

HUMANITARIAN HPN exchange

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17

IN THIS ISSUE

Refugee Return

- Return Requires Time and Patience 3
- The UK Human Rights Act and Refugees 5
- Changing Places: Bosnians in Britain 6
- The Roll Back Xenophobia Campaign in South Africa 9

Quality and Accountability

- Sphere at the End of Phase II 11
- Using Sphere: Oxfam in West Africa 13
- Sphere in India: Experiences and Insights 15
- Gendering Sphere 17
- The Humanitarian Accountability Project 19
- The Limits and Risks of Regulation Mechanisms for Humanitarian Action 20
- The Quality and Accountability Debate 22

Practice Notes

- The UN Joint Logistics Operation in Mozambique 26
- Somalia's Transition from War to Peace 28
- Demobilisation in Sierra Leone 30
- The Protection Gap 32
- The ALNAP Learning Office Concept 34

Institutional Initiatives

- The Performance and Accountability of Donor Aid Administrations 36
- Creating a UN Humanitarian Commission 38
- The Humanitarian Response to Kosovo 39
- Contingency Planning in the Balkans 41
- New Guidelines to Save Older People's Lives in Emergencies 42
- Professionalising Emergency Personnel 44
- Strategy 2010: All Change at the Fed? 45

Policy Developments

- Security-Sector Reform 46
- US Arrears to the UN 48
- The UN Millennium Summit and Assembly 49
- The Child Soldiers Protocol 50

EDITORIAL

Welcome to this, the first edition of the bi-annual magazine of the Humanitarian Practice Network. So what are the differences with the Relief and Rehabilitation Network that you have seen around for the past six years, with its Newsletter, Network Papers and Good Practice Reviews? There are new names, new designs and a lower full annual subscription price. But rest assured, there is more continuity than rupture, and the changes we are making are intended to increase our value to you.

The *RRN Newsletter* has now become *Humanitarian Exchange*. Why? Well, we dropped 'Newsletter' because some of you found the label confusing since it actually covered a fully-fledged magazine. 'Humanitarian' better indicates the range of subjects we work on, which go well beyond relief and rehabilitation. The name change also signals more clearly a commitment to certain values and principles, including those of humanity, compassion and a sense of service to distressed people. Anyone can do relief and rehabilitation, including for profit, but that alone is not enough to be truly humanitarian.

'Exchange' refers to the fact that we want to be a place where policy and practice meet, for practice to become more policy-informed and policy more grounded in what we learn from practice. We also want to help exchanges of information and experiences between organisations, and between countries. Finally, we would like to encourage more intensive and extensive exchanges between those who provide assistance and protection, and those they help.

So no, we have not 'floated' ourselves onto a humanitarian 'stock exchange'. Humanitarian action in practice is often about managing dilemmas and making trade-offs, but it is not, and should not be allowed to become, a business where values and assets can simply be 'traded'. Still, we hope we can offer you value, of a different kind.

Our new design is a set of new clothes, but not a new fashion and certainly not a change of identity. We remain committed to providing you with high-quality, readable and relevant resource materials, in English and French. *Humanitarian Exchange* will appear twice a year, rather than three times, as was the case with the *RRN Newsletter*. Not because there are fewer issues to highlight and comment upon, but to enable us to concentrate more on the Network Papers and Good Practice Reviews, which are one of our distinctive features. Our website (www.odihpn.org.uk) will get a new look, and will become an even more valuable resource and gateway to other sources of information.

We would like to see humanitarian action become a more knowledge-based endeavour, without losing the humanity, compassion and solidarity that constitute its ethical and emotional origin. We will help you to document and disseminate your experiences and initiatives, keep you up to date with debates and new developments and provide you with practical resource materials for your daily work. We believe that this is necessary for individual and organisational learning. But by itself it cannot be sufficient. It is up to you to take it further, in your practices and policies.

The Humanitarian Practice Network (HPN), formerly the Relief and Rehabilitation Network (RRN), aims to stimulate critical analysis, advance the professional learning and development of those engaged in and around humanitarian action, and improve practice.

Website: <www.odihpn.org.uk>



Key themes in this issue

In this issue, we have grouped several articles around two key themes: refugees and asylum; and the debate about quality assurance and accountability in humanitarian action.

