are operating in a vacuum.

Patricia Gossman is a consultant on human rights issues in Afghanistan and former senior researcher with Human Rights Watch. She is also a professorial lecturer at Georgetown University and the Johns Hopkins School of Advanced International Studies (SAIS) in Washington. Her current research on humanitarian assistance and human rights in Afghanistan was funded by the US Institute of Peace.

Natural disasters and complex political emergencies: responding to drought in Afghanistan

From Iran to western China, Central Asia is suffering its worst drought in decades. One of the states hardest-hit has been Afghanistan; poor and conflict-ridden, it is also, says **Alexander Matheou**, *the least able to cope*

Afghanistan is in its third year of severe drought, compounding the effects of conflict and international isolation. Precarious security conditions and problems of access make needs difficult to assess, but it is clear that the food crisis in much of the country has become acute. Millions of Afghans have little or no access to food, and require international humanitarian food aid. Meanwhile, hundreds of thousands more have been forced from their homes, congregating in camps in Afghanistan or across the border in Pakistan and Iran.

Assessing vulnerability
In March and April 2001, the ICRC and the International Federation of Red Cross and Red Crescent Societies did an assessment of the health, economic and security needs, as well as the nutritional situation, in Ghor province in western Afghanistan. Ghor has a total land area of 38,670 square kilometres, with most of its agricultural land 2,000 metres above sea level. It is cold and windswept, and limited to one crop a season. Its population of 80,000–90,000 households is scattered among towns and some 1,900 villages.

Afghanistan: key indicators	
Population	23.4 million
Infant mortality (per 1,000 live births)	154
Life expectancy	male 45; female 46
Percentage of population over 15 illiterate	male 53; female 85
Percentage of population living in urban areas	20
Population per hectare of arable land	1.7
Percentage access to basic health care	29
Under-five mortality rate per 1,000 live births	male 261; female 255
Percentage of population with access to safe water	12

Source: United Nations Population Fund, www.unfpa.org

Most people are farmers and livestock owners. The assessment teams visited 29 villages across the province. Reaching any more villages was not possible because of time and access limitations, and we can only assume that the information gathered is indicative of the wider situation.

The findings of the assessment reveal a population reaching the end of its coping mechanisms, with a quarter of households displaced, and the remainder perhaps only months away from being forced to leave their homes. Even before the drought, the local environment was in trouble because of soil erosion and desertification. The mission found the population of Ghor to be chronically poor. Throughout the selected villages, land was being sold to raise money – normally a last resort to raise funds. Livestock had died or been sold in the previous, drought-ridden year, and livestock numbers have subsequently decreased by between 50 and 90 per cent. Household items such as carpets were also being sold, and 95 per cent of the households assessed have undergone significant decapitalisation. Virtually all income is being spent on food, paid for either in cash or in barter.

Although food stocks are far lower than normal, in many places access to water is the chief concern. Springs and rivers are the traditional water source, with wells being a secondary source, present in less than half of the villages visited. Generally, water sources are poorly protected, and their quality compromised by being shared between people and livestock. Villages also reported that springs are drying up. During 2000, between 40 and 50 per cent of springs dried up in the summer; in spring 2001, 60–70 per cent were already dry. In response, some populations move to higher pastures to be close to springs, but the drought is foreclosing this option. Others send children with donkeys to collect water from more distant sources, up to 10km away.

These hardships, together with poor access to any sort of health care and a severe lack of understanding of health-related issues, all contribute to the mortality rates for which Afghanistan is becoming infamous. Respiratory infections, diarrhoeal diseases, tuberculosis, gastrointestinal parasites and diseases preventable by childhood immunisation were all found in the subject villages. As of April 2001, however, there was no significant acute malnutrition.

Conditions for IDPs

Ghor is the second-largest source of internal displacement in western Afghanistan. In the camps around Herat, around 25 per cent of IDP households come from Ghor, and many more arrive each day. On average, 26 per cent of subject village households in Ghor province had been displaced by April 2001.

A separate ICRC/Federation assessment team visited two of the camps around Herat in June 2001 to review conditions. Accurate figures regarding the numbers of IDPs living in camps around Herat are difficult to come by. In Maslakh Camp, 10km from Herat, official figures from the Ministry for Martyrs and Repatriation put the population in May 2001 at 184,000, but other sources put the figure closer to 100,000, with an unconfirmed number arriving each day (estimates range from 125–400 new arrivals daily). The camp is approximately 3.5km in length and 800m deep, and is located on a barren, windswept plain with no vegetation. It offers no shelter from the sun or the dehydrating winds.

There is pressure to close Maslakh to new arrivals. New arrivals, regardless of the site they are allocated within the camp, quickly relocate to be closer to their communities or families. At the time of the ICRC/Federation visit, there was no obvious sign of water shortage in the camp, but a lack of tents made shelter a problem, and hygiene standards are poor despite the efforts of UNICEF and Habitat. Part of the problem is changing nomadic practices to practices appropriate to a camp environment.

Despite the harshness and hygiene problems, the situation in Maslakh Camp appeared to be under control, with no major health problems reported. And here lies the dilemma. Humanitarian organisations have to consider where best to provide aid in such circumstances: in the remote villages themselves, in an attempt to stem the flow of migration, or in the more controllable environment of the camps, with the problems of dependency and resettlement that inevitably ensue.

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The ICRC has made its choice. It plans to provide seeds and half rations for some 84,500 households (over half a million people) in the province of Ghor and the Dar-i-Suf valley. It is hoped that this will allow people to stay in their villages without risking starvation, and will persuade them against moving to camps. The seeds will be distributed for planting on irrigated farm land, and if drought makes this impossible, they will be stored for the next planting season.

The impact of conflict

The drought is not the only cause of migration. Ghor is mainly under *Taliban* control, but opposition groups are also present, and fighting has broken out with renewed intensity over recent months. As well as contributing to displacement, the conflict has complicated relief efforts. A constant dialogue must be maintained with the *Taliban* and opposition groups to ensure the safe passage of relief goods and workers. At times, fighting brings work to a standstill.

To reach drought-affected areas such as Dar-i-Suf, the ICRC has to negotiate the crossing of front lines. Operations have to be conducted over long distances, across poor roads and mountain terrain. The entrance to Dar-i-Suf valley is mined, and the valley can only be reached by secondary trails, with goods carried on the backs of donkeys. Getting into Ghor itself poses similar problems. Relief items are procured in Peshawar, Pakistan, and trucked to Herat over 15 days, then unloaded into smaller trucks and driven to distribution points in Ghor province. At a rate of 350–450 truck trips per month from Herat to distribution points within Ghor, with each truck carrying ten tonnes, it will take four months to distribute the planned 12,150 tonnes of food aid that may slow down the tide of migration.

Outlook

If the drought does not ease and springs continue to dry up, people will leave for IDP camps regardless of food aid. Water cannot be trucked across Ghor province. Likewise, if fighting continues and aid cannot be delivered, people will be forced to move. The inability of the Afghan authorities to provide any sort of food security will mean that hundreds of thousands of people will depend on international aid to survive.

Alexander Matheou is Desk Officer, Central Asia/Middle East at the British Red Cross. Website: www.redcross.org.uk.

Refugees from Afghanistan: protection and the role of civil society

Whether in Asia or Europe, Afghan refugees face increased hostility, violence and stigmatisation. These refugees have acute protection needs – needs which, argues **Peter Marsden**, *civil society must do more to meet*

Today, Afghans account for 2.6 million of the world's 21.1m refugees – around ten per cent of the total, and the second-largest refugee population after the Palestinians. The flight of refugees from Afghanistan began with the Soviet occupation in 1979, and has continued with civil war and *Taliban* rule. The vast majority are in neighbouring Iran and Pakistan (an estimated 2m in each country), but Europe in particular has seen a steep increase in arrivals in the past four years, mostly in Germany, the Netherlands and the UK. Asylum applications increased particularly significantly after the US air strikes in August 1998, and following the imposition of UN sanctions in 1999 and December 2000.

Refugee conditions

Over 6m refugees left Afghanistan for Pakistan and Iran during the Soviet occupation in the 1980s. The 3.2m in Pakistan were mostly housed in refugee camps along the Afghan border, and provided with rations and access to basic services. Over time, they built their own housing, and many were able to enter local labour markets or develop businesses. Donors responded by gradually withdrawing aid and, by 1995, food provision had ended for all but identified vulnerable groups.

New waves of refugees arriving in Pakistan since the collapse of the Soviet-backed government in 1992 have received short-term support, before being left to fend for themselves like their predecessors. A study of livelihood strategies in December 1996 found that the vast majority faced enormous difficulties, with most dependent on intermittent day-labouring. Those who were too old or disabled to work depended on the charity of other refugees. In January 2001, the Pakistani government announced that it would no longer allow the registration of new refugees, thereby preventing the provision of tents, food and other forms

of support. Since the beginning of August, the Pakistan government and UNHCR have embarked on a new screening programme aimed at differentiating between economic migrants and asylum-seekers. Islamabad has also started forcibly returning refugees to Afghanistan. The risk of abuse is heightened by the fact that a significant proportion of the refugee population lacks the appropriate documentation.

The 2.9m Afghans who fled to Iran during the Soviet occupation were largely absorbed into Iranian society, with permission to work, albeit in menial jobs, and access to state services and benefits. However, a strict new law forbidding employers to use foreign labour has deprived thousands of Afghans of work, and has unleashed violence against them. The government has become frustrated with the continued presence of Afghan refugees, and has been forcibly returning them to Afghanistan. UNHCR has been powerless to contain this, despite an agreement with the Iranian government aimed at a more orderly return.

The five countries bordering Afghanistan – Turkmenistan, Uzebekistan, Pakistan, Iran and Tajikistan – have closed their frontiers to refugees from Afghanistan. Meanwhile, Afghans seeking asylum in Europe face what UNHCR has termed 'an ever-growing barricade of exclusionary measures designed to keep them out'. In addition to legal and bureaucratic challenges, refugees also face public and media hostility towards asylum-seekers, and find themselves stigmatised as 'bogus' refugees seeking economic advantage.

Afghan refugees are thus increasingly unprotected as economic pressures lead to demands from the public in Pakistan, Iran, Europe and elsewhere for their return, and for strong measures to prevent new influxes. Meanwhile, the conditions that fuel the refugee flows persist. Escalating conflict, a serious drought and high levels of human-rights abuse are leaving people in many parts of Afghanistan with no option but to flee their homes. Large numbers are taking refuge in cities (there are about 300,000 internally-displaced people in Afghanistan), but employment opportunities are limited and wages low. Families are therefore opting to send their sons to Pakistan or Iran in the hope of securing an income. Young men are also leaving for fear of being forcibly recruited by either the *Taliban* or the opposition, while Tajiks are being displaced by fighting in the north-east. Intellectuals and ethnic minorities also fear persecution. The efforts of European governments to seek regional solutions by asking Pakistan and Iran to take on a greater burden are, therefore, particularly inopportune.

Refugee protection

The primary protection needs of the refugees are:

- protection from refoulement (return to an insecure situation in which the returnee feels unprotected);
- protection from abuse within the country of asylum; and
- protection from abuse upon return to the country of origin, or to a previous country of asylum.

In the absence of serious efforts by governments to ensure the protection of Afghan refugees, this function falls increasingly to civil-society structures. These include:

- indigenous social structures – tribes, sub-tribes, consultative, decision-making and conflict-resolution bodies such as *jirgas* and *shuras*, and the family;
- informal bodies established to protect the collective interests of their members against identified threats;
- indigenous and international NGOs concerned with public welfare, human rights, culture and heritage; and
- lawyers representing applicants for asylum.

Indigenous structures

In general, refugees are relatively powerless to protect themselves or represent their interests to those with the power to grant or refuse asylum and deport asylum-seekers. Refugees from areas of Afghanistan where social structures are relatively weak have found themselves very isolated as individual nuclear families in the face of the authorities in Iran, and unable to influence policy and practice concerning their presence. The same has been true for refugees from Kabul and from the north-east.

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Average monthly number of asylum applications submitted in Europe (January 1992–March 2001)

Number of applications submitted

— Afghanistan

— All nationalities

500
400
300
200
100

1992 1993 1994 1995 1996 1997 1998 1999 2000 2001

Year
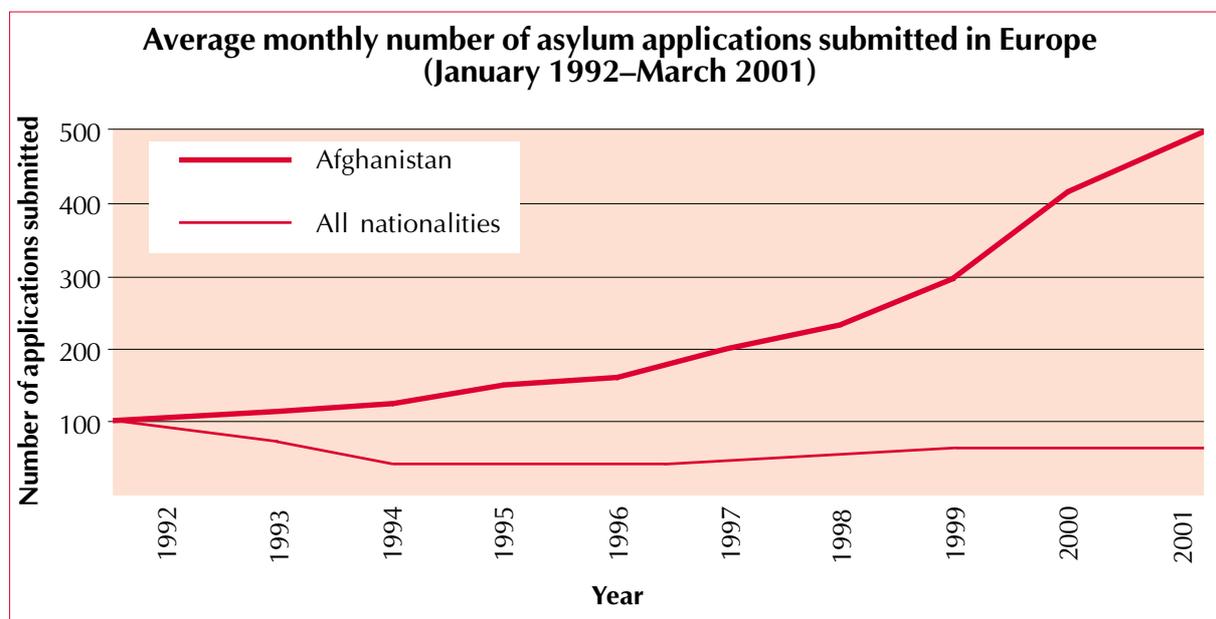
In contrast, refugees from the Pushtun tribes have been in a better position to protect themselves from abuse, and to negotiate arrangements they regard as satisfactory. Pushtun tribes in Afghanistan have links with their powerful counterparts in Pakistan's North-West Frontier Province, and could also threaten the *Taliban*'s hold on Afghanistan if it is seen as too readily disregarding their interests. Members of powerful tribes may thus be able to secure some protection, both against being deported from Pakistan, and against forced recruitment into *Taliban* forces.

Relief and development NGOs

NGOs engage with refugees in two main ways: by providing services to those living in camps or refugee neighbourhoods; and by helping returning refugees to re-establish their lives through programmes providing agricultural rehabilitation, health care, water supplies, education and rural infrastructure.

Organisations providing services to refugees in countries of asylum may become aware of abuse such as forced deportation, but do not usually have the power to negotiate or otherwise influence the policies and practices of the governments of these countries. They also have to be careful not to criticise governments which have the power to withdraw their registration, or deny visas to their staff. At best, international NGOs can alert their own governments. Indigenous NGOs – particularly Afghan organisations operating in Pakistan – are in a weaker position than their international counterparts. NGOs operating under contract to UNHCR are also constrained by the policy framework within which their funding is provided.

NGOs working on reconstruction programmes potentially have more power to influence governments. If, based on their knowledge of the situation in the country, they judge that conditions are not conducive to the return of refugees in security, they can argue that resources should not be given in support of a return programme. However, they are powerless regarding forcible returns except to the extent that they can influence their own governments, and these governments are disposed to take the matter seriously.

Human-rights organisations

By reporting the abuse of asylum by governments, and the abuse of returning refugees by the authorities in the countries of origin, human-rights organisations can embarrass 'responsible' capitals, and so have perhaps greater power than other NGOs. However, their reports may prove counter-productive in situations where the authorities are prepared to disregard international opinion, and in which external pressure simply hardens attitudes, as has been the case with the *Taliban*.

Even where human-rights organisations are able to influence governments, their response may not always be appropriate to the context. There is thus a strong case for governments to work more closely with UNHCR to strengthen the representations that it makes to governments on protection matters. Human-rights organisations also have an important role in providing information to governments assessing claims for asylum in Europe, North America and Australia, and to lawyers acting on behalf of asylum-seekers.

Lawyers

Where governments are party to international conventions or have domestic legislation which provides certain levels of protection, lawyers are in a good position to protect individual refugees and, through case law, wider groups. For example,

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Asylum applications in the UK: 1992–2000

Number of asylum applications (y-axis): 1000, 2000, 3000, 4000, 5000, 6000

Year (x-axis): 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000
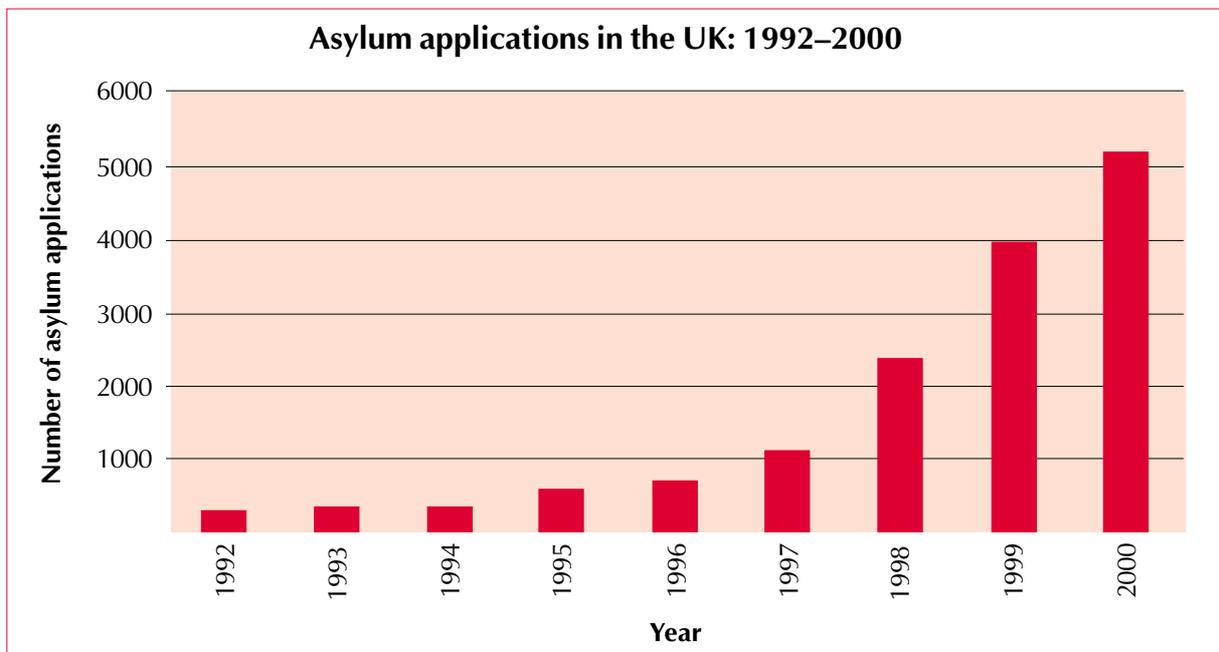
lawyers working for the Human Rights Commission of Pakistan have established that the Pakistani Citizenship Act of 1951 provides that Afghans born in Pakistan are entitled to citizenship, and so cannot be deported. There are, however, indications that the Pakistan government may take legal steps to close this loophole.

Conclusion

Like UNHCR, civil society is relatively powerless to withstand regional attempts to minimise the number of asylum-seekers, and to secure the return of as many refugees as possible. With the exception of those linked with the Pushtun tribes, civil society can at best try to inform more powerful governments in the international community in the hope that they will use their power in support of refugee protection. International NGOs can use a number of strategies to urge their own governments to take greater responsibility for displaced Afghans.

NGOs can ask their governments to support them in seeking to maintain people in their homes through agriculture, health, education, water-supply and education programmes, while recognising that the conflict and other aspects of the operating environment may significantly constrain their access, and that many people will have no option but to flee their homes. They can also request support in providing basic services to people living in camps in Afghanistan, and in refugee camps and neighbourhoods in Pakistan and Iran, while recognising that, even if sufficient resources are provided, these people may still suffer abuse, or be at risk of refoulement.

NGOs can also call on their governments to urge Islamabad and Tehran to comply with the terms

of the 1951 Refugee Convention, and in addition provide refuge on humanitarian grounds. Diplomatic contact should be used to raise UNHCR's protection concerns. Western governments should ensure that UNHCR's protection role is sufficiently resourced. Too often, its attention is taken up with care and maintenance issues, and Protection Officers find themselves under-resourced in relation to the level of abuse. With regard to Afghanistan itself, NGOs need to press their governments to pursue a policy of constructive engagement with the *Taliban*, recognising that the denunciatory approach often adopted by the international community has been counter-productive in that it has further isolated the *Taliban* and strengthened its hardliners, to the detriment both of the population and of the operating conditions of humanitarian agencies.

NGOs also need to remind their governments of their responsibilities. European governments must share the burden by accepting displaced Afghans in need of protection under the terms of the Convention, or on humanitarian grounds. Afghans should thus be allowed to enter European countries by legal means, and should be treated with dignity on their arrival. European governments should be urged to abandon their hostile rhetoric on asylum-seekers, and present them instead as people deserving of public sympathy. They should also be encouraged to abandon their attempts to persuade Pakistan and Iran to accept rejected Afghan asylum-seekers from Europe.

Peter Marsden is Information Coordinator of the British Agencies Afghanistan Group (BAAG) at the Refugee Council. He has written extensively on Afghanistan.