Developments around refugees and the right to asylum need to be understood in the context of wider theoretical and policy shifts to do with conflict management. Whereas the pursuit of peace and security by itself is a laudable goal, some practical interpretations of it, of which policy changes towards refugees are one indication, are causing growing unease in the humanitarian community. What are these policy shifts?

First, there is the reinterpretation of the concept of security in international relations. Security in Western countries is now more widely interpreted to include political, economic and social dimensions, not just military ones. There is also a potential shift from state security towards human security, which can go together with an interpretation of sovereignty as being vested in the people, rather than in the state. Security-sector reform, the newest 'sector' in conflict management, fits within this framework, and is an issue also covered here. There are countries unhappy with these developments because they open the door to foreign intervention.

Second is the concept of coherence. Humanitarian actors themselves have often called for coherence, by which they mean more political action. What they have failed to think through is what *kind* of political action, and what the relationship should be between political actions (diplomacy, military intervention, sanctions, conditionalities on development aid) and humanitarian aid. In political circles, there is now a tendency to assume a smooth convergence between the values and objectives of foreign policy, and those of international aid, or to argue that there should be such. This is, however, problematic if it means humanitarian aid becoming another instrument of conflict management. One possible consequence is the imposition of political conditionalities on humanitarian aid, which in certain contexts we seem close to. Although not made explicit, international engagement with conflict zones is also becoming increasingly selective. The international (that is, Western) community will engage assertively, even aggressively, in areas of geostrategic interest. But elsewhere, it will limit itself to containment, and delegate conflict management to other, regional bodies and mostly non-Western providers of peacekeepers. This selective engagement reflects itself in aid flows: far more per capita aid is being provided to Kosovo than to Angola, for example. As a result, the sense of humanity and of universal principles, values and rights is eroded.

Where there is assertive intervention, 'migration control' is often a major objective, as in Kosovo today. Controlling migration means preventing it, or containing displacement within borders, or reversing an influx of refugees through repatriation. This is even profiled as a new 'right', the 'right to return' (that is, not to be forcibly displaced). Although not objectionable in principle, in

practice it may mean an erosion of the right to asylum, repatriation to unsafe areas, the mobilisation of humanitarian agencies to assist repatriation from Western countries, and even forced repatriation. UNHCR is one agency that has been feeling the pressures of this trend: its protection mandate remains weak, and increasingly it is tasked with finding 'durable solutions', going beyond assisted repatriation to reintegration and reconciliation. B. Chimni, an Indian specialist on refugee issues, has challenged this trend succinctly and forcefully:

the ideology of humanitarianism has used the vocabulary of human rights to legitimise the language of security in refugee discourse, blur legal categories and institutional roles, turn repatriation into the only solution, and promote a neo-liberal agenda in post-conflict societies leading to the systematic erosion of the principles of protection and the rights of refugees.¹

The second theme we explore here is the debate about quality assurance and accountability among humanitarian agencies, not only to donors but also to target groups and beneficiaries. We report on Sphere, on the more-than-cosmetic change of the 'Ombudsman' to the Humanitarian Accountability Project, and on the 'French' critiques of these two projects.

Aside from the relative merits or lack thereof of the different initiatives, agency staff, both in the field and at headquarters, are increasingly pointing to the problem of proliferating principles, codes and guidelines, the difficulty of absorbing them and the time needed to do so, and the problems of putting them into practice. One possible support mechanism might be the 'learning office', a concept to describe a function, not an institutional 'model', at the outset of a major crisis response.

A crucial question in these debates about rights and responsibilities is that of the duty bearers: who is responsible, who has the duty to protect the rights of people in distress and endangered populations? Surely not only the operational aid agencies. If good governance is a desire, then governments need to be helped with, and held accountable for, upholding the rights of their citizens and others on their territories. Legal obligations ensue, for example from the UN Charter, the Geneva conventions, the Ottawa treaty on landmines, and the Convention on the Rights of the Child.

Where in all this is the UN, intended to be the expression of an 'international community' with a shared commitment to basic values and rights for all human beings? As the dust settles after its millennium gathering, also covered in this issue, is the UN adapting quickly enough, and appropriately enough, to a changing world? And can it gain and maintain momentum if it continuously has to 'beg, steal or borrow' to survive? The Millennium Assembly will not be the last meeting where this is discussed.

¹ B. Chimni, *Globalisation, Humanitarianism and the Erosion of Refugee Protection* (Oxford: University of Oxford Refugee Studies Centre, 2000), <www.qeh.ox.ac.uk/rsc>. Chimni is Professor of International Law at Jawaharlal Nehru University, New Delhi.

Return Requires Time and Patience

HPN and ICVA staff

NGOs and international organisations working in South-Eastern Europe fear that donor fatigue is setting in just as conditions for return are starting to fall into place in many parts of the region. Although there is still much instability, with continuing tension between Montenegro and Serbia, along with uncertainty about the ultimate future of Kosovo, there are also many hopeful developments. The new government in Croatia has made commitments to allow return, while the numbers of minorities returning to Bosnia-Herzegovina (BiH) have quadrupled. In this context, donors are urged to allow sufficient time and to provide adequate resources to ensure that returns are sustainable and can take place.

Concerns and perspectives on the issue were voiced during a conference of the ECRE/ICVA Reference Group on the former Yugoslavia held in Montenegro under the heading 'Refugee Return in South-Eastern Europe: Rights and Realities' in June 2000. The two-day meeting brought together operational and advocacy NGOs from the region and from other parts of Europe and North America, along with inter-governmental representatives.

Those present stressed the importance of return as being intrinsically bound up with the establishment of multiethnic and multicultural societies which provide a framework for return, reconciliation and reintegration. The hope is that all European states will remain committed to ethnic diversity. Yet such societies will only become a reality if minority returns happen. In some senses, return is a litmus test of how far the states in the region have come in this respect. Looking specifically at BiH, Croatia, Serbia and Kosovo (albeit that Kosovo is still technically part of the Federal Republic of Yugoslavia) it was felt that there is still a long way to go. The participants stressed that the realpolitik acceptance by some Western governments of ethnic separation and the abandonment of minority return is simply not acceptable.

Forcible and premature return – often for domestic political reasons – is not only counter-productive, but also unsustainable and could destabilise the region. In the first four months of this year, the number of minority returns to BiH was four times greater than during the same period last year. However, while many improvements have been made, there is much work to be done to ensure that minority return can take place as several obstacles still stand in the way. The biggest obstacle is the lack of security for minorities.

Return in safety, dignity and with a means of livelihood

In some cases, minority returns have helped to improve security conditions, while in other areas the return of minorities has led to increased ethnic tension. However,

encouraging return to areas where security is problematic is unacceptable. Security should be ensured prior to promoting return, thus maintaining the long-standing principle that return should be carried out in safety. The conference urged that protection needs to be maintained for vulnerable groups, and that asylum countries should err on the side of caution when considering when it is safe to return.

In Kosovo, for example, it is simply not possible for minorities to return at this time. This particularly applies to Serbs, many of whom live in enclaves surrounded by hostile communities. In the worst instances, many are being targeted and killed.

Other problems blocking minority return include the lack of housing and often the lack of a legal framework to ensure that houses are returned to their owners. The attitudes of politicians in many areas have discouraged the return of minorities. Currently, many of the returnees (or prospective returnees) are elderly or from other specific vulnerable groups, such as those with health needs. The conference urged that the special needs of such groups be taken into account in return schemes. Many elderly people want to fulfil the basic desire to spend their last years in their home. The international community should help them to achieve this.

Without job opportunities, the younger generation's incentive to return is minimal. To encourage it, efforts to establish a viable economy in the region need to continue.

The need for a regional approach

Many of the participants viewed return as a regional issue. Yet the question of regional stability will remain unanswered as long as Serbia remains isolated in the region. With the largest caseload of refugees and displaced persons in Europe, there will be no hope of sustainable peace without the return of those displaced living in Serbia.

A political resolution to the situation in Kosovo is also needed. With an undefined political future, much uncertainty remains. The conference still hoped that the Stability Pact would provide a framework for improving regional stability, and consequently return. However, much concern was expressed about the structure and functioning of the pact. In particular, the interface between the pact and the NGO community needs to be greatly enhanced.

Learning lessons

Several Western governments are forcing return to take place prematurely. Such impatience does not take the

protection of the refugees into consideration, but instead reflects domestic concerns and the views of more hostile sections of the population. Such actions could contribute to destabilisation in the region, and increase the numbers of displaced. In one example, the German government returned Muslims to BiH. Once there, they could not return to their original homes. As a result, they were forced to live as displaced persons within BiH, adding to an already huge internally displaced population. Their return displaced others, or created yet another barrier to the return of refugees outside the country as they occupied others' homes.