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The theory and practice of 'rebellious humanitarianism'

The 1990s saw a renewed focus on law and humanitarian principles in the official language of the UN and national governments, and in the language of NGOs. But, argues **Françoise Bouchet-Saulnier**, *no one should pretend that this represents a moral victory for law and principles*

Reference to the law is always strongest at precisely those moments when respect for it disappears. Only when ethnic cleansing had reached its logical conclusion in the former Yugoslavia, and genocide had run its course in Rwanda, did talk of law and justice replace talk of *realpolitik*. These massacres shattered the illusion of an all-powerful humanitarianism, underlining the limitations of humanitarian action and raising questions about how endangered populations should be protected. Caught between the requirements of peacekeeping, human rights and humanitarian law, how are NGOs to make use of humanitarian law without sacrificing their freedom of operation, and without giving in to legalistic hypocrisy or outright pragmatism?

Humanitarian action and human rights

Reflecting a desire to improve the quality and standards of humanitarian action, a number of initiatives emerged after the disasters in Rwanda and the former Yugoslavia. These initiatives also affirmed the importance of making respect for human rights an integral part of humanitarian action, and basing that action on principles. This desire was embodied in projects such as Sphere and the use of humanitarian mediators. It is reflected in the codes of conduct drawn up by a number of countries with a view to standardising humanitarian practice. It was also reflected in UN-implemented strategic frameworks designed to make humanitarian action part of a broader project that includes the restoration of peace, respect for human rights and economic reconstruction.

This tendency towards a more global approach is an attempt to group humanitarian action together with peacekeeping, the restoration of democracy, and human rights. It is comforting, because it obscures the relatively modest impact of humanitarian action in situations of conflict or crisis, by integrating it within a grander design of conflict resolution and the restoration of peace. It is also more comfortable for humanitarian organisations because it places the limited action of each into a broader framework. For example, humanitarian organisations that witness massive crimes need only convey the information to their human-rights counterparts, thereby avoiding the difficult choice between denunciation and silence.

However, this blurs the distinction between each organisation's area of responsibility. In a context where human rights are an element of international diplomacy, giving confidential information to human-rights groups might be regarded by the authorities as clandestine, suspicious and subversive. Passing on information in this way hardly ensures the safety of humanitarian staff working in the field. Moreover, it may make protecting the populations concerned subject to the specific agenda of human-rights diplomacy.

Relief operations thus become a pawn in a power game that is perilous for humanitarianism. By participating in this process, humanitarian organisations become prey to the weaknesses and failures of the entire system. If, for example, it becomes impossible to maintain peace, humanitarian organisations lose their neutral status in the eyes of whichever warring party has rejected the peace. As a result, people living in the territories controlled by such parties are deprived of all relief activity. A genuine conditionality of humanitarian aid has gradually taken hold, in the name of peace and human rights. This violates the only absolute principle of humanitarian action: impartiality. This principle dictates that humanitarian aid obey no other imperative than that of human or individual need.

The strength of humanitarian action resides in the relevance of the action itself, and in the independence in the face of power that makes the humanitarian presence in the field acceptable to warring parties. This independence is reflected in respect for the operational principles governing the practical side of conducting relief actions. We must therefore go beyond the comforting notion of a 'humanitarian community'. Humanitarian action is not enough to guarantee respect for human rights, and may not be used as a bargaining chip to secure such respect. Simply referring to human rights is not an adequate or appropriate way of guaranteeing the quality of humanitarian action.

Humanitarian law and human rights

Beyond human rights in general, there exist more precise commitments and rights for which humanitarian organisations are more particularly responsible. Human-rights conventions state general principles for the treatment of individuals by governments. These rights are often limited in periods of conflict, and it is governments that are charged with upholding them. The conventions accord no specific rights to NGOs. Human rights allow for acts of denunciation, but they do not constitute a frame of reference for humanitarian relief operations.

Humanitarian law, on the other hand, is concerned with periods of armed conflict. It is enshrined in four conventions signed in Geneva in 1949, and in two additional protocols of 1977. These laws set out specific rules regarding protection and assistance to vulnerable people in situations of conflict. The laws also define the rights conferred upon the ICRC and humanitarian organisations to provide humanitarian assistance to endangered populations independently of governments and warring parties.

Some NGOs see the law only as a source of constraint and limitation. Yet it is thanks to the specific provisions of humanitarian law that NGOs are able to claim independence in their actions with respect to governments; demand access to victims; assert control over the distribution of relief; enter a country's territory without prior consent in order to bring medical relief to the wounded and the sick; and identify and denounce war crimes and crimes against humanity. Humanitarian law ensures that offers of relief made by independent and impartial humanitarian organisations cannot be considered interference in a country's internal affairs. It provides minimum rights that help to guarantee the survival of vulnerable people in situations of danger. It traces the limits between human-rights violations and crimes against humanity. It authorises and regulates relief action, and gives responsibility for such action to independent organisations.

In the conventions mentioned above, states explicitly recognise specific rights of NGOs, and entrust certain responsibilities to them. Impartial humanitarian organisations are responsible for verifying the overall situation of endangered populations, and ensuring that they receive aid. The organisations implement relief operations aimed at protecting such people from the various threats posed by the conflict. The responsibility of humanitarian NGOs is directed mainly towards negotiating the concrete conditions governing their aid actions, rather than denouncing violations of law or justice after the fact.

Responsibility and humanitarian principles

Humanitarian responsibility should not be confused with the monitoring of human-rights violations. Nor should humanitarian responsibility be delegated to human-rights organisations. Improving humanitarian action requires strengthening the framework and principles which are in its area of responsibility. The responsibility of humanitarian organisations is directly related to their role as actors present during situations of violence.

Humanitarian organisations are responsible for negotiating relief conditions with the warring parties, in accordance with humanitarian law. They are charged with bearing witness to the obstacles encountered while fulfilling their mission to assist and protect populations. They are also responsible for denouncing situations in which relief has been diverted from its objective, or where the presence of humanitarian organisations is used to endanger the people these organisations are supposed to be protecting.

Relief organisations have sometimes been authorised to provide aid merely in order to give a semblance of normality to situations where populations have been subject to violence and abuse. In a situation of this kind, humanitarian organisations must be able to evaluate the real nature and effectiveness of their action. Many NGOs are still at a very early stage when it comes to assuming such responsibilities. They mostly

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Humanitarian law: a practical guide

The media has introduced the language of humanitarian law into everyday conversation. Words like 'refugee' and 'human rights' appear regularly in the press. But often, their legal and political meanings are ignored or misinterpreted. Something as simple as word choice – between 'massacre' and 'genocide', for instance – may decide whether rights are granted or denied, lives saved or destroyed.

The Practical Guide to Humanitarian Law by Françoise Bouchet-Saulnier clearly explains the terms, concepts and rules in this complex field. It is not written for lawyers, but told from the point of view of humanitarian actors. The Guide is a valuable resource for interpreting the relevant international conventions and legal instruments applicable in situations of conflict or tension. It describes the populations and persons who must be protected, spells out the rights of victims and humanitarian organisations in times of crisis, and defines the crimes set forth by humanitarian law, and the recourse it provides.

The Practical Guide to Humanitarian Law by Françoise Bouchet-Saulnier (New York: Rowman & Littlefield, forthcoming October 2001).

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limit themselves to generalised debates on the moral dilemmas surrounding humanitarian work, but are not willing to accept the risk of denouncing these abuses, or in some cases abstaining from relief action.

'Rebellious humanitarianism'

Some humanitarian organisations believe that they have no responsibility – and no capacity – to influence the political, military or economic context of their actions, or their potential manipulation and corruption. But silence cannot be a precondition for operational freedom. Speaking out is precisely what allows NGOs to assume their responsibilities as relief actors, and is an essential counterweight to the significant political, military and economic constraints imposed upon their actions.

Public statements represent an essential and legitimate aspect of humanitarian action, which call into question the dogma of operational freedom at all costs. Public statements express that part of humanitarian responsibility that cannot be delegated to other organisations. Public statements by humanitarian organisations constitute, in extreme circumstances, a guarantee of the quality of their action, and an act of protection for endangered populations. They shatter the relationship of passive complicity that is created between the executioner and relief personnel. However, such statements must focus on the quality of humanitarian space, rather than respect for human rights. They derive not from general moral or legal considerations, but from the knowledge that there is an operational responsibility that is specific to humanitarian organisations.

Françoise Bouchet-Saulnier works at the MSF Foundation, Paris. This article is drawn from the MSF International Activity Report 2000. The report is available on the MSF website at www.msf.org/ publications/activ_rep/2000/index.htm.

Humanitarianism and international criminal justice

NGOs have played a crucial role in lobbying for international legal responses to abuse, and have been instrumental in gathering testimony and evidence. But, asks **Carole Dubrulle***, how relevant are these activities to the work of humanitarian organisations?*

Slobodan Milosevic's appearance at the International Criminal Tribunal for the Former Yugoslavia (ICTY) in July 2001 may well mark a watershed in the development of international criminal justice. His indictment in May 1999 marked the first time a sitting head of state had been charged by an international tribunal. The Pinochet case, which targeted a retired head of state, had paved the way, and there have been demands for other similar trials. In Cambodia, for instance, negotiations have taken place between Prime Minister Hun Sen and UN Secretary-General Kofi Annan over some form of 'international' tribunal to try surviving leaders of the Khmer Rouge. Yet the rapid progress towards an international criminal justice system masks a deeper truth: that, more than half a century after the Geneva Conventions and the principle of universal jurisdiction for human-rights abuse, impunity still prevails. Nations have been reluctant to honour their obligations to seek out and bring to trial those who contravene the Convention and other instruments of international law. One hundred and twenty states agreed in Rome in July 1998 on a statute for an International Criminal Court for war crimes, genocide and crimes against humanity. But opposition, notably from the US, means that the powers and jurisdiction of such a court will be circumscribed, if it is established at all.

What role for humanitarians?

Given the reluctance of governments to implement international legal instruments as effectively as they might, it is left to civil society to challenge the impunity that perpetrators of human-rights abuse, genocide or war crimes often enjoy. Human-rights groups clearly have a central role to play in witnessing, reporting and publicising breaches of human rights, and organisations like the International Federation of Human Rights Leagues work on the ground to protect and support local human-rights workers. But the extent to which humanitarian organisations can, or should, be involved in questions of international justice is still under debate.

Humanitarian organisations are often present in the field alongside the victims of abuse. They thus have the capacity to sound the alarm, and their statutes often assert this witnessing role. Indeed, for some organisations justice is an intrinsic part of humanitarian action. The fight against impunity *is* a form of relief, and the need for justice is as urgent as the need to eat or to receive medical care. Yet by engaging in the fight for justice, humanitarians find themselves becoming entangled in politics. Human rights, justice, democracy – these are quintessentially political issues. Should they then be part of the humanitarian agenda, in which impartiality and neutrality are the cardinal principles? When

humanitarians gather testimony against, for instance, war criminals, as has happened in Kosovo, are they jeopardising their access to the vulnerable?

Humanitarianism, justice and Kosovo

The Kosovo conflict put these issues into stark relief. One of the more striking outcomes of the NATO air campaign was its use – or abuse – of the word 'humanitarian' to describe a military operation. Thus, the 'humanitarian' space has been expanded to include what were previously generally accepted to be discrete areas to do with force, diplomacy, development – and also notions of justice and criminality. Humanitarianism and justice must necessarily go together. There is no infringement of humanitarian principles here because testimony and witnessing is an integral part of what being humanitarian means. But in Kosovo, humanitarian organisations have been cast as the lead actors. The encroachment of military agencies into spheres traditionally the province of humanitarian organisations has para-doxically encouraged humanitarian organisations to venture further into matters to do with justice. These developments have perhaps been encouraged by a decade of anger and frustration about what has been happening in the Balkans, and also by donor governments keen to see the management of human rights included within humanitarian activities. Thus, humanitarians have been demanding, perhaps too publicly, the 'new' legitimacy that their involvement in issues of justice is deemed to confer. At the same time, we are no longer sure whether testimonies are gathered from refugees for the sake of the international tribunal, or whether they are just another means of mobilising public interest – and justifying NATO's bombing campaign. Let there be no mistake: Action Against Hunger has also collected testimony in an effort to understand what has happened in Kosovo. And NGOs are the first to proclaim this quasi-political form of commit-ment. But we must be careful lest this role of bearing witness in so visible a way rebounds, denying us access to victims in some future humanitarian crisis.

Kosovo is the exception that proves the rule: in most contemporary conflicts, there is not such political will on the part of Western governments to relieve the suffering of victims of abuse. In conflicts, NGOs are often the last international entities to remain in the field, after the diplomats and UN personnel have been evacuated. It is in such situations that bearing witness by humani-tarian workers is vital. But it is the testimony of victims *as gathered by* humanitarian workers, not the testimony of these workers themselves, that is useful in a criminal court. Aid workers are no substitutes for a court's investigators, nor can they take charge of an inquiry. When NGOs themselves denounce violations of the law in their areas of operation, they are going much further than merely collecting testimony for the ICTY. There are links between humanitarian relief and the defence of human rights, but this does not imply the full identification of the one with the other.

Impartiality, neutrality and humanitarianism

Under international law, an organisation is deemed 'humanitarian' if, with complete impartiality, it seeks to relieve human suffering. Impartiality is the Hippocratic oath of a humanitarian organisation, and an operational principle that seeks to match relief to need in situations in which available resources are always limited. Impartiality finds expression in a rule of distribution that is proportional to needs and their urgency, established according to a standard analytical grid. Impartiality is therefore assured by the principle of non-discrimination. In theory, it is for states to guarantee these humanitarian principles. In practice, NGOs are subject to pressure to violate this principle. Unlike impartiality, neutrality is not defined in international humani-tarian law, but set out instead in the charters of numerous humanitarian organisations themselves. By neutrality, humanitarians mean that they claim no political agenda. This creates a dilemma when it comes to bearing witness to abuses of human rights; denouncing atrocities against a population, be it Tutsis in Rwanda, Albanians in Kosovo or Rohingyas in Burma, is equivalent to denouncing the perpetrators of these atrocities. Is this a political act? Alternatively, remaining silent would amount to complicity with the abuser – again, a political act?

An intractable dilemma?

The debate over whether testimony is irreconcilable with access is an old one, and it can pose intractable dilemmas for humanitarian organisations. We must remember that bearing witness is a crucial element in protecting victims – but we must also not lose sight of the fact that humanitarians are only one part of a wider, evolving system of accountability and international justice. As humanitarians, we must insist on our impartiality – but we must also reject the implications of a fully neutral stance in the face of violations of human rights.

Carole Dubrulle is Head of Project, Action Contre la Faim-France. This article is an edited extract from *The Geopolitics of Hunger, 2000–2001: Hunger and Power* (Boulder, CO: Lynne Rienner for ACF, 2001). To order a copy, contact EDS, 3 Henrietta Street, London WC2E 8LU. Tel: +44 (0)207 240 0856; Fax: +44 (0) 207 379 0609; e-mail: orders@edspubs.co.uk.

Beyond the classic humanitarian response: MSF's advocacy in Angola

*As the humanitarian community becomes more sophisticated in its approaches to delivering aid in protracted crises, it simultaneously grows more aware of the pitfalls of operating in such a context. One way to help offset these negative consequences is to bear witness to people's suffering, and use our presence in the field to advocate for change. Here, **Marc DuBois** describes MSF's experience of using advocacy in Angola*

The war in Angola pits the MPLA government, once the ally of the Soviet Union and Cuba and now the oil-rich friend of the West, against the increasingly marginalised UNITA under Jonas Savimbi, the one-time ally of the US and apartheid South Africa, now an international pariah and the object of far-ranging UN sanctions. After a few years of relative calm, the war restarted with a vengeance in late 1998. Since then, the government has reduced UNITA to a guerrilla force capable of doing much harm, but no longer of seizing power. With its new-found military advantage, the government is talking of normalisation, presenting a façade of control to the international community and focusing on prosperous business links.

Behind this 'normalisation', both government and (especially) UNITA forces have been responsible for an increasingly bloody disregard for inter-national humanitarian and human-rights law. The distinction between combatants and non-combatants has been obliterated, with civilians punished for perceived support to the other side. Whole populations are manipulated by violence, or abandoned without assistance or protection. Out of a total population of 12 million, a million have died and 3.8m been displaced, 2.8m of them since the most recent fighting began in 1998. A million

Angolans depend on food assistance, yet peasant farmers are forced into crowded urban centres while fields lie fallow. According to UNICEF, Angola is the second worst place on Earth (after Sierra Leone) in which to be a child, with an under-five mortality rate of 295 per 1,000.

A frustrating presence

MSF has worked in Angola since 1983, with all five operational sections (Belgium, France, Holland, Spain and Switzerland) present since 1993. We have roughly 80 expatriates on the ground, and are working in nine different provinces. Like the rest of the humanitarian community, our operations represent an enormous investment in Angola. But in broader terms, despite the huge effort, conditions over the past two and a half years have been worse than at any time in the past.

In such a context, hard questions arise: what are we doing in Angola? Will we continue to provide assistance, no matter how long the war marches on? These concerns return us to the difficulties faced by humanitarian organisations operating in a protracted crisis, as discussed in *Humanitarian Exchange* 18. How does aid contribute to the conflict? What role does it play in an entrenched war economy, where violence is accepted as fated or normal, and apathy, both domestic and foreign, greets the piles of dead? In such situations, there is a greater need for humanitarian agencies to deliver assistance and take measures to address this entrenched cycle of disregard for international humanitarian law. *Humanitarian Exchange* also asked whether relief agencies need to break free of the classic humanitarian response mould in order to address needs in the grey zone, between emer-gency and development. For MSF, bearing witness has long been one possible solution, and should be considered a complementary and under-explored addition to the classic model of aid delivery.

MSF's Angola analysis

MSF advocacy efforts emanate from our presence in the field, and are hence inextricably linked to our medical programmes. In Angola, it would be more accurate to say that our message was forced

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A rich country …

Angola is the second-largest producer of oil in sub-Saharan Africa, and the seventh-largest supplier of oil to the US. Its output is 785,000 barrels a day, with recoverable reserves estimated at 5.4 billion barrels. Angola's diamond deposits total hundreds of millions of carats, worth billions of dollars.

… a poor people

Between 1995 and 1998, the richest ten per cent of Angolans enjoyed a 44 per cent increase in wealth, while the poorest ten per cent suffered a 59 per cent decrease. Nearly half of the population is under-nourished, and just over half of under-fives are under-weight. Life expectancy is 44 years, and Angolans have a 40 per cent chance of not reaching their fourth decade. Four-fifths do not have access to essential drugs.

upon us by the situation; it grew out of our diverse efforts to bear witness to the terrible suffering, and articulate an analysis of it. What did MSF want to say? What could MSF show? After studying the situation as witnessed by our project teams and talking individually to hundreds of IDPs, certain core issues emerged.

- *For most Angolans, healthcare is unavailable.* The government has neglected the people's right to adequate health services, and has failed to use the resources at its disposal to better the health of Angolans; UNITA no longer provides healthcare of any kind to civilians in areas under its control.

- *Forced displacement is used as a strategy of war.* Whole populations are abducted, as people are important commodities in the creation and maintenance of a military force; others flee violence and abuse in the *mata* (the bush).

- *The humanitarian community lacks access to populations in danger.* Insecurity, landmines and the threat of attack by armed parties or groups, along with a lack of infrastructure (airstrips, fuel and roads), impede or prohibit humanitarian operations. Assistance is restricted to provincial capitals, a few large towns and the narrow security perimeters surrounding them. In Malange, for instance, our project team has access to only about four per cent of the province.

- *Lack of respect for international humanitarian law is extensive.* The government and UNITA have engaged in systematic and widespread violations of humanitarian and human-rights law. Millions of Angolans have been stripped of their human dignity, and many are victims of murder, torture, abduction, rape, pillage and other abuse.

MSF's strategy

The basic advocacy strategy that evolved was to bear witness on these four points (rather than spreading the message too thinly by addressing other issues) – to show the real Angola, as confronted by our teams in the field. On 9 November 2000, in a series of press conferences, MSF issued a press release and published its report, *Angola: Behind the Façade of 'Normalization' – Manipulation, Violence, and Abandoned Populations.* This report tracks the aforementioned issues and delivers, to the best of our ability, the view from the ground, using medical data, such as war-related surgical rates and nutritional statistics, and direct testimonies from IDPs. Our network of partner sections was critical in getting the word out as widely as possible.

> With my first wife and our five children we fled our village because of the attacks by UNITA, followed by government offensives which became more violent and frequent. On one side UNITA threatened to massacre the villagers, on the other, the [government] troops threatened us with death if we didn't follow them! The situation became unbearable and that's why, along with 180 other families, we decided to come over to the government side in January 1999. **Displaced person from Huambo province**

> UNITA was going to take the people from my village into the *mata* [the bush] when FAA came. FAA told us to come with them to Loquembo, so we went with them. When evening came, they indicated an area and told us to sleep. Then UNITA attacked and FAA fled. UNITA captured me and 19 other young men … they bound our arms behind our backs and took us away. When we got to a bridge over a rushing river, they shot us … and pushed us in the water, our arms still tied. I was shot in the backside … somehow I managed to get out of the river. I was the only survivor. **16-year-old IDP from Malange province**

The link between the report's message and field operations cannot be overstated. It would have been much easier to produce a typical report: research from afar, coupled with facts culled during a three-week field visit. In this report, the various projects in-country spent months trying to collate and analyse data from 2000 and before, so that MSF could show the specific effects of this war. For instance, it was clear that access was restricted, but what did that mean? To help quantify this, we used medical data: MSF supported 14 health structures in five districts of Malange province, which in 1997 represented 152,408 consultations for a population estimated at 200,000 people. Since the resumption of the war, total consultations in these districts equal zero.

A successful debut

In Luanda, nobody knew what to expect from the government. A public document of this nature – neutral in its approach but nonetheless very critical of the government and UNITA – could have provoked a negative reaction against MSF, impaired our operations or possibly led to expulsion. The only official reaction from the government was a letter from a minister cautioning that MSF should be more careful when characterising the actions of the government. In the international community, many colleagues praised MSF's action, not necessarily for the message delivered, but for the

act of speaking out itself. There seems to be a general feeling that *something* had to be said.

It is rarely possible to measure the impact of advocacy. The report certainly stirred debate, and helped bring certain issues to the fore, such as the imperative need for greater access and for the UN to take concrete steps towards establishing IDP protection mechanisms at the provincial level. The UN in particular realised that there was a collective vacuum when it came to the obvious task of talking with people, and is now integrating systematic interviewing into its programmes. There also appears to be more pressure on the Angolan government to improve its healthcare performance, and there has been some movement in this direction.

Within MSF itself, the process strengthened the teams' sense of purpose and awareness of the underlying causes of the situation. Finally, while many did not agree with MSF's analysis (i.e., the politics of normalisation), all seemed moved by our depiction of reality. In particular, the many IDP testimonies included in the report possessed an undeniable power.

Conclusion and lessons learnt

The first lesson of the MSF experience is that project-up, rather than headquarters-down, advocacy carries risks. There is a delicate balance to be struck between using data/information from the field and safeguarding the security of beneficiaries and staff, and the continued presence of the project itself. Organisations should not engage in advocacy unless they understand how to do so without jeopardising the safety of beneficiaries or staff. However, project-up advocacy carries the authority of the organisation speaking to its accepted core area of work, as opposed to tangential analyses or research. Moreover, denouncing a situation itself is often not as much the problem as the tone in which it is done.

Second, to minimise any potential backlash and to generate momentum behind the message,

Millions of Angolans are displaced

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MSF's country managers in Luanda met beforehand with key members of the diplomatic community, the UN and the government (partner ministries and provincial governors) in order to present the report. They also held a joint meeting with all national staff, and fully briefed all the teams in the field. This transparency was seen as vital to preventing a hostile reaction, and ensured that the report was supported and understood by the entire organisation in Angola.

The publication of the report had unforeseen benefits. First, our public advocacy contributed to the opening up of space more generally for critical public opinion. Second, Angolans were able to use our report to push for better healthcare themselves – it is much less dangerous for them to reiterate the opinion of others (for example, that MSF states that the government has neglected healthcare) than to advance such an opinion as their own.

Marc DuBois is a Humanitarian Affairs Advisor at MSF-Holland. He has recently returned from an 11-month mission in Angola.

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Balancing principles and needs: capacity-building in southern Sudan

In the last issue of Humanitarian Exchange, *we looked at the dilemmas confronting capacity-building approaches in war-torn southern Sudan.* **John Mande**, *chair of the Capacity-Building Working Group, asks what agencies can do when capacity-building collides with core humanitarian principles of impartiality and neutrality*

This article applies the Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief to MEDAIR's practical experience of capacity–building in south Sudan. What should agencies do when the principle of working through local institutions and building local capacities comes up against the principle of neutrality, and the undertaking that aid will not be used to support a political position, or exploited as a tool of government foreign policy? In conflict zones like south Sudan, is capacity-building compatible with the commitment to give aid based on need alone, and without discrimination on the basis of politics, religion or ideology?

Capacity-building and tackling long-term vulnerability

Emergency assistance can provide short-term relief, but long-term solutions to the problems facing southern Sudan require the development of local individuals and institutions. This is based on Principle 8 of the Code of Conduct: 'Relief aid must strive to reduce future vulnerabilities to disaster as well as meeting basic needs.' According to this Principle:

> We will strive to implement relief programmes which actively reduce the beneficiaries' vulnerability to future disasters and help create sustainable lifestyles ... We will also endeavour to minimise the negative impact of humanitarian assistance, seeking to avoid long term beneficiary dependence upon external aid.

MEDAIR staff with a Sudanese water team

Capacity-building aims to do precisely this: improving the effectiveness, skills and knowledge of organisations and institutions in an attempt to achieve self–reliance and sustainable livelihoods.

Aspects of capacity-building

Building institutional capacity
MEDAIR's approach to increasing the capacity of local institutions is based on Principle 6 of the Code of Conduct: 'We shall attempt to build disaster response on local capacities.' According to this Principle:

> we will strengthen these capacities by employing local staff, purchasing local materials and trading with local companies. Where possible, we will work through local NGHAs [Non-Governmental Humanitarian Agencies] as partners in planning and implementation, and cooperate with local government structures where appropriate.

MEDAIR, which joined the Operation Lifeline Sudan (OLS) consortium five years ago, is deeply involved in precisely those activities identified in this principle. It has worked through existing humanitarian counterparts, and local institutions such as the traditional authorities (chiefs) where these exist, and has invested in education and literacy programmes and in training community health workers. The agency has also tried to involve Sudanese doctors in the management of its health, water and sanitation programmes and, in collaboration with the local authorities, has established and trained village development committees. Although a number of challenges still face these local groups, they have assisted in constructing and maintaining infrastructure. MEDAIR has also been a key member of the Capacity–Building Working Group for Southern Sudan. The objective of strengthening local capacities is also part of the wider mandate of OLS: 'Strengthening local capacities to prevent future crises and emergencies and to promote greater involvement of Sudanese institutions and individuals in all humanitarian actions is an integral part of OLS's humanitarian mandate'.

Community participation and local capacities
Community participation is a key element of MEDAIR's capacity–building approach. It is based primarily on Principle 7 of the Code of Conduct:

'Ways shall be found to involve programme beneficiaries in the management of relief aid.' According to this Principle:

Disaster response assistance should never be imposed upon the beneficiaries. Effective relief and lasting rehabilitation can best be achieved where the intended beneficiaries are involved in the design, management and implementation of the assistance programme. We will strive to achieve full community participation in our relief and rehabilitation programmes.

Despite the degree of vulnerability that exists in south Sudan, it is necessary to avoid creating relief dependency among community members. For MEDAIR, this means that Sudanese individuals and families need to take responsibility for their own health and welfare, identifying the problems and needs of the community, and developing the capacity to contribute to their own and the community's development.

Community participation in the context of humanitarian assistance poses significantly greater challenges than in the context of development aid. In south Sudan, agencies are working in devastated areas, where resources are limited and contested, and people displaced. The priorities, interests and strategies of local counterparts may not match those of the agency; management and administrative skills may be in short supply, and adequate infrastructure may not exist. In southern Sudan, for instance, many medical supplies have to be delivered by air. Installing hand pumps as part of a water and sanitation programme often requires technical expertise that is simply unavailable locally, while spare parts may be in short supply. Socio-economic activity may be at a standstill, making it difficult to reduce people's relief dependency.

Nonetheless, MEDAIR has worked in collaboration with its local partners including humanitarian counterparts, to ensure that there is local participation in the delivery of primary health care. MEDAIR believes that people have the right to participate, both individually and as a community, in the planning and implementation of health care. The basic approach to primary health care is that the centre of gravity should shift from urban locations to local, rural communities. Community inputs are crucial; according to their capacities, communities need to mobilise human, financial and material resources to supplement the resources provided by the national government and other outside sources. In the preventive and promotive aspects of primary health care, local people are the main actors, with the health services and outside agencies playing only a supportive role.

Local capacities could be developed through technical training in the field, and at the regional level. The effective implementation of programmes requires well-trained local workers. A more advanced approach would include training Sudanese trainers. Training programmes need to follow approved curricula and manuals, preferably conducted by qualified trainers or at a reputable training institution. Specific project objectives should indicate the number of local professional staff that would be trained, and how this objective will be implemented. The training and development of Sudanese staff is an important priority in ensuring access and continuity of basic services in southern Sudan. Areas where MEDAIR has invested in human-resource development include training community health workers and traditional birth attendants, as well as training in water and sanitation at NETWAS, a regional capacity-building and training institution.

Principle 7 also refers to local involvement in the management of relief, as well as its delivery. Employing qualified Sudanese staff in positions of responsibility would provide a suitable learning environment in developing management and organisational capacities. Capacity-building initiatives need to include basic management functions:

- planning programme objectives based on org-anisational goals/portfolio/project objectives;
- organising the work;
- assigning responsibility and accountability;
- allocating resources and setting targets for the implementation of objectives;
- motivating key players; and
- monitoring and evaluating activities and estab-lishing correction mechanisms.

MEDAIR's current programme-management approach involves the field-level management of project sites with Sudanese doctors. Although largely composed of international staff, MEDAIR's emergency team has an experienced Sudanese liaison officer. Developing supervisory and delegation capabilities for Sudanese to implement humani-tarian services in a more efficient and effective way cuts across all sectors, and is a way of working rather than another programme. The role of international agencies needs to include the facilitation of project leadership by Sudanese, and assisting Sudanese institutions in developing operational strategies for community projects, whether designed for emergency situations, or for long-term development.

In principle, international agencies should not attempt to take all responsibility for programmes; this should largely be discharged by local comm-unities, humanitarian counterparts, the civil ad-ministration and traditional authorities. Community meetings at the early stages of project design could be useful in clarifying the roles and responsibilities of the various actors. At this stage, it should be possible to establish the capacities and expectations of the stakeholders in a particular project, and define and agree on the nature of the relationship between the various institutions in question.

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Traditional structures and practices
MEDAIR's capacity-building approaches aim to strengthen traditional authority structures rather than create new ones, and to respect local cultural norms. This is in line with Principle 5, which states that:

> We will endeavour to respect the culture, structures and customs of the communities and countries we are working in.

MEDAIR seeks to work through existing authorities including the humanitarian wings of south Sudan's rebel groups, chiefs and community representatives via village and area development committees. Similarly, new technology and equipment should be culturally and socially compatible with local communities, as far as is practically possible. The exception, of course, is where lives are at risk. Modern approaches should be pursued when indigenous knowledge has not been thoroughly researched and documented. While the primary health care programme recommends the adoption of socially acceptable methods and technology, this should reflect and evolve from local economic conditions and socio-cultural and political characteristics. This applies equally to other sectors, like water, sanitation and nutrition.

The politics and policy of capacity-building in southern Sudan
In their capacity-building approaches, international agencies are supported by key principles of the Code of Conduct to do with community involvement and participation in all aspects of service delivery. Yet there is also a risk that engaging with local structures in the context of conflict brings the agency perilously close to entanglement in the politics of the war in the south. This runs counter to several of the principles of the code of conduct. Principle 3, for instance, asserts that 'Aid will not be used to further a particular political or religious standpoint', but will be given 'according to the need of individuals, families and communities'. Principle 4 states that 'We shall endeavour not to act as instruments of government policy':

> We will never knowingly – or through negligence – allow ourselves, or our employees, to be used to gather information of a political, military or economically sensitive nature for governments or other bodies that may serve purposes other than those which are strictly humanitarian, nor will we act as instruments of foreign policy of donor governments.

There can be a conflict between humanitarianism and development policy and practice in the field. This is especially the case where agencies are directly engaging with rebel movements. Humanitarian principles provide a broad guide to designing humanitarian aid, but they do not tell agencies how to deal with basic challenges to do with key principles like neutrality. In a complex political emergency like that in south Sudan, these

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OLS Southern Sector mission statement

OLS is a consortium of UN and non-governmental agencies working with the people of southern Sudan whose survival, protection and development is jeopardised by the complex emergency and chronic underdevelopment. In striving to meet the needs of the southern Sudanese, OLS saves lives, promotes self-reliance, protects people's safety and enables them to invest in their future.

OLS southern sector is guided by the principles of the IFRC/NGO Code of Conduct in Disaster Relief. In summary, these principles are:

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

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difficulties can become acute. If an agency is building the capacity of administrative structures in government-controlled areas, or in areas controlled by the rebel movements, for instance, is it effectively taking sides in the conflict? Yet without such collaboration, it is impossible for agencies to ensure that capacity-building programmes are effective and properly managed.

These issues form some of the realities that international NGOs and donors contend with while providing relief assistance to countries caught up in civil war. They also further challenge the effective integration of capacity-building approaches in humanitarian aid to communities affected by such conflict. Where there are no clear distinctions between the military, local authorities

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and civilians, how do agencies ensure that their aid is going to non–combatants, and not sustaining people engaged in the conflict? Clear programme mandates and regular coordination and consultation meetings with the relevant local authorities are vital. But there is no clear–cut solution here; instead, international agencies are guided by how well they develop and maintain effective working relationships with the various actors.

John Mande is Lecturer in Veterinary Surgery at the University of Nairobi. He also coordinates the capacity-building aspects of MEDAIR's programmes in southern Sudan, and is the chair of the Capacity-Building Working Group.

Practising principled humanitarian assistance in conflict: the experience of ActionAid-Sierra Leone

Since March 1991, Sierra Leone has endured internal conflict, massive human-rights abuse, population displacement, severe food insecurity and economic collapse. More than 10,000 people have been killed or horrifically maimed, and hundreds of thousands more forced from their homes. In such an environment, argues **Michael Young**, *principled humanitarian action is an impossible ideal*

This article describes the difficulties and dilemmas ActionAid-Sierra Leone (AASL) has faced in attempting to apply the Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief to its relief activities in Sierra Leone in the latter half of the 1990s. In countries like Sierra Leone, the idea of principled humanitarian action remains just that. Chronic political instability, conflict, factionalisation and humanitarian crisis, coupled with international efforts to use aid as a means of influencing the parties to the conflict, mean that agencies cannot hope to apply the code to all aspects of their work.

From development to relief
ActionAid established a development programme in Sierra Leone in 1988. It began emergency work in 1995, following attacks on its areas of operation by Revolutionary United Front (RUF) rebels. In effect, the rapidly-deteriorating security environment rendered 'normal' development work impossible. AASL was faced with a choice: either suspend its activities altogether, or adapt its work, even though the agency had little experience of emergency response and was constrained by programme and budgetary requirements. The decision was taken to respond to emergencies in areas where AASL had established development programmes.

In response to the crisis, AASL initiated an internal capacity-building and training programme. CARE International delivered a crash-course in emergencies work, including how to undertake needs assessments, targeting, registration and logistics planning. Field staff also worked in IDP camps on short-term attachments to other NGOs, including the Sierra Leone Red Cross Society. An Emergency Advisor was recruited, and three senior staff attended basic emergency capacity-building foundation courses overseas.

The Code of Conduct and operational reality in Sierra Leone
In principle, the decision to respond to the emergency committed AASL to complying with the Code of Conduct. Yet at the operational level, attempts to adhere to the Code presented major difficulties.

Access and protection
The right to receive humanitarian assistance, and to offer it, is a fundamental humanitarian principle. This requires unimpeded access to affected populations. In Sierra Leone, however, there was no effective mechanism to ensure that the belligerents complied with international humanitarian law. Adherence was largely voluntary, and determined by the prevailing political, military and security climate. In some

cases, access boiled down to the mood of soldiers, militiamen and officers at checkpoints, even when approval had been gained from headquarters.

In early 1995, under the military regime of the National Provisional Ruling Council (NPRC), much of Sierra Leone was accessible to humanitarian agencies and civilians because the government was militarily strong, and politically united. This facilitated the free flow of relief and the free movement of people in many parts of the country. Access became restricted in late 1995, when disgruntled government soldiers and officers – who came to be known as 'Sobels' – joined forces with the rebel RUF. Access improved again in 1996, when elections brought President Ahmad Tejan Kabbah to power, and a peace accord was signed between the government and the RUF. However, by the second half of 1997 access again became limited due to the military overthrow of the government by the Armed Forces Revolutionary Council (AFRC). The RUF (already in control of a significant part of the countryside) was invited by the AFRC to participate in government in 1997.

The AFRC/RUF junta disintegrated in February 1998 at the hands of the West African peacekeeping force ECOMOG. The rebels retreated into the jungle, destroying roads, bridges and communication systems in an effort to keep communities apart, and to block relief supplies and the movement of their enemies. The discipline of soldiers loyal to the government was also suspect, and a number of warlords, militias and mercenaries emerged, further complicating the security situation. In rebel-controlled areas, providing humanitarian relief and protection meant paying combatants for access and protection, either in cash or in relief materials. On the one hand, such action would be perceived as compromising the Code of Conduct, fuelling the conflict and legitimising the AFRC/RUF. On the other, failure to assist and protect people would have meant an abdication by AASL of its humanitarian role. In response, AASL adapted its strategy to support a low-cost, low-key and life-saving relief operation, targeted at populations in areas controlled by pro-government forces.

Targeting and impartiality
AASL also had to decide how to target limited relief assistance in areas where chronic political and security instability had created a situation of extreme vulnerability. This targeting needed to avoid provoking tensions that might either exacerbate the conflict, or start a new one.

According to the Code of Conduct: '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.' Even though funding proposals submitted to donors were based on thorough assessments of the needs of the affected populations, the responses were gen-

erally inadequate, especially in non-government areas. ActionAid and its partners did not have the necessary resources to provide for equitable relief, and to ensure equal access for all victims. Limited resources meant that selective targeting took place, with aid being channelled to people in government-controlled areas, where access was easier.

Involving programme beneficiaries
Effective relief and lasting rehabilitation can generally best be achieved where the intended beneficiaries are involved in the design, management and implementation of the assistance programme. The Code of Conduct states that: 'Ways shall be found to involve programme beneficiaries in the management of relief aid'. In Sierra Leone, efforts were made by humanitarian agencies to uphold and maintain this standard. In 1995 and 1996, participatory approaches allowed the involvement of beneficiaries in the design and implementation of all relief interventions, via existing community structures. Key programming areas in which communities were involved included needs assessments; the targeting, registration and verification of beneficiaries; the distribution of relief supplies and the sharing of security information. In some cases, key informants were invited to participate in regional inter-agency relief programming, planning and coordination meetings.

The escalation in fighting from 1997, increased human-rights abuses against civilians, massive internal displacement and high levels of vulnerability all frustrated these attempts at participation. Increasing insecurity made it difficult, and sometimes impossible, to apply participatory approaches to relief programming. Between 1997 and 1999, for instance, it was difficult for humanitarian agencies to obtain adequate planning information, such as needs assessments and problem analyses.

Aid and politics
Following the coup that brought down Kabbah's government in 1997, the international community, led by the UK government, suspended major aid programmes and tied their aid to the restoration of Kabbah's administration. An arms and petroleum embargo was also imposed. This effectively constituted a shift in focus away from people – the victims of Sierra Leone's humanitarian crisis – towards political processes – the restoration of democratic government. In effect, aid became a political tool of international diplomacy, contrary to the Code of Conduct, which states that 'Aid will not be used to further a particular political or religious standpoint'.

The embargo had immediate effects on the work and position of agencies like AASL. Whatever goal it was meant to accomplish, the embargo increased the suffering of Sierra Leoneans, and restricted the

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flow of humanitarian support into a country where armed insurgency had already disrupted farming and other livelihood sources. The embargo also changed perceptions of aid agencies, and generated a climate of dangerous mistrust. Relief supplies were looted by officials of the AFRC/RUF, and aid workers were intimidated and attacked. In practical terms, the petrol shortages that ensued created severe logistical difficulties in the delivery of aid. Many agencies suspended their activities and relocated to neighbouring Guinea. ActionAid scaled down its field activities and sought official authorisation to operate as a Sierra Leonean NGO, in collaboration with Aid et Action, a French NGO registered in Guinea.

In response to the embargo, humanitarian agencies working in Sierra Leone agreed to collaborate, and developed operational procedures and principles of humanitarian action: the Sierra Leone Code of Conduct. A committee representing national and international NGOs, concerned donors, UN agencies and the ICRC was set up to monitor the implementation of the Code, and to advocate on its behalf. Unfortunately, the humanitarian space agencies needed to deliver aid did not exist. AFRC/RUF elements intimidated people crossing the border from Guinea, and raided goods crossing the frontier. This created an atmosphere of general insecurity, which affected the flow of humanitarian goods and services. From Guinea itself, members of Kabbah's ousted regime attempted to block the flow of relief goods into Sierra Leone for fear that international assistance would help legitimise the new government.

Aid programmes from international donors, led by the British government, remain politically-driven, rather than politically-informed. The aim remains to sustain and support reform, rather than primarily to render humanitarian assistance; the focus now is on the disarmament and reintegration of ex-combatants. Under these circumstances, implementing the Codes of Conduct in Sierra Leone has not been feasible. Principles of humanitarian and human-rights law have consistently been violated, suffering has continued, and access has remained difficult.

Towards a principled approach to relief

The idea of principled humanitarian action is still far from a reality, especially in a situation of chronic political instability like that in Sierra Leone. Brutal conflict, factionalisation and human-rights abuse, together with the lack of serious international humanitarian commitment, all make principled assistance in Sierra Leone difficult, if not impossible.

Part of the problem lies within the humanitarian community itself. All too often, there is insufficient consensus over guidelines and principles, and a lack

of agreement over their applicability, relevance and utility. Many agencies saw advocacy on human rights and humanitarian principles as too political, and thus as contravening the principle of non-political assistance, as well as raising security risks in such a volatile environment. For some agencies, principles were pursued in so far as mandates required this, but no further, and there was confusion over what a principled approach really meant in practice.

In recent years, humanitarian agencies have been working in conflicts where belligerents have no interest in respecting international law, and where international political action to enforce this respect has been weak or ineffective. Sierra Leone's armed groups were neither fully aware of the Code of Conduct, nor did they consent to its implementation. Humanitarian action was seen at best as interference, or as an unfriendly act. Humanitarian personnel and assets were neither respected nor protected at all times. Payment was demanded at checkpoints, relief items stolen and aid workers threatened because of their control of resources and assets.

As humanitarians, it is incumbent upon us to address some of the shortcomings within the humanitarian system which complicate efforts to apply and adhere to principles of conduct. We must also seek to raise awareness of the existence, and the value, of these principles among the populations we seek to help. This must include military and police forces and officials. Principles are useless if no one knows about them. Lastly, we must be more consistent and effective in our lobbying of home governments against the use of aid as a tool of diplomacy. All the principles in the world will do little to improve the delivery of aid if powerful governments continue to turn a blind eye to abuse.

Michael Young is Programme Manager, Emergencies for ActionAid-Sierra Leone.