The conference urged asylum-country governments to learn from these mistakes, and not to force return where inappropriate. It stressed that time was needed for successful return to happen: it is an extended process, which requires the continuing investment of financial and human resources on the part of asylum countries.

'Joined-up' government

Often, foreign ministries are aware of the problems that premature return can bring. However, in many countries decisions concerning return are taken by interior ministries. There is a clear need for more coordination between ministries so as to ensure that return takes place in a planned manner, and that the best interests of the refugees are the primary consideration.

The role of the non-governmental sector

The current instability in South-Eastern Europe means that further conflict may break out in the region. Along with adding to the human misery that so many have suffered in that part of the world over the last 10 years, any conflict would also produce further flows of refugees and IDPs. The importance of a strong civil society, both in preventing further conflict and dealing

with the consequences of past conflict, cannot be understated. Across Europe, and specifically within this region, there is a growing capacity within the non-governmental sector which has found strength through networking and learning from its own experience, and the experience of others in the field. This has enabled NGOs to play a greater role in the reconstruction of the region's societies. Guided as they are by human-rights principles and respect for minorities, their voice is increasingly being heard within governmental and inter-governmental forums.

The ECRE/ICVA Reference Group has as a key objective enhancing the role played by NGOs. At such a crucial time in the region, the conference was deliberately held in Montenegro. International NGOs have upheld standards and paved the way in facing the issue of return. They have also built links with other NGOs in Europe and the region. The conference called for those links to be enhanced. Working in partnership with UNHCR, donors and other inter-governmental organisations, NGOs can help maintain the primacy of the needs of the individual refugee. Return is a long-term issue, which must not be abandoned.

Resources

A more detailed report from the June conference and previous conferences of the ECRE/ICVA Reference Group on the former Yugoslavia can be obtained from the ECRE website: <www.ecre.org>. The website also has information on other activities of the Reference Group and of ECRE. Information on the activities of ICVA can be obtained from its website at: <www.icva.ch>.

International Crisis Group, 'Preventing Minority Return in Bosnia and Herzegovina: The Anatomy of Hate and Fear', <www.intl-crisis-group.org>, August 1999.

International Crisis Group, 'Reunifying Mostar: Opportunities for Progress', <www.intl-crisis-group.org>, April 2000.

HPN Good Practice Review 8 Operational Security Management in Violent Environments Koenraad Van Brabant

This is the outcome of a training-oriented research and research-oriented training project, in collaboration with a wide range of individuals from the main types of humanitarian organisations (UN, Red Cross movement, NGOs, think-tanks). Its primary target audience are field-level aid agency managers responsible for security of staff and assets, for whom the GPR should serve as a practical reference tool. It offers a systematic step-by-step approach to security management starting from context analysis and threat and risk assessment, over security strategy choice to security planning. It reviews major types of threats (battlefield survival, vehicle safety, site security, sexual assault, abduction and kidnapping, etc), measures to try and prevent them, and guidelines on how to survive and manage an incident if it occurs. It also stresses the importance of incident analysis and better exchange of security information between agencies. Finally, a number of crosscutting themes are explored that are relevant to risk control such as personal and team competency, clarity towards national staff, good communications, briefing and training, etc. The annexes provide additional information, for example, on legal protection of aid workers, private security companies, the UN security management system and insurance cover. The arguments in the GPR are illustrated with case material drawn from all over the world.

HPN Good Practice Review 8 (ISBN 0 85003 4574) is available at a cost of £14.95 for individual copies (£10.00 for students or when over 10 copies are ordered). To order a copy email <hnpnpubs@odi.org.uk>, visit the HPN website at <www.odihpn.org.uk> or fax +44 (0)20 7922 0399.

The Human Rights Act and Refugees in the UK

Anne Owers, Director, JUSTICE, London

The Human Rights Act 1998 came into full effect in the UK on 2 October 2000. It means that, for the first time, most of the rights in the European Convention on Human Rights (ECHR) are directly enforceable in the UK. All public authorities (which include government departments, the police, prison and immigration services, local authorities and other bodies performing public functions) will have to ensure that their decisions comply with ECHR rights; and if they do not, they can be challenged in any UK court or tribunal. New laws will have to be examined to see whether they comply with ECHR rights.