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Measuring humanitarian need

Marcus Oxley *on why the humanitarian community needs to agree on how to measure the scale and intensity of disasters*

One of the most difficult decisions an aid agency faces is choosing when to respond to an emergency. This is particularly the case for a large international federation like CARE International, which comprises 11 national member organi-sations, with an operational presence in around 80 of the world's most disaster-prone countries. To allow for greater consistency throughout CARE, help prioritise resource allocations and enable a timely and effective response, CARE Australia has developed a draft set of guidelines to assist in decision-making. The process of drafting these guidelines has highlighted important gaps and deficiencies in the inter-national response system. This article outlines these deficiencies, explains the difficulties they can cause for the delivery of impartial humanitarian assistance, and suggests that more research on measuring humanitarian need is required to enable agencies to reassert and promote principled humanitarian action within an increasingly politicised aid system.

The ideal … and the actual

Ideally, humanitarian assistance should be provided equitably, without discrimination, to all disaster victims throughout the world on the basis of need alone. According to the humanitarian ideal, CARE International would assess emer-gency situations on a country-by-country basis, determine where the greatest level of unmet humanitarian needs lay, factor in considerations of effectiveness and impact, and then prioritise its resources accordingly.

In reality, like all other agencies CARE Inter-national has neither the capacities nor the competencies to physically respond to every emergency situation in the world. Global demand for assistance constantly outstrips supply. Institutional factors, such as cost-effectiveness, access to resources and core competencies and capacities, influence CARE's ability to respond, and are inextricably linked to the decision to launch an emergency intervention. Perhaps contrary to the rather utopian Red Cross/NGO Code of Conduct, which states that 'aid priorities are calculated on the basis of needs alone', the final decision will always require a principled choice, involving careful consideration of 'in-country' humanitarian imperatives in relation to 'external' institutional imperatives.

'Internal' humanitarian imperatives and 'external' institutional imperatives are assessed in parallel.

Questions intrinsic to the emergency itself include:

- are there significant unmet needs?;
- is there a requirement for external assistance?;
- is an emergency response feasible in terms of security, access and humanitarian space?

Institutional questions include:

- does CARE have the competencies and capacities to respond?;
- is institutional funding available?;
- are there opportunities for public fundraising in response to the emergency?;
- what will be the emergency's profile/coverage in the media?;
- are there historical or cultural linkages?;
- what effect will there be on existing country or regional programming?

Within the 'response decision' itself, CARE weighs factors like scope, scale and proportionality, cost-effectiveness and targeting, and also decides on timeframes and the phasing out of the response.

Understanding the relative scale of an emergency

Impartiality requires that the level of assistance reflects considerations of proportionality: the greater the degree of suffering (that is, the greater the humanitarian need), the greater the level of assistance. Yet there is no standard, agreed mechanism for defining the scale of a disaster or emergency, and hence for measuring the resulting level of humanitarian need. Instead of a standard definition of what constitutes a disaster or an emergency situation, all too often reporting tends to be emotive and subjective, and based on individual perceptions and interpretations. What may be regarded in a large country, say India, as a 'minor' emergency may be seen as a massive humanitarian crisis somewhere much smaller.

The Centre for Research on the Epidemiology of Disasters (CRED) at the Catholic University of Louvain in Brussels maintains an Emergency Events Database based on information aggregated according to disaster type, location and impact. But as yet there appears to be no standard index to rank the vulnerability of the most disaster-prone countries, or agreed criteria to measure the scale and frequency of specific disasters. However, to enable a systematic and rational response to often disparate disaster data, emergency managers must understand the relative scale of events. One

suggestion is the adoption of a simple size classification, as measured in terms of the disaster's immediate impact (number of people killed, number directly affected, and estimated cost of damage).

An understanding of the relative size of a disaster helps agencies to ensure that the necessary resources are available, in time, to meet envisaged emergency needs. Additional research in developing a classification for the relative scale of different disasters would be useful, although agreeing standards may prove technically difficult; to be applicable to all disasters, individual indicators will have to be relative rather than absolute, and indicator cut-off points between categories may have to vary according to different disaster types. For example, a 'major' earthquake typically results in more deaths, yet affects fewer people, than an *equivalent* 'major' wind storm.

Understanding the level of humanitarian need

In the absence of comparable indicators of the scale and intensity of a disaster, the decision to respond tends to be influenced by institutional imperatives and the political priorities of donor governments. According to Oxfam, in 1999 the European Community Humanitarian Office (ECHO) spent more money on humanitarian assistance in Kosovo than in the rest of the world put together. Donor governments gave over $207 per person through the 1999 UN appeal for Kosovo, compared with $16 per head in Sierra Leone, and half that in DRC. According to Human Rights Watch, refugees in Kosovo received 11 times more financial support per head than refugees in Africa. By no stretch of the imagination does this reflect relative severity of need. Despite our humanitarian principles and numerous codes of conduct, the delivery of international humanitarian assistance functions within a supply (resources)-driven, rather than a demand (needs)-driven, system.

Of course, knowing the relative allocation of resources per beneficiary for different emergency situations is no guarantee of impartiality. Funds will always be used according to the wishes of donor governments, particularly when they are being disbursed in countries deemed to be of strategic importance. Limited access to independent resources and conditional access to affected populations will always make it difficult for NGOs to respond to emergencies in accordance with the humanitarian ideal. However, raising political will and mobilising public opinion in order to reduce national bias and overcome these constraints will always be more effective when it is based on a broad consensus of hard, objective and conclusive information.

The need for a more effective means to lobby and influence the way donor governments allocate resources is becoming increasingly important given the blurring distinction between humanitarian and political objectives. One illustration of this is the Australian government's Humanitarian Program Strategy, published in May 2001. In the strategy, humanitarian objectives are brought into full alignment with the Australian government's overseas aid objectives, which in turn are closely integrated with its broader strategic objectives. The strategy is no doubt built on Australia's desire to act effectively and responsibly in South-east Asia, and is a response to increased conflict and social upheaval in neighbouring states. These developments have resulted in an increased need for humanitarian action – and have raised the threat of mass migration by refugees and asylum-seekers to Australia's shores.

Within this strategy, Australia's global engagement beyond the Asia-Pacific relies largely on the 'international humanitarian system'. However,

The world's forgotten emergencies				
Country	Year	Number affected	Funding/head (US$)	Percentage of needs covered
Ethiopia	1998	188,000	0	0
Eritrea	1998	275,000	1.4	4.3
Congo-Brazzaville	1997	650,000	2	7.9
Uganda	1999	585,000	2	12
Afghanistan	1999	2,000,000	23	33
Afghanistan	1998	3,623,800	15	33
Liberia	1997	2,500,000	4	36
Tanzania	1999	322,000	11	37
Afghanistan	1997	3,872,000	14	42
Liberia	1998	1,400,000	21	48

Source: Judith Randel and Tony German, *Global Humanitarian Assistance 2000* (Geneva: Inter-Agency Standing Committee, 2000), p. 16

given the continued decline in overseas aid from OECD countries and the increasing prevalence of bilateral funding at the expense of multilateral (UN agency) funding, many vulnerable but non-strategic countries are being abandoned by the world's richer nations, relegated, like Afghanistan, Sudan or Angola, to the status of 'forgotten crises'. If the Australian government's approach to humanitarian assistance reflects current OECD thinking, NGOs without access to independent funding will increasingly find themselves acting as instruments of donor-government foreign policy.

The case for further research

The development of CARE Australia's emergency-response guidelines has highlighted the requirement for some mechanism by which we can objectively measure humanitarian need. In this area, additional academic research would be extremely useful, not only for CARE's policy-makers and practitioners, but also for the broader humanitarian sector.

A universal system of classification for disasters would enable managers to understand the relative scale of events, estimate the likely resource implications and select the most appropriate response. Such a system would also allow a more detailed analysis of the magnitude and frequency of the various disaster types and their impact on society. This would increase understanding of the patterns and characteristics of different disasters, support the development and prioritisation of better disaster-preparedness measures, and demonstrate the cost-effectiveness of disaster-prevention and mitigation strategies.

The second, and closely related, issue is to do with the lack of agreement over terminology; currently, the reporting of disasters is subjective and inconsistent, distorting our language and undermining its authority. Humanitarians need to be more proactive in influencing the way disasters are reported. Given the importance of accurate information in informing public opinion,

mobilising political will and raising resources, it is in our interest to reach a consensus on the appropriate terminology to describe the range of emergency situations. This could also improve the consistency and effectiveness of our education and fundraising activities.

Third, the development of universal indicators of humanitarian need would support a broad consensus among agencies on the relative levels of human suffering. This would lead to more effective inter-agency cooperation, help agencies set aid priorities, and provide a credible basis on which to lobby and advocate for a more independent, impartial and equitable allocation of global financial resources – particularly in support of humanitarian action for the world's 'forgotten emergencies'.

As agencies struggle to assert humanitarian values, improve accountability and enhance their effectiveness within an increasingly politicised aid system, consistent, impartial and objective data will become increasingly important. On its own, this will not change the political economy of humanitarian aid. But it will help agencies rationalise their decision-making, and in the process provide a compelling justification and strong moral authority on which to build a more just, equitable and humane international relief system.

Marcus C. Oxley is Emergencies Manager for CARE Australia. This paper has in part been abstracted from CARE Australia's draft Emergency Response Guidelines. The views and opinions expressed are the author's own and not those of CARE Australia. The author would like to thank and acknowledge the contribution from the SCF-UK Emergencies team, particularly Jane Barry, who provoked thinking and shared policy drafts whilst developing the response guidelines. For further information contact: oxley@aus.care.org.

The Australian government's Humanitarian Program Strategy is available at the AusAID website, www.ausaid.gov.au/publications/pdf/humanitarian_strategy.pdf

The Measurement of Humanitarian Need: Is it Possible to Develop Comparable Indicators? A research project of the Humanitarian Policy Group

The accurate measurement of need and the development of indicators that might trigger a response are an old challenge for humanitarian agencies. Humanitarian agencies have developed a number of sophisticated measurements of need, notably in health, nutrition and food security. But there are a number of problems with current approaches which, combined with recent thinking around war economies and protection, argue for a fresh look. This research project aims to assess the feasibility of developing comparable indicators of humanitarian need to strengthen the impartiality of humanitarian aid efforts, to assist in impact assessment of humanitarian assistance and to make the case for effective international responses to humanitarian need.

For more information, contact HPG Research Fellow Nicola Reindorp at n.reindorp@odi.org.uk.

A field-worker's perspective of the Gujarat earthquake response

Seema Siddiqui *was among the thousands of aid workers deployed in Gujarat in response to the earthquake there in January. Here, she recounts her experiences of the relief effort*

The earthquake hit just after eight in the morning on 26 January 2001, and lasted for 90 seconds. It measured 6.9 on the Richter scale. The epicentre was about 20km north-east of Bhuj, in Gujarat's Kutch district. Over 30,000 people were killed, and 167,000 injured. Nearly 8,000 villages were affected in 21 districts. Official figures state that 378,286 houses were completely destroyed, and 968,879 partially destroyed. Approximately 95 per cent of all standing structures in the Anjar, Bachau and Rapar blocks of Kutch were razed to the ground. More than 20,000 cattle were reported killed. Estimates of the economic damage range from $1.3 billion to as high as $5bn.

Urban versus rural relief

Mr Khan is a driver in the town of Bhuj. He was the first victim of the earthquake that I met. Although thankfully none of his family was injured during the quake, they lost all their valuables and cash, and their house. More than 100 organisations, private, government and non–government, were providing relief materials after the earthquake, but Mr Khan could not get a single tent for his family, who were living on the street in a temporary structure made from a tarpaulin sheet and bamboo sticks.

Mr Khan's plight is symptomatic of one of the main difficulties with the relief effort: the urban versus rural divide. The focus of the NGOs operating in the Kutch region is mainly on the three blocks of Bachau, Rapar and Anjar. Not enough attention is being paid to rehabilitation work in towns such as Bhuj and Gandhidham. The town of Bhuj has been severely affected, with many buildings collapsing completely. Many of those that still stand are uninhabitable. Reconstruction work has started on quite a large scale, but is being hampered by recurring tremors.

Towns are seen as being inhabited by middle–class people, who are not considered as vulnerable as villagers in rural areas because they have access to resources to cope with the disaster. Mr Khan's request was denied on the grounds that the tents were meant only for distribution in villages. The villages did desperately require tents – but so did the people in the towns of Gujarat.

In the case of the Gujarat earthquake, people living in the towns were the most vulnerable because many of the injuries and deaths were due to badly-built buildings. Better-off households managed to make temporary shelter and food arrangements, but poorer people were left stranded because they did not get the same benefits as people of similar economic stature in the rural parts of Kutch. Vulnerability is determined not only by geographical location, but also by the capability of the individual or household to cope with a disaster. It would be incorrect to presume that all families living in a village in rural Gujarat will not have the resources to cope.

Coordination

Coordination during any relief response plays a crucial role in ensuring that it is effective. A genuine effort was made to coordinate the numerous NGOs in Gujarat, both among themselves, and with the government, which provided information regarding the size and population of villages. In order to avoid duplication, relief organisations exchanged information among themselves regarding items being distributed and areas of coverage. The leading role in the coordination effort was taken up by Kutch Navnirman Abhiyan, a grouping of 14 NGOs that first came together during the 1998 cyclone.

Little effort, however, was made to integrate the overwhelming private response to the disaster. As a result, clothing that the people of Gujarat had refused lay strewn along the Bhuj–Anjar highway. It was heartening to see that people all over India and the world responded so quickly and sent whatever they could, but often the intended beneficiaries had no use for what was sent.

The appropriateness of the response

Relief items should meet the needs of the people they are intended for, and they should be culturally appropriate. In Gujarat, this was not always the case. Savlon disinfectant, for example, was distributed as part of hygiene kits. But many women had no idea what it was supposed to be used for, and assumed it was hair oil. Some people received mosquito tents to live in, whereas others got proper tents that could house their entire family. After the earthquake, local markets mysteriously started selling boxes of green and black grapes (which happened to be from the same company), even though there had never before been any grape production or distribution in Gujarat. In Rapar, Bachau and Anjar, the block-level hospitals,

A massive response

According to UNDAC, by 10 February 2001 relief had arrived from 38 countries and 245 agencies had been registered, including at least 99 international NGOs, 55 national NGOs, 20 donor government teams, ten UN and inter-governmental organisations and Red Cross representatives from ten countries. In the UK alone, appeals raised more than £20 million through the Disasters Emergency Committee. Within two days of the disaster, the Indian government had provided primary treatment to 136,098 patients, and 4,000 more were evacuated to hospitals outside Kutch. Over 15,000 tonnes of food were distributed within a month of the disaster.

primary health centres and sub-centres were flooded with oral rehydration solution, cotton wool, bandages and antibiotics. But the immediate need was for eye drops and disinfectant ointment, which no organisation seemed to have. Workers had no choice but to improvise, which they did quite well.

The choice of relief items depends on proposals designed by headquarters staff. In theory, feedback from staff based in the field is supposed to be incorporated into these proposals. But in reality, this does not seem to be happening. Field workers are also the ones who bear the brunt of people's anger when irrelevant relief material is doled out. Relief workers stationed in the field simply have no idea what material is going to be sent to them, and at what time. Many relief workers had to visit the same village numerous times in order to distribute the various relief items that arrived at different times. This led to a staggered relief response, which was time-consuming and costly. If the feedback of the people working in the area had been taken into account, money would not have been wasted on items that were not necessary, and that are probably lying in some building rotting, or being sold in local markets.

Organisational limitations

Organisations face limitations in the procurement and dispatch of material. In the event of a disaster, it is very difficult to procure the required material at short notice, because relief items are limited and in huge demand. Efforts need to be made to procure as many materials locally as possible. For example, bamboo poles required for the erection of tents could have easily been obtained in Gujarat or neighbouring states, but instead organisations chose to fly materials in from New Delhi, or even from abroad. This is where preparedness comes in. If the organisation is well prepared and has stocks of essential relief items, then there will not be a problem. In most cases, however, procurement takes place in the aftermath of a disaster, as there is not enough incentive, or in some cases resources, to keep stocks of essential relief items.

Evaluations and funding matters

Evaluations are meant to help agencies gauge the strengths of a project, and identify areas that need to be strengthened. The idea is that this will afford better delivery of services next time, with as little waste of time and resources as possible. Many organisations, however, perceive evaluations as a threat because future funding could be at stake. To impress donor organisations, many important issues are suppressed. It is imperative for implementing agencies as well as donor organisations to acknowledge the mistakes that are made. The purpose of identifying mistakes is not to criticise the work done, but to learn from mistakes in order to reach out more effectively to people in need.

In-house evaluations could be a solution. The assessment has to be non-threatening, and its purpose clearly explained to all personnel. People will only tell the real story if they are sure that it will not have any implications on their current and future job status. It is up to the organisation to provide the necessary environment for the free sharing of information. My only hope is that, for the sake of the many people that suffer in disasters, we will not be afraid to admit our own mistakes.

Seema Siddiqui is a Fellow with CARE India. Her email address is ssiddiqui@careindia.org.

Resources

The Indian government's website on the Gujarat earthquake, www.gujarat-earthquake.gov.in/final/bhuj.html

The Earthquake in Gujarat, India, report of a monitoring visit for the DEC, March 2001, www.disasters.org.uk/dec_standard/upload/Report%20280401.doc

The UN Disaster Assessment and Coordination (UNDAC) website, www.reliefweb.int/undac

HPN team news

In July, we said goodbye to Victoria Siddiqui, our Projects Administrator. In her place, we are delighted to welcome Alison Prescott, who joins us from the World Development Movement.

Using mobile medical units in emergency responses

Nadia Saim *on HelpAge India's response to the Gujarat earthquake*

HelpAge India's Mobile Medicare Units (MMUs) were used after the Gujarat earthquake in January 2001 to provide immediate emergency care in rural communities. The role of these units is normally to increase access to primary healthcare for older people who are not mobile, or who do not live near a healthcare centre. However, an assessment of the emergency response in Gujarat suggests that MMUs can play an effective role in emergency relief. These findings will feed into further disaster-preparedness work being planned by HelpAge International with its members and partners.

HelpAge International supports HelpAge India's emergency and rehabilitation work in Gujarat. Funding for HelpAge India's emergency response in Gujarat came from DFID and the Disasters Emergency Committee. HelpAge International manages disaster-response projects for which Help the Aged UK raises funds through its membership of the DEC.

Rapid deployment of MMUs in Gujarat

HelpAge India's response to the Gujarat earthquake included sending MMUs to provide emergency medical care in the villages of Kutch, Rajkot and Surendranagar districts. In such crises, on-the-spot treatment is especially important for older people who have chronic ailments made worse by stress, poor food and sleeping outdoors. The MMUs' policy in emergencies is to give care to all who need it in the communities they visit, but they place particular emphasis on the needs of older people.

The MMUs proved to be a very useful rapid-response mechanism, swiftly reaching inaccessible areas to establish contact and map the scale of need. The main challenge was rapid mobilisation which, in this case, was achieved. HelpAge India's Programme Director, Ashok Rawat, recalls those hectic days. 'One Mobile Medicare Unit arrived in Ahmedabad the day after the earthquake and MMUs re-deployed from Bhopal, Vadadora, and Mumbai were operational in the earthquake zone by 28 January.' The Head of the Mobile Medicare Units, Colonel Akilesh Sharma, moved to Ahmedabad, the capital of Gujarat, and started contacting government officials and presenting HelpAge India's credentials to work in emergency relief. Rawat arrived in Gujarat on 29 January to begin planning emergency relief with two local project partners, Navjeevan Trust and Kutch Vikas Trust (KVT) and two other local NGOs already known to HelpAge India, the Shroff Foundation and Sadvichar Parivar. 'Knowing the partners well

and the terrain where the earthquake happened, we were able to collect data quickly both from the government and from other agencies', he recalls. More units were moved from adjoining states to Bachau, the base camp for HelpAge India. 'In the first week we had six vans working in teams and co-ordinating with other international agencies – CRS, Caritas, Care – and the government of Gujarat's health department'.

This rapid response contrasted with HelpAge India's first experience of using MMUs in an emergency, in the aftermath of the Orissa cyclone in 1999. Then, it took much longer to mobilise the MMUs, and they did not link up as effectively with local partner NGOs. There were delays in deploying them to outlying villages, and their contribution was more limited.

Adapting for emergencies

HelpAge India's mobile medicare service has been in operation for almost 20 years, providing poor older people with basic health services in their community. There are now over 100 mobile units providing health services countrywide to about 300,000 disadvantaged older people each year. The medical vans visit each area regularly, undertaking a range of basic diagnostic tests, including blood and urine tests, eye tests and dental examinations. The staff give prescriptions for the ailments that they can treat.

Although the MMUs are not part of a specialised emergency service, staff have been able to improvise and adapt. The Head of the MMUs, Colonel Sharma, had to decide which areas could spare units and their staff. This was a major planning effort with considerable logistical implications, including providing sufficient medical supplies to keep the units stocked for emergency work at short notice and maintaining medical records. Another issue was finding sufficient staff. Because of the long hours worked, each unit needed enough staff for several shifts, in contrast to the regular programme.

Withdrawing MMUs for emergency work does pose a problem in maintaining HelpAge India's regular health service, since some of the units were diverted to emergency work for almost three months. Careful planning is needed to avoid leaving those who depend on the regular service without access to health care.

A new role in needs assessment

In Gujarat, HelpAge India decided to focus on rural areas because, aside from the cities of Bhuj, the surrounding rural districts were worst affected. A new departure was to use the information

gathered by MMU staff as part of a rapid needs assessment. As they talked to people in the villages, MMU staff gained an overview of needs and recorded information at a very early stage. Typically, the project officers who travel with the vans are trained social workers, able to win trust and talk with communities, including older people, and to map needs. Some MMU staff were also involved in the initial needs-assessment training carried out with HelpAge India's local partners. These rapid assessments by the MMUs, combined with field visits by HelpAge India programme staff and local partners, allow them to shortlist areas where they could work. A more detailed assessment in these target areas, with help from staff at Baroda University, used focus-group interviews as well as case studies to investigate the immediate needs of older people in 15 of the worst-affected villages.

The MMUs' medical and social role

After the initial assessments, HelpAge India and its partners integrated the MMUs' work with their relief distributions. Their activities focused on the districts of Kutch, Rajkot and Surendranagnar, reaching 7,500 older people and their families in 52 villages. The MMUs provided preventive medicines, antibiotics, water-purification tablets and oral rehydration solutions, as well as orthopaedic treatment and psychosocial support in collaboration with partner agencies. Where necessary, they referred patients to other agencies, such as MSF.

Older people physically injured in the earthquake were found to be suffering from anxiety, depression and fear. Ashok Rawat, who had experience in a previous earthquake emergency, comments that the psycho-social aspect was important because many people, especially elders, were traumatised by the intensity of the earthquake.

The emergency aid packages provided by HelpAge India and its local partners primarily addressed food and shelter needs. In the worst-affected villages where they worked, most of the houses had been completely destroyed or seriously damaged. People were living in flimsy and hastily-constructed shelters. Most older people had not received any tents, and were living in open fields or in makeshift shelters made of plastic sheets and sacks and old clothes. These are vulnerable to wind and dust, and it was difficult to cook inside them. Many single older people had difficulty in cooking their own food, and had to depend on others. As a result, they did not eat regularly. Most older people also expressed a desire for their traditional food, especially bajri rotlo, garlic, onion, chillies and vegetables. When these were not available, they tended not to eat enough. The food distributions took account of older people's compromised digestive systems and their desire for familiar food.

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MMUs: a useful rapid-response mechanism

Today, the focus is on rehabilitation in rural areas, where the earthquake compounded problems created by several years of drought. HelpAge India and its partners are supporting the reconstruction of 1,575 houses for older people and their families. Income-generating activities in agriculture and traditional embroidery are planned for a similar number of older people. Household assessments were used to identify older people with the greatest needs in each village selected.

Developing disaster preparedness and capacity

Preparedness and mitigation are the keys to the rapid identification of frail or isolated older people during an emergency, reducing its impact on them, and supporting their rapid recovery afterwards. In emergencies, older people often have increased responsibility for supporting their families, mobilising resources and caring for children, orphans and other dependants. Their experience of previous emergencies, their coping strategies, their traditional skills and their knowledge of the local environment need to be recognised and valued. Older people's vulnerability may differ in specific contexts, but it is possible to identify common factors arising from physical and psychological stress that particularly affect older people.

HelpAge International has identified the need to disseminate and share information on lessons learned in disaster preparedness among its members and partners. It is developing a project that will share the knowledge and experience of NGOs working in Africa, Asia and Latin America on disaster preparedness to respond effectively to the needs of older people and their communities in emergencies. It aims to disseminate this information in a practical toolkit. This will provide useful examples of how older people's needs can be identified in emergencies, and will also highlight the importance of developing preparedness strategies relevant to them.

Nadia Saim is Acting Emergencies Manager, HelpAge International. For more information, contact Press@helpage.org.

Debating accountability

François Grünewald, **Claire Pirotte** *and* **Veronique de Geoffroy** *outline the Quality Platform and the Quality Project*

Defining what we mean by 'quality' is surprisingly difficult. Is quality associated with uniqueness, like a masterpiece in art? Or is it measured by the extent to which something adheres to a set of norms and standards? Or is it to do with perception – is 'quality' in fact in the eye of the beholder? So too 'accountability', which is intriguingly difficult to express in a number of languages, not least French, which requires a whole sentence to convey the sense. Despite these difficulties, the idea of making humanitarian action accountable – to donors and to recipients – has gained increasing currency. The first concrete expression of this trend is the Sphere project, a mechanism for the quantitative benchmarking of humanitarian action, and the Humanitarian Accountability Project (HAP). Yet by no means all humanitarians agree with what Sphere and the HAP represent. This article argues that the kind of benchmarking that they envisage is unhelpful, perhaps even dangerous, and describes an alternative approach to the question of quality and accountability. Everyone working in humanitarianism is concerned with improving the quality of assistance delivered, and we should all acknowledge the need for accountability. Whether Sphere and the HAP are the right mechanisms for achieving this is, however, another matter.

Critiques
The Sphere project has two parts: a Humanitarian Charter and a set of Minimum Standards. Both are open to criticism: the charter because it endangers existing texts and laws, and allocates to NGOs responsibilities that are not theirs, and the standards because many of their technical points are neither universally accepted, nor universally relevant. In its desire to standardise humanitarian aid, the Sphere project risks mechanising the operation of humanitarian aid. Using technical indicators as the standards by which 'quality' is measured ignores the diverse cultural, political and security contexts in which aid is delivered, and against which the relevance and appropriateness of aid need to be measured. Universal benchmarks ignore the fact that each humanitarian emergency is unique, and each calls for different, perhaps original, responses. If funding bodies adopt these standards as decision-making criteria, agencies will increasingly be compelled to demonstrate 'success' in ways that do not reflect the totality of humanitarian action, which has important aspects that are not open to

measurement in any formal sense. How do you quantify compassion and solidarity? Conversely, Sphere may be used by donors as a way of withholding funding from NGOs deemed not to 'conform'. Standardisation based on benchmarks developed by Northern NGOs also risks penalising agencies from the developing world, turns NGOs into service providers and casts victims merely as bodies to be fed, sheltered or transported. A market logic of supply and demand would take over from factors like solidarity and justice in the provision of aid.

The HAP began life as the Ombudsman project, which aimed to create a 'complaints procedure' whereby beneficiaries of humanitarian aid could judge the adequacy of the assistance they had received. One of the main problems with this is that it absolves both the local authorities and the international community of responsibility for people's welfare by shifting the focus exclusively on to the NGOs, and making them accountable for the well-being of the population at risk. The second issue is to do with the methodology. How do you define the victims and identify who should speak in their name – and hence how do you identify the people to whom humanitarians should be held to account? Is a victim simply someone who receives assistance? As the *interahamwe* showed us in the camps in former Zaire in 1994–96, this is an unreliable guide.

The Quality Platform
The Quality Platform (QPF) is one expression of the opposition to Sphere and the HAP. It was set up by a group of French NGOs in mid-2000, and within a few months NGOs from nine other countries had joined. It is designed to raise awareness that there is disagreement over the value of Sphere and the HAP, and that there is a reaction to what one African NGO has termed Sphere's 'bulldozer' approach.

The QPF argues that technical standards can only be used within the framework of policies that pay much greater attention to the specific and diverse contexts in which humanitarian aid is delivered. It advocates the enhancement of local participation, improved analysis of the political context and a better understanding of the impact of aid on the local environment, greater attention to staff training and a reaffirmation that states, not NGOs, have a primary responsibility for safeguarding their citizens. This includes respecting international

Members of the Quality Platform

Action against Hunger (France)
Action against Hunger (US)
International Medical Aid
Architecture and Development
Bioforce
Comité d'Aide Médicale
Coordination Sud
French Red Cross
Groupe URD
Handicap International
Hôpital Sans Frontières
Humacoop
Médecins du Monde (MDM)–Argentina
MDM–Belgium
MDM–Canada
MDM–Cyprus
MDM–France
MDM–Greece
MDM–Italy
MDM–Portugal
MDM–Sweden
MDM–Switzerland
Médecins Sans Frontières (International)
Première Urgence
Solidarités
La Voix de l'Enfant

human-rights and humanitarian law and allowing NGOs free access to people in need. There has been regular contact between the Sphere team and the agencies behind the QPF, and these worries have been frequently aired. In some areas – the potential for Sphere to be manipulated by donors, for instance – there is a certain level of agreement. However, the QPF team has reached the view that there is little willingness to think again about the process as a whole.

The Quality Project

Agencies have also developed a Quality Project (QP), which sets out alternative ways of improving humanitarian assistance. The QP is built around the three stages of the project cycle: initial diagnosis and context analysis; design and implementation; and evaluation and learning.

In many funding proposals prepared by humanitarian agencies, levels of information about the context in which assistance is to be delivered can be low. In effect, these proposals represent an agency 'offer' rather than a real analysis of the problem at hand – the local needs, the constraints on humanitarian action and the local capacities available. This tendency will be accentuated if the approach to quality is dominated by norms and standards in predefined fields.

By contrast, the QP seeks to take account of the diversity of situations in which humanitarian assistance might be delivered, and tries to frame programmes most appropriate to these circumstances. To do this means developing the tools for context analysis, needs appraisal and capacity assessment. The response to an acute emergency is not the same as the response to a protracted crisis. The response required in fragile situations between peace and war is different again. In South Sudan, for example, such an assessment might dictate wide-ranging support to livelihoods; in Albania, the core of the programme might be helping families sheltering Kosovar refugees. Failing to develop context analysis has, however, meant that assistance is channelled primarily to camps. Similarly, the particular and extreme conditions in Grozny make an approach based on imported norms and standards absurd and unhelpful to the handful of aid actors still operating there.

The second component of the QP is the elaboration of a process for assisting with programme design. Since the initial needs appraisal might result in a number of possible alternatives, the QP is developing 'filters' to help in the decision as to how programmes should be designed.

The last component of the QP is related to evaluation. Here, the focus is on learning, rather than on accountability. It is assumed that NGOs are committed to being accountable to their donors. Most of the French NGOs involved in the QP are members of the Comité de la Charte, an institution designed to ensure financial transparency and accountability in the use of funding. The best way to ensure accountability to beneficiaries is to develop and strengthen participatory mechanisms in the diagnosis, design and implementation of programmes. This prohibits the use of preset formulas.

People, not processes or 'technics'

Ultimately, people, not processes, hold the key to high-quality humanitarian action. Thus, developing training modules is an integral part of the QP. As part of the ongoing research around the QP, missions are planned to a range of countries, including El Salvador, Nicaragua, Afghanistan and Sudan. The smartest way to measure the accountability of institutions and the quality of their actions would be to use two 'proxy indicators': the percentage of the financial resources of the agency allocated to evaluation and learning; and the percentage of the evaluation report that goes into the public domain. These two indicators would underline a public and transparent commitment to doing better, and a greater willingness to allow public scrutiny.

François Grünewald is Chairman of the Groupe URD and Associate Professor at Paris XII University; **Claire Pirotte** and **Veronique de Geoffroy** are both on the staff of the Quality Project. For more information, contact HumaQuality@aol.com.

Reflections on the Humanitarian Charter

Sean Lowrie *looks at the progress the Sphere Project has made in training humanitarian workers in the use of the Charter, and argues that it is only through reflecting on ethics, values and principles that aid workers can gain the skills they need to cope with the dilemmas they face*

The Humanitarian Charter is the fundamental analytical framework on which the rest of the Sphere handbook rests. Yet it is little understood, both from an individual perspective (what skills are needed to use it in the field?), and from an organisational perspective (what level of priority should an organisation give to the Charter?). The Charter expresses agencies' commitment to promoting humanitarian principles, and to measuring the results of their actions. It is unique in that it combines human-rights law, international humanitarian law, refugee law and humanitarian principles. The Charter states that organisations will act in accordance with the principles of humanity and impartiality (and the other principles in the Code of Conduct), and reaffirms the humanitarian imperative: that all possible steps should be taken to alleviate human suffering. The Charter also outlines three key principles: the right to life with dignity; the distinction between combatants and non-combatants; and the principle of non-refoulement.

Principle 1: The right to life with dignity

Life with dignity is a powerful and important principle for the humanitarian system. This principle stems from international human-rights law. Yet there is an element of self-definition in the concept of dignity: everyone has their own, personal understanding of what it means. People need to participate if they are to define a programme that allows them to enjoy their right to life with dignity. This principle is given practical expression throughout the Sphere handbook in the form of participation indicators for each Minimum Standard (in water supply and sanitation, nutrition, food aid, shelter and site planning and health services).

Principle 2: The distinction between combatants and non-combatants

The second principle is drawn from the Geneva Conventions (common Article 3 of the four Geneva Conventions of 1949, and article 48 of the Additional Protocol I of 1977). This principle reinforces that civilians have a right to protection and assistance.

Principle 3: The principle of non-refoulement

The principle of non-refoulement – that refugees will not be sent back to a country where their life or freedom would be at risk – is the cornerstone of the 1951 Refugee Convention, and therefore the starting-point for humanitarian agencies in promoting refugee rights.

The training module on the Charter emphasises that its three principles are relational: every right imposes a duty. These duties can be broken down into the duty to respect rights (not to violate them by, for example, forbidding children from going to school); to protect rights (for example, protecting the right of people with minority viewpoints to express these views); and to fulfil rights (for example, by ensuring that all children have access to education, or creating the conditions in which people can express themselves).

As well as principles, the Humanitarian Charter also makes a commitment to accountability. It recognises that people's needs are met first and foremost through their own efforts, and that international law states that governments are responsible where local capacities are inadequate. Humanitarian agencies define their roles in relation to these primary ones, in essence filling the gaps to help people in a disaster achieve their rights. The Charter clarifies that humanitarian agencies are fundamentally accountable to the people they seek to serve.

Negotiating humanitarianism

Whether we realise it or not, the definition of humanitarianism is being negotiated continuously, all around the world – at every roadblock and in every project negotiation with a donor, in negotiations with the *Taliban* in Afghanistan or in talks over access in northern Sierra Leone.

In this context, the Charter seeks to define a comprehensive framework for disaster response, with a focus on ethics, values and principles. It is perhaps at the ethical level that the actors in the humanitarian system will overcome their philosophical differences and find common ground. If there is a responsibility to become involved in a disaster when states fail to live up to their obligations, then the corresponding obligation for humanitarians is to strive to improve

the quality of their work. The Humanitarian Charter will improve quality at a macro level, because it will oblige us to reflect on, defend and promote our common principles.

The implications for agencies

What are the implications for organisations if they apply the Humanitarian Charter? The training module proposes that, at an organisational level, the Humanitarian Charter can play a useful role in decision-making, and can act as a vehicle for thinking about additional activities which could complement and enhance service delivery in disasters. This may call for different skills, or for partnerships with other agencies possessed of different experience or mandates. For example, organisations may consider the following activities:

- doing advocacy for increased international attention;
- witnessing and reporting rights violations;
- ensuring the 'responsibilisation' of duty holders (this is an ICRC term, and implies reminding duty-holders of their mandates and responsibilities, and helping them to fulfil them);
- working to protect the rights of a population;
- undertaking education on principles and rights;
- ensuring the systematic participation of beneficiaries at all levels of operation;
- making a commitment to use the Minimum Standards; and
- making sure that impact indicators are used transparently.

It is imperative that humanitarian workers understand that humanitarian action is about managing dilemmas, and that working out the best available solution means using a combination of tools, including personal ethical frameworks and organisational policies. Both can be informed by the Humanitarian Charter. To demonstrate this, the training module uses debating, case studies and role plays to encourage aid workers to explore some of the dilemmas most commonly found in aid work.

- How can long-term goals be consistent with the 'humanitarian imperative'?
- Will neutrality or impartiality be sacrificed if organisations adopt a 'rights-based' approach to humanitarianism?
- Is it realistic to expect the participation of disaster-affected populations?
- How can we avoid contributing to war economies, and still help people in danger?

It is the rationale behind the decision, and the transparency with which the decision is made, that is important. As long as the decision defends humanitarian principles, or is justified by them, it would be hard to view it retrospectively as intentionally causing harm to those affected by a disaster. The Humanitarian Charter does not dictate to any organisation what decisions to make. It does, however, imply that agencies need to reflect on the values, ethics and principles that they bring to bear. This is the main message of the training module.

The decision-making environment for humanitarian action is one of high risk, and finding space to reflect on the rationale behind the decisions we take is sometimes difficult. There are practical ways to make the space for this reflection, including creating a focal-point person within an organisation who could take responsibility for promoting debate on the Humanitarian Charter. The most effective approach has been to put the subject on meeting agendas in an ad hoc way, or to raise awareness of the Charter through individual mentoring. The questions to ask include:

- Do we have a mission statement?
- What international legal instruments inform that mission statement?
- What humanitarian principles do we subscribe to?
- What are our policies on decision-making?
- How do we support field staff in making decisions?
- How do we review our decisions and learn lessons for the future?

Politics and principles

Several recent studies, including a conference organised by the ODI in February 2001, have analysed the political, bureaucratic and economic influences on humanitarianism. These studies give examples of contexts where humanitarian principles have been weakened because of the weight of international politics, as in Afghanistan, Kosovo, Sierra Leone and Iraq. A common theme is that humanitarian space is shrinking. An awareness of the need to defend humanitarian principles (which many organisations feel that they are regularly engaged with) might contribute to a solution. If our principles are to be defended, then we need the widespread dissemination of non-negotiable positions, such as the impartial, non-political nature of humanitarian action. Perhaps the Humanitarian Charter can facilitate this process, and thereby contribute to better negotiation for humanitarian space.

Ultimately, we don't know if the Humanitarian Charter will help to improve the quality of humanitarian assistance. We do believe that it can help, and hope it will. Its strength is in assisting us to think through our own ethics and values, and how to use those values in managing operational dilemmas. Individuals in many countries are trying to learn more about improving quality. The Humanitarian Charter and its training module may offer one tool to achieve this.

Sean Lowrie is the Training Manager of the Sphere Project. Over the past two years, many people have contributed ideas to the Humanitarian Charter training module, in particular Emma Jowett, independent consultant; Paul O'Brien of CARE; Nan Buzard, Sphere; and Ed Schenkenberg, ICVA. A draft of the training module is available free of charge at the Sphere website, www.sphereproject.org.

Resources

Sphere, and wider questions to do with quality and accountability, were reviewed in *Humanitarian Exchange* 17, October 2001. Articles are available on the HPN website, at www.odihpn.org

For a summary of the ODI conference in February 2001, see Devon Curtis, *Politics and Humanitarian Aid: Debates, Dilemmas and Dissension*, Humanitarian Policy Group Report 10 (London: Overseas Development Institute, 2001)

The Sphere website, www.sphereproject.org

The Groupe URD, www.groupeurd.org

The Humanitarian Accountability Project, www.hapgeneva.org

The Dangers and Incoherence of Standardisation and Normatisation of Humanitarian Aid mimeo, Groupe URD, 1999

ETIKMA, report of the International Conference on Norms and Codes of Conduct in Humanitarian Aid, Bioforce, Paris-Sorbonne; 2000, Lyon

'Faut-Il Normaliser l'Aide Humanitaire?', *Revue Humanitaire*, no. 1, November 2000

Field reports

Many field reports focus on the use of the Minimum Standards and Key Indicators in the project cycle, which was the subject of the first training module developed by the Sphere Project. Below are short examples of how the Minimum Standards have been used in the field, summarised from the Sphere website.

Capacity-building in Albania

CARE Canada has used the Sphere handbook to conduct disaster-preparedness work and capacity-building among local non-governmental and community-based organisations in Albania. The training curriculum was based on the Sphere handbook, which was translated into Albanian. The translation introduced new linguistic concepts related to emergency management, and paved the way for more work in this area.

Monitoring food-aid projects in Kenya

Oxfam GB has used the Sphere handbook in a monitoring visit to a food-distribution project in Turkana, northern Kenya. Oxfam staff in Kenya monitored their programme results and processes against the relevant food-aid standards and key indicators. They found room for improvement in their programme, as well as some suggestions for improved indicators in the handbook. Using the handbook highlighted the need for regular analysis of monitoring reports. Based on this, end-use surveys were introduced in place of exit surveys at the distribution site.

Informing assessments in post-earthquake Gujarat

World Vision used the Sphere handbook to inform its response operations in the wake of the Gujarat earthquake in January 2001. Through the use of assessment checklists from the handbook, several important quality improvements emerged. Reviewing the indicators in the Minimum Standards revealed that World Vision's programmes were not adequately assessing women's needs. Subsequently, a hygiene kit specifically for women was created and distributed. In addition, a shelter package was negotiated with donor agencies using the Minimum Standards. Restricted resources from the donor led World Vision to distribute less shelter material than recommended in the Sphere indicators (although giving some shelter material to more people). While uncomfortable, World Vision was able to demonstrate upward accountability in this instance, and provide useful justification for further fundraising.

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Why should we have a humanitarian perspective on small arms?

In the wake of the UN's ground-breaking conference on small arms, **Robert Muggah** *explains why the issue needs to be on the humanitarian agenda*

The UN is gradually beginning to respond to the issue of small arms – both from the perspective of reducing their illicit supply, and raising awareness of the dangers presented to humanitarian and deve-lopment actors by their unregulated availability. UN activity on the issue peaked in the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects, held in New York on 9–20 July. The conference aimed to draft a global action programme to confront the problem. Negotiated by the disarmament experts of represented governments, there were early concerns that procedural and technical recommen-dations would supplant basic humanitarian priorities. To be sure, the final document contains practical measures, including a Programme of Action that prioritises a long-term preventive strategy. This strategy is premised on strengthening regulatory controls over production, the manage-ment of stockpiles, exports (and re-exports), brokering, customs and record-keeping. Special emphasis is given to elaborating a marking and tracing regime, public-awareness programmes and a renewed investment in disarmament, demobil-isation and reintegration (DDR).

Although insufficiently represented in the implementation components of the text, lip-service is paid to humanitarian concerns in

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Small arms:
on the humanitarian agenda?

Preambular paragraph 2, where it is noted that states are 'gravely concerned at … the excessive accumulation and uncontrolled spread [of small arms] … which have a wide range of humanitarian and socio-economic consequences'. In the next paragraph, the Programme of Action also records that the illicit trade in small arms and light weapons 'sustains conflicts, exacerbates violence, contributes to the displacement of civilians, undermines respect for international humanitarian law [and] impedes the provision of humanitarian assistance to victims of armed conflict'. While the Programme of Action is not legally binding, it is a consensus document and represents a significant first step towards raising awareness and formulating practical responses. Nevertheless, it still views what is a multifaceted issue requiring strategies from both a demand and supply perspective through a traditional arms-control lens.