These are not, of course, new rights: the UK has been a signatory to the ECHR for nearly 50 years. But until now those rights could only be claimed directly in the European Court of Human Rights in Strasbourg. The fact that every UK court will be able to examine decisions in the light of human-rights compliance has made every public authority re-examine its decision-making processes and its guidelines and rules to check that they will withstand this kind of detailed scrutiny.

Additional protection

Refugees already have the benefit of another international convention, the 1951 Refugee Convention, which is already effectively part of UK law. The Convention means that they cannot normally be returned to a country where they fear persecution for certain specified reasons. And UK courts have been active in ensuring that refugees are not returned to a country where they would be at risk of persecution, or which might return them to another unsafe country.

However, refugees and asylum-seekers will now gain the additional protection of Article 3 of the ECHR, which prohibits torture, and inhuman or degrading treatment or punishment. Not only does it forbid states from carrying out these practices themselves; it also prevents them from returning anyone to another country where they face a risk of being subjected to such treatment. In practice, refugees (and certainly asylum-seekers) will not find it too difficult to secure legal aid to fund challenges, but their dispersal might make finding a competent legal representative difficult, since there are few such in many areas outside of London. There are two characteristics of Article 3 which may assist asylum-seekers: its breadth; and its absolute nature.

Unlike the 1951 Convention, Article 3 does not require anyone to demonstrate *why* they face the prohibited treatment. It does not have to be for a political or religious reason; it does not have to be part of state policy, or carried out with state complicity. For example, a person at risk of police detention in a state where such detainees are routinely tortured will only have to prove the risk of torture, and not the reason for it. Those who face a real threat of violence

or rape, as a result of their countries being devastated by civil war, will not be returnable. There will, in other words, be an objective standard of 'humanity' against which removal must be measured.

In practice, many of the groups mentioned above are not at present forced to leave the UK; but they rely upon being given 'exceptional leave to remain' outside immigration rules. This is a discretionary, and often unclear, policy, and cannot be challenged at appeal. But when the Human Rights Act is in effect, the Home Office will have to consider explicitly whether there is an Article 3 risk, and the appellate authorities will be able to overturn refusals to grant protection on Article 3 grounds. This will have the effect of bringing these policies out into the open, and exposing them to direct challenge.

Second, there are no exceptions to the protection offered by Article 3. People can be refused refugee status, or deported, if they are held to be threats to national security, or if they have committed criminal offences. Article 3 does not permit any such exemptions. Once the risk of Article 3 mistreatment has been established, it is an absolute bar to return.

However, precisely because of its absolute nature, Article 3 has a high threshold. It is not enough to establish that someone will be treated unfairly or unjustly, or that they are likely to encounter living conditions or health or education standards that are significantly worse than those in the UK. The situation that they would face must be shown to be inhuman or degrading, not simply unwelcome or harsh, and they must be able to identify a specific, rather than a general, threat. UK courts, like the Strasbourg court, are unlikely to want the ECHR to provide a ban on returning anyone simply because they have come from a less developed, or more unstable, country.

The other ECHR article that may come into play is Article 8, the right to private and family life. So far, it has had a limited application in immigration and asylum. It does not automatically allow entry to the relatives of those already in the UK, or prevent the deportation of those who have established family ties while in the country. But there are circumstances in which it can be of assistance. If a family can only be reunited in this country, because it is unsafe for one family member to return to where the rest of the family is living, then Article 8 rights may be used to assist family reunion in the UK. This would be particularly important for asylum-seekers who are given exceptional leave to remain, rather than full refugee status, and who cannot immediately and automatically be joined by their families.

If an asylum-seeker has put down family roots in the UK while the application has been considered, and

particularly if children are born in the country to a mixed-nationality couple, it may not be feasible for them all to return to the asylum-seeker's country. And the longer the family has been here, the more likely it is that their rights to private life would be breached by forcing them to leave. Similarly, a child who is ill, or at a critical stage in education, would face a breach to private-life rights if forced to leave with his or her parents.