The humanitarian perspective

Contemporary thinking on small-arms proliferation, availability and use is bitterly polarised, pitting pro-gun advocates and defence ministries against public-health specialists, the disarmament community and, increasingly, the relief and development sectors. A humanitarian perspective on small arms provides a critical space for consensus in an otherwise politicised arena. In essence, a humanitarian discourse privileges a focus on the practice and consequences of warfare. It impels 'producing' states to account for the lawful or illicit transfer of weaponry to regimes violating the basic human rights of civilians. Because the greater burden of the humanitarian impacts of small arms can be attributed to an abundance of older weapons that circulate from conflict to conflict, a humanitarian perspective usefully focuses attention on the rights of combatants and civilians who face arms-related violence on a daily basis. Although it is still early days, the humanitarian community has evolved a range of complementary approaches to the small-arms issue.

Human rights and supply-side controls

The first approach focuses on supply-side controls in order to prevent the export (or re-export) of small arms to regimes found guilty of human-rights abuse. Proponents of the supply-side approach call for increased accountability, government scrutiny and policies on brokering and end-user certification. They also demand more effective implementation and monitoring of arms

HUMANITARIAN exchange

embargoes and sanctions. Advocacy organisations such as Amnesty International, Human Rights Watch, International Alert, Saferworld and Oxfam call for stringent ethical policies and codes of conduct on the small–arms trade in order to improve transparency and responsibility in the production and transfer of weapons, thus reducing the risk of diversion and leakage. While this approach applies primarily to legal arms transfers, it nonetheless repositions the debate within the wider framework of states' human-rights obligations.

Distribution of known global firearms, 2001

Insurgents and non-state forces [1,000,000]

Police firearms [18,000,000]

Government armed forces [226,000,000]

Private legally owned [305,000,000]
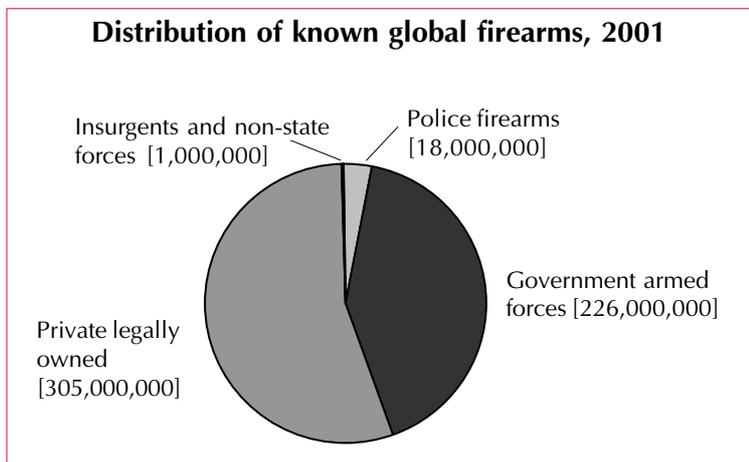
International humanitarian law and the protection of civilians

A second approach – preferred by the UN, the ICRC, enlightened donors and major international relief agencies – aims to heighten international awareness of the impact of armed violence on non-combatants and vulnerable groups. According to Article 1 of the Geneva Conventions (1949) and Protocols (1977), arms-producing and -distributing states have an obligation to 'respect and ensure respect' for international humanitarian law (IHL). In particular, 'the knowing provision of arms into situations where serious violations of IHL occur or are likely to occur should be considered a matter of grave concern'.

Humanitarian and development agencies are particularly alarmed that civilians are increasingly the primary targets of armed conflict. In other words, the availability of small arms threatens the foundations of international humanitarian law – one of the principal means of protecting civilians during times of war. A number of field-based agencies, particularly the ICRC, aim to disseminate information on humanitarian norms, raise awareness, administer training on international humanitarian law and apply pressure on groups seen to be violating human rights. With combatants unaware of, avoiding compliance with, or in deliberate contempt of international humanitarian law, the implications for relief and humanitarian agencies seeking to deliver assistance are serious. In conflict and post-conflict settings where small arms remain widely available, there is a combustible mix of recently active or partially demobilised soldiers, widespread banditry and, in some cases, predatory state activity. As most relief workers can attest, a single armed person can block supply routes, while increased hostage-taking, banditry and violent theft are common in the aftermath of conflict, when weapons remain widely accessible. For example, in El Salvador, the number of violent deaths in 1998–99 was higher than that witnessed during the war. Perception surveys from Guatemala to Cambodia suggest that many urban residents feel more insecure today than they did during the war.

Small arms and the militarisation of refugee camps

The militarisation of refugee camps has become of increasing concern to aid agencies mandated and contracted to assist IDPs and refugees. Not only does the militarisation of camps undermine the 'impartiality mandate' of humanitarian agencies, it also puts the lives of beneficiaries and staff at even greater risk.

For example, in the Tingi-Tingi encampment in Eastern DRC, an estimated 150,000 refugees have been quartered in makeshift camps. According to a UNHCR spokesperson, in 1998 the militarisation of the camp put the lives of innocent refugees, IDPs, host communities and humanitarian workers at risk. Small arms were frequently shipped under the direct cover of 'humanitarian assistance'. Reports emerged from refugee camps throughout the former Zaire, Rwanda and Burundi that arms were smuggled in and out by way of NGO aircraft as 'food aid' or 'farm implements'. According to the BBC World Service and the *East African* in 1997, 'so many weapons have been flown into the Tingi-Tingi camp that they have interrupted relief shipments … arms, uniforms and munitions are being supplied daily in the camp itself'. In Sudan, Christian aid organisations have also been repeatedly accused by public authorities of acting as screens for arms merchants. Similar claims have been made against camps in Kenya, such as Kakuma and Dadaab, though there is little substantive evidence to back up such accusations. Nevertheless, 'host communities' surrounding the camps, in northern Kenya, eastern Uganda and southern Somalia, are saturated with arms.

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Deteriorating security

A third perspective is concerned with the impact of arms availability on the protection of personnel and the effectiveness of relief and development operations. By the late 1990s, the UN considered over 50 countries to be 'insecure', and operations in complex emergencies had increased five-fold. More than 1,500 international and national civilian staff have been killed by weapons since 1945 – with rates increasing in the 1990s. A conservative estimate of the average homicide rate for UN staff and dependants is between 17 and 25 per 100,000 – on a par with reported civilian homicide rates in Lebanon, and higher than in Azerbaijan, Jamaica, Nicaragua, Russia and Sri Lanka. Although current rates indicate a decline, between 1990 and 1999 more than 93 ICRC delegates were killed with small arms, and some 280 injured.

Personal safety and security is a major source of stress for expatriate field staff working in violence-prone areas. The ICRC estimates that approximately 50 per cent of its international and national staff suffer from emotional and behavioural difficulties during and following their assignment, while an estimated 30 per cent have endured a serious 'security incident' in the field. According to a UN survey, 'armed conflict, mines, gunfire, murder, banditry, car-jacking, robbery, the narcotics trade, substance abuse and other criminal activities in the … surrounding area were reported stress factors'. The psychological stress of working in situations where one's personal safety is continually jeopardised, of enduring extended separation from family who are constantly aware of loved ones' extreme danger, and of being surrounded on a daily basis by armed violence – all of these factors contribute to critical levels of stress and the potential for psychological trauma.

Conclusion

While not the cause, small arms are the primary means by which states, non-state actors and civilians are able to violate international humanitarian law on a massive scale. More than 300,000 civilians are killed directly by small arms in conflict each year – and many millions more die from injuries and secondary illnesses or disease. As the technology and lethality of weaponry have evolved, so complex emergencies, internal conflicts and state collapse have exacerbated the scale and pace of human suffering. Furthermore, the growing availability of small arms in societies embroiled in, or emerging from, war indicates a long-term threat to the humanitarian community. Evidence from 'peaceful', conflict-affected and post-conflict societies alike suggests that armed violence, criminality and displacement increase where there is an abundance of small arms. Unregulated arms availability also threatens the physical safety and security of humanitarian personnel and agencies. Due to the increasing perception of risk in the field, scarce resources are diverted to security management, logistics, monitoring and evaluation. Indirectly, the presence of large quantities of small arms contributes to a culture of intimidation, violence and, ipso facto, humanitarian withdrawal. Pervasive arms-related insecurity hampers a 'return' to stability or human security, much less the creation of an environment conducive to reconstruction or development.

Robert Muggah is Senior Researcher at the Small Arms Survey, Geneva.

Resources

Documents relating to the UN Conference on Small Arms are available at the UN website, www.un.org/Depts/dda/CAB/smallarms

International Action Network on Small Arms, www.iansa.org

Small Arms Survey, www.smallarmssurvey.org

UN Department for Disarmament Affairs (UNDDA), www.un.org/Depts/dda

UN Development Programme (UNDP) Emergency Response Division (ERD), www.undp.org/erd

Program on Security and Development, http://sand.miis.edu/

Norwegian Initiative on Small Arms Transfers (NISAT), www.nisat.org

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Robert Muggah and Eric Berman, *Humanitarianism Under Threat: The Humanitarian Impact of Small Arms and Light Weapons* (Geneva: The Small Arms Survey, July 2001)

Robert Muggah and Peter Batchelor, *Development Held Hostage: Assessing the Effects of Small Arms on Human Development* (New York: UNDP, August 2001)

C. Collins, *The Humanitarian Implications of Small Arms Proliferation* (New York: UNOCHA, 1998)

Arms Availability and the Situation of Civilians in Armed Conflict (Geneva: ICRC, 1999)

The UN and IDPs: improving the system or side-stepping the issue?

The proposal for a dedicated IDP unit in the UN has met with a mixed reaction. But, argues **Marc Vincent**, *the humanitarian community must seize this opportunity to improve its assistance to IDPs; it could be years before we get another chance*

In March 2001, the Senior Inter-Agency Network on Internal Displacement proposed setting up a dedicated unit within the Office for the Coordination of Humanitarian Affairs (OCHA) to improve the UN's work in internal displacement. The proposal has met with a range of reactions, from outright dismissal as an empty gesture to cautious optimism. But debating whether the unit will be an improvement or not misses the point; it *has* to be part of an improved UN response because nobody – especially the internally displaced – will benefit from continuation of the status quo. NGOs, the UN, member states and donors alike all need to ensure that the new unit is effective. There might not soon be another opportunity.

The scale of the problem

The scale of the IDP problem is immense, and growing. In 1970, there were approximately five million internally displaced people, compared to nine million refugees. In the 1990s, following the end of the Cold War and an increase in the number of internal conflicts, the number of IDPs grew dramatically, peaking at 27m in 1994. Current estimates of the number of internally displaced people vary greatly, according to who is being counted and who is doing the counting, but it is widely accepted that between 20m and 25m people are internally displaced as a result of conflict. UNHCR puts the number of officially registered refugees in 2000 at around 11m. The World Commission on Dams, in its 2000 report *Dams and Development*, estimated that large dams in China and India alone displaced 26m–58m people between 1950 and 1990.

Aside from the increasing dimensions of the problem, another explanation for the increased efforts within the UN system to improve response is the fact that, unlike refugees with UNHCR, there is no single institution to address the needs of IDPs, not least their need for protection. According to international law, states are ultimately responsible for the welfare of their citizens, including displaced people. Yet in some cases, it is precisely the actions of states that have resulted in displacement; in others, governments may be willing to help, but may lack resources or access. There is also, albeit implicitly, the question of sovereignty. By definition, IDPs are an internal matter, and any attempt to create an international agency to address the IDP issue could be seen as implicitly meddling in the domestic affairs of states. In recent years, however, the 'old' concept of sovereignty, behind which states have hidden while they abuse their own citizens, is gradually being replaced by a newer model – 'sovereignty as responsibility' – which is being promoted by, among others, UN Secretary-General Kofi Annan, as well as by Francis Deng, the UN Secretary-General's Representative on Internally Displaced Persons.

The response to internal displacement

The proposal to create a dedicated IDP unit is part of a longer process that began in 1992, when UN Secretary-General Boutros Boutros-Ghali appointed Deng to raise awareness of internal displacement and investigate ways to improve the UN response. In 1996, Deng concluded that there was no political will to create a new organisation mandated to protect and assist IDPs, nor was it likely at the time that any existing institution could assume full global responsibility. Instead, a 'collaborative arrangement' between the various relevant actors was adopted.

The 'collaborative approach' is a management model for assistance and protection in situations of internal displacement, involving the local government and local authorities, UN agencies,

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Who is an IDP?

There is no standard definition of an internally displaced person beyond the obvious conditions that their displacement occurs involuntarily and that they have not crossed an international border. The widest working description comes from the UN's *Guiding Principles on Internal Displacement*: 'internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.'

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international organisations and international and local NGOs. At the policy level, the collaborative arrangement revolves around the UN Inter-Agency Standing Committee (IASC). The IASC has internal displacement as a standing item on its agenda, and has developed policies to support the collaborative framework.

The Senior Inter-Agency Network on Internal Displacement

In 2000, the collaborative approach was called into question by the US Ambassador to the UN, Richard Holbrooke, who lamented 'the inadequate and uneven protection afforded to internally displaced persons'. After witnessing first-hand the deplorable conditions facing displaced people in Angola, where IDPs number nearly three million, Holbrooke demanded a reassessment of institutional structures. Forced to defend its approach, the UN created the Senior Inter-Agency Network on Internal Displacement.

The Network, which comprises IDP focal points from the various agencies involved in internal displacement, is chaired by a 'Special Coordinator on Internal Displacement'. The Network was mandated to assess the humanitarian response at the local level, and provide recommendations for improvement. Despite initial scepticism, it has done some good work. Missions to Eritrea and Ethiopia, Burundi, Angola and Afghanistan, by teams comprising representatives of all the relevant humanitarian actors, have resulted in reports that identify concrete gaps, and put forward good recommendations. The report on Burundi, for instance, identified the failure of the UN and NGOs in the area of IDP protection, and suggested the setting up of a protection committee chaired by the Humanitarian Coordinator/Resident Coordinator (HC/RC) and the Burundian Minister of Human Rights, with the participation of NGOs and other humanitarian actors. Underfunding by donors was also highlighted and put into perspective – lack of funding is just as much of a problem in the response to IDPs as lack of coordination, accountability and expertise. The Special Coordinator at the time, Dennis McNamara, pressed for donors to take greater responsibility for supporting programmes for displaced people. The Network also highlighted the need to engage all political actors, formally or informally, in order to increase access to the displaced.

There were also, however, disappointments. The four missions, over nine months, hardly constitute a comprehensive review of the UN response to IDPs. Furthermore, there was serious doubt about the level of UN commitment to the process; according to McNamara, NGOs have been more enthusiastic about improving the UN response to internal displacement than has been the UN itself.

Tutsi IDPs in a camp in northern Burundi

While on missions, the teams represented a true inter-agency cooperative effort which did not translate well to the headquarters level. Bickering continues over mandates and turf. Another flaw has been the absence of a strategic framework on which to build long-term recommendations. While the field-focused approach avoided some of the ingrained institutional problems, it could have benefited from a more comprehensive assessment of the institutional options at the policy and headquarters level.

The proposed IDP unit

In March 2001, the Network presented its interim report to the Secretary-General and the IASC. It contained few real surprises:

- the level of protection of IDPs was inadequate;
- serious gaps existed in the international response to internal displacement, some of which stem from coordination problems among UN agencies and other international organisations;
- non-food emergency items such as shelter were regularly in short supply; and
- the donor response to prolonged conflicts was less than adequate.

The report suggested action in three areas. First was the creation of a dedicated IDP unit within OCHA, staffed by personnel seconded from relevant agencies, and tasked with providing expertise, training and guidance to humanitarian agencies working in IDP crises. The unit would also undertake systematic country reviews, and develop inter-agency policy. Second, IDP field advisors would be deployed at the country level, and on a case-by-case basis, to support the HC/RC. Lastly, a rapid funding capacity should be created to fill gaps in assistance to IDPs.

Next steps

It is up to the humanitarian community and UN member states to ensure that the new unit actually makes a difference. Because it is new, there will be difficulties around complementarity with the existing functions of OCHA and other agencies. Throughout the set-up period, it will be crucial not to lose sight of the ultimate objective, which is to improve response to the internally displaced.

If the IASC is to make the unit work, it should focus on outlining its priorities. Four spring immediately to mind:

1) ensure better accountability in IDP response;
2) implement an effective and consistent protection framework for IDPs;
3) give the unit autonomy, authority and independence; and
4) ensure that donors and other partners support the process.

Accountability

Until now, the policy forum in which humanitarian agencies have discussed IDPs has been the IASC. Because it is a committee, it is difficult to ensure that the IASC is accountable to its donors, its partners and the subjects of its policy discussions. With the new IDP unit, it will be much easier to ensure such accountability. The unit must also seek ways to ensure accountability within the wider system. There are many advantages to the existing collaborative approach, but there is also a lack of accountability, responsibility and consistency in who is doing what at the national level, especially when it comes to protection for IDPs. One area that could be improved is the level of protection expertise among HCs/RCs. In order to increase their capacity, there should be improved selection, greater evaluation of performance and greater support for them.

Protection

The greatest challenge for the Unit is to improve protection for IDPs. For substantial improvements over the current ad hoc arrangements, the Special Coordinator must be bold and develop, somewhere within the UN system, a specialised capacity for IDP protection. Good protection calls for day-to-day interaction with local authorities: it requires the systematic collection of information and the creation of trust and commitment among these authorities. Where necessary, it also includes the threat to denounce abuse publicly. This can only be done if a cadre of 'IDP protection officers' is created. The most obvious candidate for this task at the country level would be the UN High Commissioner for Human Rights. Assuming responsibility for this task would entail a radical departure from the office's current emphasis on technical cooperation. It would also require a huge investment to improve capacity and performance

within UNHCHR for comprehensive field monitoring. Although this has been discussed at a general level, it needs serious and rapid assessment. If the option is not viable, then other alternatives must be sought, including making another agency responsible.

In addition to developing a specialised protection capacity, humanitarian agencies as a whole must more meticulously monitor the rights of IDPs. Through training and awareness-raising, the new unit will need to encourage organisations not traditionally involved in protection, including WFP and the UNDP, to ensure that their staff are, at a minimum, able and prepared to collect basic information on violations of human rights and humanitarian law as they are observed. If they are not able to intervene because of concerns about compromising their programmes or putting staff at risk, there should be arrangements in place to pass the information to an organisation that is able to act.

Autonomy

Another priority for the IASC is to put interagency politics aside, and allow the new unit the autonomy, authority and independence it will need to be effective, especially for advocacy. If the unit is to have any impact at all, it needs to be able to call attention to problems, as well as suggesting solutions. When the system is not working, the Special Coordinator will need to speak frankly and openly.

Support

Finally, the unit needs support, both political and financial. Donors must ensure that resources are available, and that agencies within the UN system demonstrate real commitment. There must also be a transparent performance review, under which the unit is fairly assessed. NGOs, through public campaigns aimed at their constituencies in their home countries, should also ensure that governments demonstrate real political commitment.

The creation of a dedicated unit for IDPs within the UN system is a unique and valuable

The ten largest IDP populations	
Sudan	4 million
Angola	2.8 million
Colombia	2.2 million (since 1985)
DRC	2 million
Sierra Leone	1.3 million
Indonesia & East Timor	1.2 million
Burma	more than 1 million
Iraq	900,000
Sri Lanka	800,000
Rwanda	up to 600,000

Source: Global IDP Project, www.idpproject.org, July 2001

opportunity. If it is wasted, it will be many years before a similar initiative can again be discussed. For there to be concrete improvements in the response to internal displacement, all actors will have to demonstrate real political will. Problems of internal displacement raise sensitive and difficult questions of state sovereignty, UN reform,

protection, humanitarian access and security. To avoid simply 'politicising' the issue, the focus must be firmly on addressing the needs of the victims.

Marc Vincent is Project Manager, Global IDP Project, Norwegian Refugee Council.

Resources

UN High Comissioner for Refugees, www.unhcr.ch

Protection of Civilians in Armed Conflict, www.reliefweb.int/ocha_ol/civilians/forced_displacement/index.html

The Guiding Principles on Internal Displacement, www.reliefweb.int/ocha_ol/pub/idp_gp/idp.html

The Brookings-CUNY Graduate Center Project on Internal Displacement, www.brook.edu/fp/projects/idp/idp.htm

Global IDP Project, Norwegian Refugee Council, www.idpproject.org

Refugees International, www.refintl.org/issues/displaced.html

US Committee for Refugees, www.refugees.org

The Refugee Studies Centre, www.qeh.ox.ac.uk/rsp

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HPN Network Paper 35

Cash transfers in emergencies: evaluating benefits and assessing risks
by David Peppiatt, John Mitchell and Penny Holzmann

In terms of both theory and practice, there appears to be a strong case for cash-based responses to food emergencies where the supply and market conditions are appropriate. This paper reviews the theoretical underpinnings of a cash-based approach to food emergencies, and presents case-studies of cash distribution. These examples, which are drawn from Africa, South Asia and the Balkans, highlight both the risks and the benefits of cash-based responses as against traditional food aid. On the one hand, cash is more cost-effective because its transaction costs are lower; it is more easily convertible, allows for greater beneficiary choice and can stimulate local markets. On the other hand, cash can be used in ways not intended by the donor, can contribute to local inflation and poses security risks not normally associated with food aid. The paper concludes by setting out the conditions under which cash aid might be an appropriate response, and highlights how its associated risks can be minimised. There can be no 'blueprint' for the use of cash across all emergencies and in all circumstances; instead, agencies need to weigh the benefits against the risks on a case-by-case basis.

HUMANITARIAN
exchange

INSTITUTIONAL INITIATIVES

Information exchange for humanitarian coordination in the Horn of Africa

The benefits of free flows of humanitarian information are immense, but, says **Ben Watkins**, *so too are the challenges, both institutional and technical, involved in establishing exchange mechanisms*

This article looks at some of the constraints facing humanitarian data and information exchange in the Horn of Africa, and reviews possible solutions. It suggests that, at national and regional levels, there is a need to build up the voluntary but formal institutional arrangements for information exchange. Technical services or 'warehouses' should store, compile and disseminate data, while providing basic technical support to humanitarian partners.

The benefits of information exchange

Humanitarian data and information includes conventional early-warning information, data on planned and ongoing programmes, baseline socio-economic, geographic, health and environmental data, and project and programme evaluation reports. Numerous organisations – NGOs, government bodies, the UN and donors – collect this material, but no single entity gathers enough to meet all its needs. The rest is generally acquired through free exchange.