However, Article 8, unlike Article 3, is not an absolute right. Family and private life can be interfered with for immigration reasons, but only if it is necessary to do so, and if the degree of interference is proportional to the need. So, the stronger the family's ties with the UK, the harder it will be to justify breaking those ties, in particular if this would have particularly detrimental consequences. But each case will have to be looked at individually, to see where the balance lies, and what the degree of harm would be in removal.

Article 8 also includes the ability to live a normal life, and to have your 'physical integrity' protected (for example, freedom from undue threats to your health or safety). This need not reach the degree of severity required under Article 3. So, in the context of attempted mass returns, for example of Kosovan Albanians, there may be individuals who are particularly vulnerable – such as single mothers without support – and who may be able to show that it would be a breach of their Article 8 rights to private and family life to expect them to carry out a normal life under such conditions. In these cases, too, it will be a question of balancing the consequences of removal against the need to enforce immigration control – unless the ill-treatment that they face is so severe that it would amount to an Article 3 breach, in which case they cannot be returned.

The other ECHR right that is frequently forgotten, but which is very important, is the non-discrimination right under Article 14. It is not a free-standing right, as it must be discrimination that relates to the exercise of one of the other ECHR rights. But it is very broad in its scope, as it can be used to challenge discrimination on any grounds, even those not specifically listed. In relation to asylum-seekers, it could be used to challenge differential return policies, which impacted on Article 8 rights, in relation to different ethnic or national groups, if that difference could not be objectively justified.

A baseline of rights

Perhaps the most important aspect of the Human Rights Act, however, is that it provides a baseline of rights beneath which UK decision-makers and judges cannot fall. That is particularly important in the light of European states' increasingly restrictive interpretations of their obligations under the 1951 Refugee Convention; and indeed, the heavy hints that the Convention is out-dated and in need of revision. Yet, whatever the UK and other EU countries do about the 1951 Convention, they cannot escape their obligations under the ECHR. They are prohibited from returning people to face torture or inhuman or degrading treatment; they must justify any interference with private and family life; and they may not discriminate between those they choose to protect. Those are very important rights to have embedded in the UK's law and practice, and should extend and strengthen the human-rights protection available to refugees and asylum-seekers.

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The full text of the UK Human Rights Act 1998 can be found at <www.hmsa.gov.uk/acts/acts1998/19980042.htm>.

'We Are Not Treated Like People': The Roll Back Xenophobia Campaign in South Africa

Jennifer Parsley, National Coordinator, Roll Back Xenophobia Campaign, Johannesburg

On a spring day in September 1998, three non-South Africans were killed on a train travelling from Pretoria to Johannesburg. These killings were allegedly the work of South Africans blaming foreigners for the country's high levels of unemployment. Less than two years later, on 4 August 2000, Sudanese refugee James Diop was seriously injured in a similar assault. Diop was travelling on a train from Pretoria to Pretoria North when he was attacked by a group of armed men and thrown from the train. In another incident, Roy Ndeti, a Kenyan who came to South Africa in search of better job opportunities, was awoken one morning in early August to be confronted by armed attackers, who shot him and his room-mate before fleeing, taking nothing with them.

Xenophobia in South Africa manifests itself in a number of ways, ranging from derogatory name-calling to harassment and physical attacks. As these incidents show, African foreigners in particular are blamed for South Africa's persistent social and economic problems: the high crime rate; the spread of HIV/AIDS; and the lack of jobs. Attackers make no distinction between legal and illegal migrants. For refugees fleeing social strife and warfare in their home country, xenophobic incidents are of particular concern.

The Roll Back Xenophobia Campaign

Concerned about increasing levels of xenophobia, the National Consortium on Refugee Affairs (NCRA), the South African Human Rights Commission (SAHRC), the UN High Commissioner for Refugees (UNHCR) and other organisations spearheaded a series of workshops and consultations that led to the drafting in 1998 of two documents: the 'Braamfontein Statement', which condemns xenophobia as a violation of human rights; and the 'Roll Back Xenophobia: National Plan of Action'.

The Plan of Action serves as the basis for the Roll Back Xenophobia (RBX) campaign, which is designed to ensure that the basic rights of non-South Africans are valued, protected and promoted as outlined in the South African Constitution, the Bill of Rights and the country's international obligations. It identifies six focal areas:

- the plight and rights of refugees and asylum seekers;
- violence against foreign hawkers;
- violations of the rights of migrant workers;
- the role of education;
- the conduct of police officers and civil servants; and
- media coverage of refugees, asylum seekers and migrants.