Effective exchange of data and information between organisations and countries has a number of benefits. First, organisations can increase the impact of their programmes by working in locations and sectors not covered by other organisations. This kind of coordination can only be achieved if everyone knows what everyone else is doing. Exchanging programme information also ensures that programmes reinforce, rather than undermine, each other. For example, a free food aid distribution can suppress market prices, with a negative impact on, say, a project to increase farm income from wheat production. The impact of nutrition programmes is likely to be increased by other programmes for disease control, hygiene education and the provision of safe drinking water. Second, information is expensive. When data and information are useful to numerous organisations (such as baseline or early warning information), sharing it reduces the total information costs of operations. Third, information exchange increases the knowledge of the NGO community as a whole, and at least in theory encourages learning about different approaches, evaluations and experiences.

Information exchange in the Horn

In most of the Horn of Africa, systems to collect data and information relevant to humanitarian operations are unreliable, and it will take many years to develop independent and high-capacity processes. That said, valuable resources do exist, albeit under-utilised. With better sharing mechanisms, these resources could be exploited, helping to plug some critical gaps at relatively low cost.

The information weaknesses in the Horn are extensive. There is, for example, no comprehensive and compiled information on the organisations working in the humanitarian sector, what they are doing, and where they are. Up-to-date information on humanitarian expenditure by sector, country or organisation is hard to find. Most operations require, but do not have, detailed logistics maps, although the kind of information necessary to generate them is available for most of the region.

There are several critical constraints to information-sharing in the Horn. First, the public-information culture is marked by secrecy, manipulation of humanitarian information and deficient accountability. Often, the scale of a disaster is played down for political reasons; in May 2001, for instance, the Sudanese government vehemently challenged an NGO's claim that famine was looming in the Nuba Mountains. Conversely, governments can be slow to release information that might lead agencies to scale back their operations.

The second constraint is the complexity of the humanitarian community itself. Over 100 humanitarian NGOs work in Ethiopia, Kenya, Somalia and Sudan, together with at least nine UN bodies. Several government ministries can be involved in aid interventions, but cooperation between them is usually weak. The donor community too has become more complex, with the entry of new players from South-east Asia and the Arab states. Competition for resources and media coverage discourages networking between agencies, and more particularly between NGOs and donors. Exchanging information between the region's states is also difficult, particularly with sensitive cross-border issues like security and migration. Regional groupings like the Intergovernmental Authority on Development (IGAD) – which includes Djibouti, Eritrea, Ethiopia, Kenya, Somalia, Sudan and Uganda – lack the institutional capacity and political will to change this. Several IGAD information initiatives, such as the Regional Early Warning System, have collapsed, despite sub-

stantial donor assistance. Finally, there are basic technical constraints, particularly in government departments and the smaller NGOs. Data can be lost or in incompatible formats, and exchanging it, for example digitally, can be difficult.

Towards a solution?

Several promising initiatives hold out the prospect of tackling these institutional and technical difficulties. National institutional structures for humanitarian coordination, including an information sharing component, are beginning to emerge. In Ethiopia, the Early Warning Working Group (EWWG) is a relatively free forum for exchanging information and methodological collaboration. The Kenya Food Security Working Group (FSWG) has made impressive progress, as has the Somalia Aid Coordination Body (SACB). Joint assessment processes in most countries, including government, donors, NGOs and the UN, are also helping to create a culture of transparency and exchange.

There are, however, some drawbacks to general humanitarian-coordination forums. First, broad gatherings that cover a range of issues in addition to data and information exchange can lose focus, and become unwieldy and time-consuming. Second, broad coordination forums are often attended by managerial rather than technical staff, so technical issues can be overlooked. It is generally advisable to establish a working group structure, as a spin-off of the main coordination structures, specifically tasked with developing protocols and methods for information exchange. 'Soft' institutional networks must be complemented by formal structures for managing, compiling and disseminating information: a 'data warehouse' in the jargon. The most advanced structure of this kind is UNDP Somalia's Data and Information Management Unit (DIMU). In Kosovo, the Humanitarian Community Information Centre (HCIC) performs a similar service (see *Humanitarian Exchange* 18, March 2001, pp. 19–20).

Potential difficulties surround the extent of government ownership of the structures that are established. On the one hand, participation is vital, but on the other there is a risk that basic principles of free exchange and objectivity will be compromised. Joint ownership structures are probably the best solution. A promising example is the Information Coordination Centre (ICC), hosted by the Eritrean Relief and Rehabilitation Commission (ERRC) and supported by the UN. To guard against the risk of manipulation, 'parallel' data repositories in a more neutral body, like the UN, are advisable, and the principle of open data exchange needs to be enshrined in project agreements.

Regionally, the main challenge is to achieve strong inter-governmental participation, while avoiding over-dependence on the region's weak geopolitical structures. In the current climate, the best option seems to be voluntary, 'virtual' networks, in which the UN, NGOs, donors and intergovernmental bodies are equal partners and stakeholders. The technical servicing of such a network (including the provision of a data hub and maintenance of an Internet-based discussion and data-exchange forum) is beyond the capacity of IGAD; on government salaries in the region, it is simply impossible to hire appropriately-trained professionals. An inter-agency initiative is underway under the Data Exchange Platform for the Horn of Africa, to perform this function through a regional data and information 'warehouse'. Proposed management structures include representatives from across the humanitarian community. It is hoped that a small physical facility will be staffed and resourced by a spread of organisations, in order to maintain a philosophy of joint ownership.

In the Horn, services and products need to be basic. State-of-the-art Internet technologies offer no panacea; in all the IGAD countries, local Internet Service Providers (ISPs) are unreliable and connectivity among government and NGO partners is only partial. Moreover, the lack of capacity to maintain and upgrade sophisticated applications means that investing in their development is wasteful.

Rather than attempting to develop a set of industry-standard tools, the focus should be on providing the humanitarian community with low-cost technical services. These might include:

- help-desks and technical facilities to assist national and regional partners in maintaining and upgrading information technologies, and building up staff capacity;
- a data hub or storage facility for ensuring that mission-critical information is not lost, and core database applications to address routine information needs; and
- common basic data standards, particularly for labelling geographic data.

In terms of content, there is a clear bias towards information on food security, and much work in the humanitarian information sector has focused on early-warning indicators and methods, as well as supply-chain management systems. Broadening the information base – and the instruments of humanitarian response – has two elements. First, other specialised systems (for example for epidemiological and conflict monitoring) must emerge. Second, there is a need for more general information products that form the basis of humanitarian interventions in any sector or phase in the emergency cycle. Developing a core of basic information products would be straightforward, relatively cheap to do and useful throughout the humanitarian community. Yet the products described

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below – the targets of the proposed 'data warehouse' – are available for only very limited parts of the region.

The first product is 'base maps' for humanitarian planning. These can be compiled from existing maps and remote-sensing imagery, ideally on a scale of 1:100,000 or higher. DIMU has developed a series for Somalia, but elsewhere these fundamental products are lacking. Map themes may include geophysical characteristics, transport and communications infrastructure, distribution of basic services, settlements and population densities, and administrative boundaries. Second, agencies need a comprehensive and easily-accessible database of the humanitarian community, and complete databases covering the 'who, what and where' of current humanitarian activity in the region. Third, data on planned projects and programmes, which currently covers only the larger international NGOs and the UN, needs to be expanded to encompass smaller, local initiatives. Fourth, resource tracking systems to compare funding requirements with inflows are required for follow-up and advocacy purposes. Again, this data is available for the main humanitarian agencies, but not for small projects, and again, information about assistance other than food aid tends to be patchy.

Given the scale and frequency of forced and voluntary migration in the Horn, timely information on the numbers and location of migrant communities is essential. Agencies have real problems knowing where and when to deliver relief assistance, social services, and projects. Migrant tracking is perhaps more developed for conventional refugees and returnees, though these people represent only a fraction of the vulnerable migrant populations. A more holistic reporting and data management network would be beneficial.

Normative materials, including technical manuals on how to implement specialised types of humanitarian intervention and conduct assessments, and evaluations/lessons learnt of previous interventions are available internationally, but inaccessible to people without Internet connections. Repositories of these documents in walk-in documentation centres or on CD would be useful for a number of small organisations. A compendium listing available humanitarian data and information resources, along with instructions on where and how to get it ('metadata' in the jargon) is an essential complement to a data 'hub'.

Conclusions

There is a strong case for exchanging humanitarian data and information between involved organisations and countries. To make the most of the weak information base, we must address the daunting institutional and technical challenges in the Horn of Africa. On the institutional side, cross-community discussion networks and forums are beginning to emerge. Now sub-group forums are needed to deal with the specific technical issues of data and information exchange. Such forums cannot function without the support of joint structures or 'warehouses' for managing data. Nationally and regionally, warehouses should focus on enhancing the capacity of partners to manage data and information, and should promote the exchange of this information. Facilities must avoid the siren calls of state-of-the-art applications, and concentrate instead on providing a few simple services and products that are feasible, relatively cheap and useful for everybody.

Ben Watkins is a consultant for UNOCHA in the Horn of Africa. The views expressed in this article are the author's, and do not necessarily reflect the views of UNOCHA.

Aiding Recovery? The Crisis of Aid in Chronic Political Emergencies

In *Aiding Recovery?*, Joanna Macrae explains that there is an emerging aid orthodoxy that humanitarian aid can and should play a role in the management of conflict, and that it can achieve this by applying more developmental approaches to the provision of aid in conflict-affected areas. The mechanism through which aid agencies have tried to play this role has been the relief–development continuum. By making relief assistance more developmental, the continuum model assumes that aid can play a significant role in reinforcing processes of peace.

Macrae's research suggests that relief and development are very different processes, based on politically distinct strategies, and that preserving the distinction, rather than obscuring it, is crucial to maintaining the integrity and the technical efficacy of both forms of aid. The 'scaling up' of aid objectives and strategies that is implied by the relief–development transition requires the presence of a functioning, internationally-recognised state, an authoritative and competent body to define and implement policy. It also legitimises states, since a key function of development aid is to boost the state's sovereignty. By contrast, humanitarian policy does not assume the presence of a unified, central authority – the criteria (in theory) for resource allocation is impartially-determined need. Nor does the provision of humanitarian aid by independent humanitarian bodies imply the recognition or legitimisation of the local controlling authority – it maintains a politically neutral position in the midst of conflict and insecurity.

Joanna Macrae is a Research Fellow in the Humanitarian Policy Group at the ODI. *Aiding Recovery?* is published by Zed Books, www.zedbooks.demon.co.uk; Tel: +44 (0)207 837 4014; Fax: +44 (0)207 833 3960

USAID: saved at the cliff edge?

*The US accounts for around a third of all humanitarian assistance. With the advent of George W. Bush's administration in January 2001 came serious questions about the longevity of USAID. But as **Jim Bishop** argues, the selection of Andrew Natsios as USAID Administrator has given the agency a new lease of life – at least for now*

USAID has been a frequent target of Republicans over the previous eight years, and an institution widely regarded among the American electorate and policy-makers alike as wasting the public's money. New Administrator Andrew Natsios has embarked on a campaign focused on repackaging USAID for public consumption, while implementing major reforms that could reverse its slide towards oblivion. But can he succeed?

Natsios selection brings hope and confusion
Natsios was appointed in May 2001, but is no stranger to USAID. Under the first President Bush, he directed the high-profile Office of Foreign Disaster Assistance (OFDA) and subsequently the Bureau for Humanitarian Response (BHR), which then incorporated OFDA and the Office of Food for Peace. The latter's responsibilities included the management of emergency food aid. Natsios had been an outspoken advocate on some humanitarian issues opposed by senior administration officials, for example the US intervention in Somalia. Back in the private world, as Vice-President for World Vision, Natsios took on the Clinton administration for its use of political conditionality in the targeting of food aid.

Natsios' first public address as nominee for the USAID Administrator's position was his opening statement to the Senate Foreign Relations Committee at his confirmation hearing. It was a bombshell. Instead of trying to keep the hearing as non-controversial as possible, Natsios acknowledged the obvious – that he had been tasked with trying to administer an agency in crisis. He also acknowledged that USAID's central management systems were functioning so poorly that it had been unauditable for four years. He subsequently pledged to spend much of his first year in office trying to make these systems work.

On USAID's presentation to the public, Natsios pledged to have it avoid further use of one of the aid industry's favorite buzzwords, 'sustainable development'. He pugnaciously declared that nobody outside the industry had any idea what the term is intended to convey. In fact, most Americans, he concluded, understood development to mean fundraising. Rather than use generic terms people find difficult to understand, USAID would emphasise that it is engaged in activities people can intuitively understand, for example agriculture, economic growth, environment programmes, health and micro-enterprise.

The 'Four Pillars'
At his confirmation hearing, Natsios also identified 'Four Pillars' as USAID's new concept of operations, organising principle and public image. He later acknowledged that the term had its roots in the Point Four programme of the Truman administration, America's first post-war foreign aid initiative. The first pillar is Global Health, long a USAID point of strength in which it has maintained a leadership role through the decades. The second is Economic Growth and Agriculture, reflecting Natsios' strong belief that there cannot be poverty reduction without economic growth, and that agriculture plays an essential role in the potential growth of most societies. USAID, Natsios insisted, had let its agricultural expertise and leadership melt away, devoting one billion dollars less to agriculture in 2002 than in 1985 (in 1985 dollars). USAID's analytical capability in economics had suffered a similar fate, as USAID's response to cuts in personnel funding had been to sacrifice technical expertise to preserve the jobs of managers. The third pillar was first announced by Natsios as Conflict Prevention, Democracy/Governance and Humanitarian Response. USAID's website currently describes it as Conflict Prevention and Developmental Relief. What to do about the Democracy/Governance programmes of USAID and the State Department is still proving to be one of the tougher bureaucratic nuts to crack as policy moves from concept to operationalisation. The fourth pillar is what Natsios has labelled the 'Global Development Alliance'. It is termed a process pillar, intended to change the way USAID does business throughout the institution.

A key question for Natsios is how these four pillars will be meshed with the existing structure of USAID and its current procedures. The first three pillars will encompass more programmes than their titles suggest, many of them currently run by USAID's Global Bureau. Will the Global Bureau be abolished? No answer for the moment. Will there be centralised financial control as well

as policy management from USAID's Bureau of Policy and Program Coordination? This is another proposed option to which there has been no response. Will USAID's geographic bureaux, the traditional foci for employee identification and advancement, and some of the fiefdoms which have long frustrated attempts at reform, allow themselves to be pushed out of the policy-making and resource-allocation processes? Natsios' declared intention is to divest more authority to local mission directors. Will this help or hinder the reform of internal processes, the way USAID does business, and acceptance of the new priorities?

Changes and early successes

With the necessary support of Secretary of State Colin Powell, Natsios has won the President's endorsement for a return to the needs-based approach to humanitarian disaster relief first formally made US government policy by Reagan. The Clinton administration reversed the policy, placing political conditions on famine relief for millions of starving North Koreans, then trying to persuade NGOs to distribute emergency food aid in Serbia on the basis of the political allegiance of municipal officials, and in Sudan proposing to use humanitarian food aid to feed the Africa Bureau's favoured belligerents in the civil war. Sudan was the test case for the Bush administration. Powell won the President's agreement to emergency feeding programmes in both north and south Sudan. This was the outcome of a heated debate in which it became clear to his opponents that it would not be wise to challenge the Secretary again on the underlying principle of a needs-based response to humanitarian crises.

Another major achievement for Natsios is the development of a strong partnership with Powell. There is no more of the struggle for autonomy that characterised the relationships between USAID and the State Department in previous administrations. Natsios volunteers at every appropriate opportunity that his boss is Powell. He also asserts with pride that he and USAID are serving US national interests, even when providing humanitarian assistance to what the Secretary refers to as 'looser states'. There will always be tensions between institutions with different perspectives and objectives. But the Powell/Natsios bond holds the promise that on major issues there will be more mutual support. Natsios attends National Security Council and Deputies Committee meetings when decisions on issues with humanitarian consequences are under debate. Perhaps that status will become *de jure* instead of just *de facto*. Powell goes out of his way to acknowledge USAID's importance in the conduct of American policy, and to express his appreciation for Natsios' initiatives. He has let it be known that he will support a significant increase in USAID's budget for 2003. That will be the first year in which the new administration will be working on the basis of its numbers, rather than those inherited from its predecessor.

Another early Natsios achievement has been to help put Africa back on the list of the administration's strategic interests. Africa is clearly the part of the world of greatest interest to him personally, a consequence of his extensive first-hand involvement while heading ODFA and BHR, and later as Vice-President of World Vision. He went there on two missions in the two months following his swearing-in.

Within USAID itself, there is appreciation for the fact that Natsios, unlike many of his predecessors, actually understands what USAID does, and has the managerial ability to help it become an effective agency. He also has international acceptance as a leader in disaster response, and appreciation as a principled leader unlikely to sit quietly while the US government hides from its international legal obligations. Natsios, a man of substantial intellectual depth and a broad range of interests, actually likes public management, has an MA in the subject from Harvard, and prior to his appointment was running one of the largest public works projects in the US, the 'Big Dig', a tunnel underneath Boston costing about $15 billion.

Natsios is very serious when speaking about making greater use of faith-based organisations to dispense aid, as well as paying more attention to religious leaders abroad. His own extensive field work has convinced him that religiously affiliated organisations can be very effective providers of emergency and social services. He also systematically includes local religious leaders among those with whom he consults on his missions abroad. We in the West are the ones out of step with most of humanity, he insists. Most of the world's population identifies itself as religious, integrates religious belief systems very consciously into their personal and public lives, and are proud, not bashful, about their religious identification.

Challenges ahead

Natsios faces challenges both within and without USAID. Internally, he faces a confused and apprehensive workforce. His blunt criticism of the performance of the central support systems was not just about the adoption of a $100 million information system that does not work, fiscal systems so dissimilar that they cannot talk to each other, and a personnel system that undermines the procurement system by allowing a 25 per cent vacancy rate to persist among procurement specialists. It also is about a bureaucracy in which external criticism, a counterproductive incentives system, and disengaged leadership have created low morale and stifled initiative. Cynicism and apathy remain high internal barriers to institutional reform.

POLICY DEVELOPMENTS

Externally, the challenges are political. The US Congress is a full partner with the administration in the formulation and implementation of national policy. Sometimes issues are debated on their merits, but often politics dominate. Special-interest groups are believed by many to dominate the legislative processes. These include, of course, domestic NGOs. Even dissatisfied civil servants have their 'congressional clout'. A politician himself, Natsios nevertheless has thrown down the gauntlet by stating publicly that he will try to have some of the approximately 240 'congressional earmarks' removed from foreign aid legislation. At least 60 of these are widely believed to be impediments to a coherent foreign aid policy. But many also require USAID to undertake programmes of great interest to powerful members of Congress. Throughout the spring and early summer, Congress has focused on domestic issues, making it hard to predict how it will react to Natsios' proposed four pillars and their bureaucratic consequences.

NGOs are not all allies as Natsios tries to resurrect USAID. The coalition of American NGOs operating abroad, InterAction, called early on for 'The administration of US bilateral assistance by

a stronger, revitalized federal agency to meet the challenges of the 21st century'. But this is one of the few points on which there is broad consensus among NGOs. With USAID still fighting for its life, and aid levels anticipated to remain static this year and to grow only modestly in the 2002 financial year, NGOs are insisting on higher funding for their activities.

Many of Natsios' proposed reforms are hostage to Congressional approval. They could become a bargaining chip in more important debates, subject to retaliation by members of Congress unhappy with the administration for unrelated reasons, or voted down on their own merits. It will take many months before we can decide whether Natsios has indeed halted USAID's slide.

Jim Bishop has been associated professionally with USAID for over three decades. He is currently a senior staff member of the NGO coalition InterAction. This article is an expression of his personal views, and the author is not speaking for InterAction or for any of InterAction's members. Website: www.interaction.org. The USAID website is at: www.usaid.gov.

Operational models for civil–military cooperation: possibilities and limitations

British Army officer **John Rollins** *on NATO's approach to civil–military cooperation*

While the debate on civil–military cooperation (CIMIC) in complex political emergencies continues unabated, several organisations and nations are in the process of defining their positions on the subject. Amongst them is NATO which, in the Balkans, has found itself having to interface with a wide range of civil actors, and recognised that, with the growth of involvement of the military in support of humanitarian operations, the issue of cooperation needs to be addressed.

In May 2001, Uppsala University sponsored a workshop to discuss the possibilities for, and practical limitations of, multifunctional cooperation in complex emergencies. Participants included practitioners from a wide variety of backgrounds, including the military and police, governments and donors, the UN and NGOs (see box for participant list). Representatives of the OSCE, ICRC, MSF and WFP were invited, but last-minute operational issues meant that they could not attend.

This article presents the broad outlines of the debate. It reflects the views of those working on these

issues in NATO, and not those of the organisation itself, or its member states. Similarly, it does not represent the formal positions of the other organisations represented, but rather presents a range of observations made by those working on the issues.

Scope
Among the various issues examined, the workshop identified a series of questions that are central to humanitarian aspects of the debate on CIMIC. These included:

- To what extent is it possible to coordinate the various functions (political, humanitarian, military, economic, policing) that might be mobilised in a complex emergency?
- What are the practical, and perhaps desirable, limitations?
- How far should the military go in conducting or supporting humanitarian activities?
- What are the particular perceptions and needs of the humanitarian community (if such a thing exists), in particular concerning the 'crisis of protection'?

Background issues

The workshop identified two primary issues affecting the debate, over which there has been considerable confusion and misunderstanding. The first is the question of what is meant by 'civil–military cooperation'. This clearly means different things to different people, even within the military. Apart from the definitions used by individual nations, two formal definitions currently exist: one from NATO, and one from the UN. The UN simply refers to the need to cooperate at all levels within and outside the immediate area of the emergency. NATO focuses on a 'partnership' between civil and military organisations in support of the military mission.

But even so there is confusion, about which two points need to be made. Firstly, NATO policy, although drawn up in consultation with a wide range of civilian organisations, is intended to provide guidance only to the military. CIMIC takes place 'in support of the mission', and addresses the military's need to cooperate with other actors. Any other approach could imply a wish for the military to expand its activities into the civil sphere. Any involvement of the military in civil-related tasks should be exceptional, should happen only with the consent of all those whom involvement affects, should be short term and co-ordinated and, above all, should be needs driven. There is still debate within the military about the extent to which military forces should be geared up for such involvement. Some fear that building a CIMIC capability could lead to a supply-driven, rather than a needs-driven, approach. There are certainly various inherent pressures reinforcing this drive, such as a wish to be seen to 'do good'.

The second issue is a failure to differentiate between natural disaster situations and complex political emergencies. There are two differences so fundamental that they change the nature of the debate on multifunctional cooperation. First, in

NATO troops delivering humanitarian goods in Kosovo

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the 'pure' disaster situation, there is normally a national host government that has ultimate sanction over the activities of external organisations and agencies. Second, in complex emergencies the scope for the military to cooperate with civil organisations in non-military tasks may be limited by the requirements of the military's security-related tasks, which take priority for the military. This includes civil control of military assets for non-military purposes – a limitation that may not exist in disaster relief.

Principal findings of the workshop

It was generally felt that cooperation should bring tangible benefits to all parties. Notwithstanding the political and practical obstacles, this would require clearer formulation of military mandates by the key political decision-makers (among them the UN General Assembly, the EU, the OSCE and NATO members) than has been the case in the past, and for recognition of the 'mandates' of non-political actors, such as the ICRC and NGOs. The formulation of military mandates should:

- be based upon multifunctional representation and cooperation from the earliest stages, including crisis monitoring, fact-finding and assessment;
- match mandates with capabilities;
- anticipate changes in mission requirements over time;
- develop a realistic identification of capability gaps;
- differentiate between core and support tasks (for example, if the military is to support civil implementation, roles, priorities and duration need to be stated as this will have an impact on force structure);
- include civilian representation in the development of the military operational plan (for example, if the military is to support refugee returns or elections, the expectations of the civil authorities must be stated from the outset, rather than worked out 'in theatre' as has been the case hitherto).

There must be greater mutual understanding of the mandates, cultures and modus operandi of organisations working in different functional areas. Much is already being done to improve this through seminars, exercises and training programmes. However, individual personalities continue to be pivotal, and civil organisations are frequently frustrated by the rapid turnover of the military personnel with whom they interface. There is a need to ensure greater continuity in post and return postings to a theatre.

Workshop participants

UNHCR, UNOCHA, NATO Political Affairs, SHAPE, European Commission, EU military staff, DFID, US State Department (crisis planners), Swedish government (Ministry of Defence, Foreign Office and SIDA), Uppsala University, Swedish NGOs, the UN DPKO (including the head of the police unit), the Swedish police

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Regarding the question of who within the military is best for the job, experience shows that those with a mainstream background, rather than CIMIC 'specialists', may be more suited to involvement in civil tasks, and may have a better appreciation of the wider issues. Liaison Officers are of limited use unless they are well briefed and understand the mandates of the organisations involved.

CIMIC in humanitarian activities must be clearly differentiated from such cooperation in the sphere of reconstruction, whether institution-building or purely physical. Military involvement in the former risks compromising the impartiality, neutrality and independence of humanitarian agencies' work. Involvement in the latter risks compromising the creation of long-term, sustainable structures. There must be a longer-term approach – perhaps with ten-year time horizons. There has to date often been a tendency not to look beyond immediate issues.

Practical and political obstacles will always exist. Even where they feel able to cooperate, humanitarian agencies and NGOs plan and work to standards, codes and criteria that differ from those of military and political staff. They do not have the same top-down, centralised approach that political and military structures might have. There are good reasons for this, and it must be allowed for.

Finally, the phrase 'within means and capabilities', often used in mandates, is ambiguous. Although its use may be unavoidable, it should be recognised as a limitation: the military's security-related activities will normally take priority over humanitarian support activity when military assets are allocated.

Military involvement
The weight of humanitarian opinion matches that of most of the military that any involvement should be minimal, used as a last resort to fill a gap, and very much needs-driven.

There is a strong core of humanitarian opinion that goes on to argue that the military should have no 'front line' position in humanitarian response as this undermines the role of humanitarian actors. If there is any military involvement in humanitarian activities, it should be under civilian control because the military is not subject to humanitarian codes and standards. This argument highlights the distinction between natural disasters and complex emergencies: in the former, civil control of military assets is not especially problematic. In the latter, it poses a problem both for the military (military commanders must retain the capability to meet their primary security and war-fighting tasks) and the humanitarian actors (humanitarians need to be – and be perceived to be – impartial and independent). This does not rule out reaching agreement about the extent of military involvement, or some level of cooperation.

Bilateralism – even unilateralism – by national military contingents in theatres is rife. This has been particularly true in Kosovo, where the five nationally-led brigades – from the US, France, Germany, the UK and Italy – conduct CIMIC in different ways, despite emerging NATO policy and doctrine. This undermines trust between the military and the humanitarian community on the ground. There is potential to improve this, but some of the political issues will remain difficult to overcome.

Humanitarian protection and neutrality
Not only do views of CIMIC differ, but so do views of what the various actors in the 'international community' aim to achieve in any particular intervention. Humanitarian protection is an important case in point, underwritten as it is not by force, but by neutrality. This fundamental humanitarian principle is potentially endangered by association with the military. This issue was particularly pertinent in the Kosovo crisis, where the needs of the refugee population were less for relief assistance than for protection from abuse. (It should be noted that 'protection' here applies to the protection of aid agencies and of local populations.)

Many NGOs fear that they are being obliged, particularly through funding mechanisms, to follow political agendas. Even if this were not the case, there remains a wish or need not to be associated with institutions which have a political agenda. This issue is particularly pertinent in the question of refugee return to Kosovo. These tensions do not have to preclude cooperative engagement. However, if engagement between civil and military actors is to take place, it may have to operate in different ways and at different levels than a strictly integrated approach to conflict management might imply.

Conclusion
Despite the political and practical limitations, there is clearly scope for significantly greater coordination between many of the different functional aspects of the international community's response to a complex emergency. This applies particularly to the planning of the political, military and policing aspects of an operation. However, a fully integrated approach covering all functional areas may be neither possible nor desirable. This applies particularly to the humanitarian aspects of a response. Humanitarian organisations and agencies do not act as a coherent, unified body, have their own processes and codes, and do not necessarily see the issues in the same way as political or military planners. However, this does not preclude movement towards better cooperation between civilians and the military.

John Rollins is a British Army officer, currently serving at Supreme Headquarters Allied Powers Europe (SHAPE), Mons, Belgium.

HUMANITARIAN exchange

The UK military and civil–military cooperation

David Couzens *on the British military's evolving approach to CIMIC*

British military doctrine for peace-support operations was published in 1998, and drew on experience gained in the Balkans. In the light of subsequent experience, the military thinking on peace-support operations has evolved, and the need for a comprehensive approach reinforced, one which brings together all relevant actors to achieve a long-term sustainable solution. The UK Ministry of Defence (MOD)'s Joint Doctrine and Concepts Centre has been exploring how this comprehensive approach might be developed. Its work with humanitarian organisations should be seen in this light.

The Joint Doctrine and Concepts Centre has been involved in workshops bringing together military personnel, NGO staff and academics to explore what civil–military cooperation (CIMIC) might mean in practice. In September 2000, NGO personnel and senior officers participated in a CIMIC workshop organised by the Centre for Development and Emergency Practice (CENDEP) at Oxford Brookes University. The workshop explored how relations between the military and NGOs could be improved in humanitarian operations through a discussion of current training and education. The workshop concluded that the key was to build mutual understanding and trust. It made several concrete proposals, including the formation of a steering/contact group, and an exercise – 'Exercise Bandundu' – to compare and learn from each other's planning processes.

The exercise

Exercise Bandundu involved members of the British military, NGO staff and academics from CENDEP and the Cranfield Disaster Management Centre. The exercise focused deliberately on practitioners, allowing individuals to be open and frank, and to express their views without feeling that they were acting as spokespeople for their organisations.

The exercise began with short briefings by the military and NGOs on their respective analysis and planning processes. Military participants explained the difference between the strategic, operational and tactical levels of operation, and outlined key concepts, such as the centre of gravity. This is the characteristic, capability or grouping from which adversaries (and their friends) draw strength and motivation. Unlocking an adversary's centre of gravity will lead to their inevitable collapse, and consequently military actions are focused on them. Accurately identifying the centres of gravity is critical but often difficult, and requires a detailed knowledge and understanding of the conflict, and its dynamics.

NGO participants in turn briefed the military on some of their key ethics and principles. They began by addressing the proliferation of NGOs over the last few decades, and urged the military to identify the key players in any situation and focus on them, rather than being diverted by the mass of less effective NGOs that may be present in any emergency. Accountability was discussed, to large donors, to individual supporters, to the general public, and also to beneficiaries. The importance of an NGO's reputation was stressed, as were the key principles of universality, impartiality and neutrality, and their implications for relations with the military. The point was made that the process by which objectives were achieved often mattered as much as the end product itself. Finally, the consensual and participatory style of NGOs was contrasted with the military's more hierarchical structure and tendency to impose solutions and seek control. Attempts to cajole or coerce NGOs into tight linkages with the military tend to be counter-productive.

The exercise was designed to allow NGO and military participants to compare the way each responded to a given situation, and to learn from each other's planning processes. There were both similarities, and differences. NGO participants' formed a 'voluntary coordination group', that developed a common understanding of the situation. Available resources, and resource gaps, were identified, fact-finding teams were (notionally) despatched and the situation was reviewed in the light of their report. Needs were confirmed and prioritised, with individual NGOs offering to take responsibility for functional or geographic areas. The resulting 'action plan' was a loose arrangement of broadly-aligned individual plans.

For the military participants, who were from different headquarters, it took some time for roles and responsibilities to be established. Once this was done, however, the planning process was highly structured, with each individual knowing their function and expected output. At times, the thought processes and analytical approaches were surprisingly similar to those used by the NGOs. Overall, the military participants demonstrated great unity of purpose. The strength of the military approach was the clear sense of direction and long-term vision that it provided. On the other hand, the NGOs tended to be able to identify more closely with local needs and priorities, and were able to draw on a wealth of first-hand experience gained from working in the region. Conversely, the enormity of the immediate crisis depicted in

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the exercise meant that NGOs focused solely on short-term solutions, and found it difficult to develop long-term strategies in the same way as the military.

A follow-up exercise is being planned for late November 2001. Attendance will be widened to include participants from the UN, the police and the media. This exercise will focus on activities in the field, primarily from an 'operational level' perspective. It will remain basically British, but the aim is to include another nation – probably a major UN troop-contributing country – in a third exercise.

Lessons learned

One of the key lessons to emerge from the workshop was the importance of sharing understanding. If the depth of understanding of the issues possessed by NGOs could be shared with the military, a common understanding of the situation could be developed. Equipped with this deeper understanding, military activities would be more culturally appropriate and relevant to the situation, and would better reflect local perceptions and priorities. Emanating from a common understanding, both military and humanitarian actions would become coherent by default and stand a better chance of contributing to a long-term solution.

The number of cross-dependencies between their plans struck the participants; NGO actions considerably affect military activities, and vice versa. Since information was lacking, assumptions had to be made. The activities of each would clearly be more effective if information could be shared. Yet talk of sharing information immediately sets alarm bells ringing, both in military and in NGO minds. Such sharing is not straightforward, and there is a risk that important principles could be compromised. For NGOs, this could mean a perceived loss of impartiality, reduced access and, not least, increased risk. Nevertheless, where information can be shared, it is clear that humanitarian relief can be applied more effectively, and progress made towards long-term solutions that allow locals to take responsibility for themselves and eliminate the need for the presence of both the military and NGOs.

As a result of the exercise, NGO and military participants have gained a greater understanding of the role that each can play, as well as of each other's mandates, strengths and limitations. Awareness and sensitivity of the issues has increased. The military participants have gained a better understanding of the importance of humanitarian space, and clarifying the boundaries between humanitarian and military action will make it easier to bridge the gap, where this is appropriate. Suspicion of each other's motives has been reduced, and contact between practitioners increased.

From the military side, we still believe that the only way to achieve a long-term sustainable solution to the kind of humanitarian crises we see today is through a holistic approach, under civilian leadership. Our contact with NGOs has demonstrated that this approach must be based on cooperation, and not coordination. Such cooperation must be based on mutual understanding, on trust and on respect for each other's principles. Only when the boundaries between actions, responsibilities and mandates are understood can bridges be built, and effective cooperation enabled. British military doctrine for peace-support operations will be rewritten over the next year, and lessons from this exercise and from the military's increasing contact with the NGO community will inform the new doctrine and, ultimately, military practice.

Major David Couzens works at the Joint Doctrine and Concepts Centre. The Centre develops UK military thinking and has a remit to both develop and promote the British approach to peace support operations. He can be contacted by e-mail at couzens@jdcc.mod.uk and by telephone on +44 (0) 1793 487245.

NGO participants in Exercise Bandundu

Oxfam
ActionAid
Children's Aid Direct
British Red Cross

CIMIC: forthcoming work from the HPN

The involvement of UN, NATO and various national military forces in humanitarian crisis response in recent years, in the Balkans in particular, has catapulted the question of civil–military cooperation to the forefront of humanitarian debate. An HPN Network Paper, to be published later in 2001, will examine approaches to humanitarian activity being developed by various militaries, and will review the position taken on this involvement by NGO and UN humanitarian players. It will discuss the implications for humanitarian action in principle and practice, and make recommendations for the various humanitarian actors.

POLICY DEVELOPMENTS

HUMANITARIAN exchange

The military and refugee operations

Fiona Terry *questions the appropriateness of military involvement in humanitarian relief*

Military involvement in refugee relief operations has undergone a remarkable evolution during the past decade, from providing logistical support to aid organisations in Kurdistan in 1991 to leading relief efforts for Kosovan refugees in 1999. Some aid organisations have welcomed this development, and increasing attention is being paid to issues of civil–military cooperation. However, although few would contest that military forces possess logistical capacities unmatched in the aid community, important questions remain as to the appropriateness of an increased military presence beside humanitarian organisations in the field.

Portuguese peacekeeper on patrol in East Timor

Motivations

First, the motivation of the military is different from that of humanitarian organisations, even if the intervention is couched in 'humanitarian' terms. Humanitarian action is premised on the equal worth of all human beings, yet military interventions since Somalia have been selectively undertaken by governments with direct national interests: the French in Rwanda, the US in Haiti, the Russians in Georgia, the Australians in East Timor, NATO governments in Kosovo, the Nigerians in Liberia, and the British in Sierra Leone. Conflicts that pose no threat to powerful nations, either through security concerns, lost investments, or potential refugee flows, are largely overlooked, despite the human misery they generate. The massive offensive undertaken in defence of Kosovar refugees contrasts starkly with the cynical indifference shown towards Sierra Leonean and Liberian refugees under siege from rebel forces in Guinea. Can we accept that the lives of some human beings are worth more than the lives of others?

Second, outside military forces are rarely perceived as impartial in conflicts, compromising the image, and hence the effectiveness, of aid organisations that associate with them. Few aid organisations will accept an escort from the UN peacekeeping force in Sierra Leone since its belligerent stance against the Revolutionary United Front (RUF) hinders access to civilians in RUF-held areas. Moreover, civilian lives are put at risk through mixing humanitarian and military actions. The presence of NATO troops in Kosovan refugee camps undermined the civilian and humanitarian character of the camps, and camps in northern Albania were shelled by Yugoslav forces as a consequence.

Third, the military lacks the technical competence to respond to the needs of refugee populations.

Military forces are trained and equipped to provide medical care and facilities to a predominantly male, adult, healthy population. Many of the essential medicines used in emergency settings, such as oral rehydration salts and vaccines, are lacking in sufficient quantity in military supplies, and facilities are not adapted to the needs of refugees. The French army hospital in Goma in 1994, for example, provided excellent care to some refugees, but given the scale of the cholera epidemic that began soon after their arrival (some 50,000 deaths in a matter of weeks), this was an inappropriate use of resources. Instead, the allocation of one helicopter to transport potable water could have alleviated the supply problem caused by the congestion of roads with refugees.

Failures

The most serious shortcoming of military involvement in relief operations of the past decade does not concern what they do, but what they do not do. Protection from violence is the most vital need of refugee and displaced populations today, and is a task that humanitarian organisations are unable to assume. Yet most military forces have been deployed with a humanitarian mandate aimed at providing or protecting relief supplies. This mandate gives governments an image of doing something, to appease public outcry, while avoiding engagement in potentially dangerous or protracted conflicts. In Goma, the military fought cholera, while the Rwandan leaders and army responsible for the 1994 genocide installed themselves in the refugee camps in full view of the military contingents present. As a consequence, the refugee camps were attacked by Rwandan government and rebel forces two years later, and 200,000 refugees remain missing to this day. In Somalia and Bosnia, the military were tasked with protecting aid convoys. But the provision of humanitarian aid is a means to an end, the end being the preservation

of life and dignity. Although insecurity can prevent aid reaching vulnerable populations, the deployment of military forces to protect the means in isolation of the ends is a dangerous travesty. A full belly does not provide civilians with protection. What is the point of protecting aid supplies when the civilians they are intended to assist are in greater danger of losing their lives to violence? The most appalling consequence of the limited mandate is the false sense of security it provides to civilian populations. In Kigali, Kibeho, and Srebrenica, troops stood by helplessly and witnessed the slaughter of civilians because their mandate did not extend to protecting them.

Aid organisations have called for military intervention in the past, and no doubt they will do so again in the future. But such calls are for political, not humanitarian, action. This is the area in which the military can complement humanitarian activities, if the political will can be mustered to assume such a role.

Fiona Terry works at the MSF Foundation, Paris. A version of this article, entitled 'Military Involvement in Refugee Crises: A Positive Evolution?', first appeared in *The Lancet*, vol. 357, 5 May 2001, pp. 1,431–1,432.

HPN Network Paper 36

Food-security assessments in emergencies: a livelihoods approach
by Helen Young, Susanne Jaspars, Rebecca Brown, Jackie Frize and Hisham Khogali

This paper describes the theory and practice of Oxfam GB's livelihoods approach to assessing food security in emergencies. A livelihoods approach simply means emergency programming aimed at supporting livelihoods, as well as saving lives. In terms of food-security assessments, a livelihoods approach involves assessing the longer-term risks to livelihoods, as well as short-term nutritional or life-threatening risks.

The first part of this paper describes the key concepts that make up food-security theory, and relates them to a livelihoods approach. These elements are avail-ability and access to food (entitlement theory) and the severity of food insecurity in relation to meeting food needs, vulnerability, risk and coping strategies.

The second part of the paper describes how Oxfam assesses food security. The purpose of a food-security assessment is to determine the need, if any, for a food-security intervention. The type of intervention is influenced by the severity of food insecurity. This may be determined from two perspectives: first, by assessing whether people are able to meet their immediate food needs (the risks to lives); and second, the vulnerability and risks faced by different livelihood groups and their coping strategies (the risks to livelihoods). On this basis, appropriate interventions are identified, ranging from free food assistance to a wide array of livelihood-support initiatives, such as cash-for-work and de-stocking.

The third part of the paper uses case-studies to illustrate how Oxfam has applied its livelihoods approach in practice, and how that approach has been adapted depending on the types of livelihood in question, and the nature of the external shock. These case-studies comprise an emergency assessment of the impact of cyclone and floods in Orissa (India) in 1999; a monitoring visit for Oxfam's response to drought in Wajir (Kenya) in 2000; and a review of Oxfam's programme for conflict-displaced people in Uraba (Colombia) in 1999.

The paper ends by highlighting the key challenges posed by a livelihoods approach to assessing food security in emergencies. These challenges include deciding on the right quantities of food aid, and choosing which categories of people to target; how to combine food and non-food interventions effectively, and when to shift from a food to a non-food approach; and issues to do with neutrality and impartiality, particularly, but not exclusively, in complex political emergencies.

To order a copy of *Food-security assessments in emergencies: a livelihoods approach* contact ODI publications: publications@odi.org.uk; telephone +44 (0)20 7922 0300, or fax +44 (0)20 7922 0399. HPN Network Papers cost £5 (£3.50 HPN members).

P O L I C Y   D E V E L O P M E N T S

HUMANITARIAN exchange

Network Papers

Network Papers are contributions on specific experiences or issues prepared either by HPN members or contributing specialists.

Good Practice Reviews

Good Practice Reviews are commissioned 'state of the art' reviews on different sectors or activities within the relief and rehabilitation field. Prepared by recognised specialists, and subject to peer review, they are produced in a format that is readily accessible to field-based personnel.

Humanitarian Practice Network

The **Humanitarian Practice Network** (**HPN**) was launched in 1994 in response to research that indicated substantial gaps between practitioners and policy makers in the humanitarian field, as well as serious weaknesses in the ability of the sector to learn and become more 'knowledge-based'.

Purpose

To stimulate critical analysis, advance the professional learning and development of those engaged in and around humanitarian action, and improve practice.

Objectives

To provide relevant and useable analysis and guidance for humanitarian practice, as well as summary information on relevant policy and institutional developments in the humanitarian sector.

Activities

• Publishing in three formats: Good Practice Reviews (one per year), Network Papers (four to six per year) and the HPN magazine (two per year). All materials are produced in English and French.

• Operating a resource website: this is one of the key reference sites for humanitarian actors.

• Collaborating with international 'partner' networks: this increases the reach of the HPN, and brings mutual benefit to the participating networks.

• Holding occasional seminars on topical issues: these bring together practitioners, policy makers and analysts.

HPN target audience

Individuals and organisations actively engaged in humanitarian action. Also those involved in the improvement of performance at international, national and local level – in particular mid-level operational managers, staff in policy departments, and trainers.

While a project and Network with its own identity, the HPN exists within the Humanitarian Policy Group at the Overseas Development Institute. This not only ensures extended networking and dissemination opportunities, but also positions the HPN in a wider 'centre of excellence' which enhances the impact of the HPN's work.

Funding