Projects undertaken by the campaign

From the beginning of 1999, an active campaign has been conducted, including the production of literature and materials such as booklets, pamphlets, posters and a magazine. Radio series have been produced for commercial and community stations; seminars have been hosted on refugee rights, migration and xenophobia; inputs have been made into local television dramas and educational programmes; and the campaign has received widespread coverage in print, television and radio. One of the radio series produced by the campaign, entitled 'Once We Were There', documents the experiences of 10 former South African exiles, who lend their support to the RBX campaign. Participants included sports personalities, top government officials, business people and artists. The series will be broadcast on 15 community radio stations across the country, and will be a valuable resource for the campaign's future activities.

The campaign has also used human-rights days to highlight xenophobia as a human-rights violation. Africa Refugee Day on 20 June 1999 provided impetus to the campaign, with a range of activities in all the country's major centres. On 21 October, Africa Human Rights Day, the campaign organised a cultural event through 10 workshops for high-school students. This was followed by a concert exposing young people to musical styles from the continent. The campaign also participated in the celebrations for International



Sudanese refugee James Diop after the August attack

Human Rights Day by hosting an exhibition at the Durban Art Gallery and a workshop/information session on xenophobia. This was followed by an exhibition for South Africa Human Rights Day. Africa Refugee Day 2000 resulted in a dynamic week of debate and dialogue coupled with art, music and cuisine.

Since presenting positive images of refugees is the cornerstone of the RBX campaign, it has also undertaken a national photography project, 'Soutra: Images of Refuge' (Soutra means peace and protection in Madeng, a language commonly spoken in West Africa). Refugees were trained in basic photography skills and provided with photographic equipment to document their lives and experiences. The photographs are *of* refugees, *by* refugees, so as to provide a unique insight into the lives and challenges they face in South Africa. Exhibitions have been held in Johannesburg, Pretoria, Cape Town and Durban.

The success of the photography project and the need to gain refugees access to the media resulted in an innovative and exciting radio project, undertaken in partnership with the South African Broadcasting Corporation (SABC), entitled 'Voices of Refuge'. Ten refugees were trained to produce radio documentaries that were broadcast on SABC radio channels. The project was expanded this year to include training of refugees in Cape Town.

With xenophobia often fuelled by misinformed media coverage, a series of workshops was conducted with journalists in Johannesburg, Cape Town and Port Elizabeth. The workshops were designed to sensitise the media to the issues facing refugees and migrants, and to promote more informed coverage of their issues, and of the African continent as a whole. Work has also begun with government departments to ensure that civil servants and the police are aware of the government's responsibility to protect and promote the rights of refugees and migrants.

Partnerships with refugees

Post-apartheid xenophobia stems largely from the fact that South African communities lack knowledge of Africa's history. It is this ignorance, coupled with competition for scarce basic resources, that leads to fear, mistrust and suspicion.

To address this ignorance, the campaign has fostered close partnerships with migrant communities, and the refugee community in particular. All of the activities mentioned above have been planned in partnership with refugee forums and refugee community organisations. This has ensured that South Africans have face-to-face contact with refugees, and get to know the person behind the statistics. In the process, refugees have also built organisational and individual capacity.

Conclusion

South Africa is in the midst of constructing a national identity out of a violent and fractured past. Multiple processes – nation-building, 'Africa-building' and globalisation – are at work simultaneously, but they are also producing tensions and contradictions at the grassroots level.

At a workshop with the media, a refugee from Somalia wrote of his vision for the African continent:

Once upon a time humanity used to roam the planet unhindered. There were no borders to prevent him from making contact with other cultures. The only obstacles were flooded rivers. Until colonialism and racism came, humanity did not have any fears in making contact with people of other cultures. Then borders were drawn and racism became the human quality. I expect civilisation where humanity will not see each other in terms of which country they come from.

The Roll Back Xenophobia campaign, through its targeting of multiple audiences, strives to promote acceptance, understanding, appreciation and respect for diversity. In doing so, we hope that the experiences of James Diop, Roy Ndeti and countless others will serve as reminders of an intolerant past, rather than examples of the realities we face today.

Resources

The South African Human Rights Commission (SAHRC) can be found at <www.sahrc.org.za>. The site also has information on the National Conference on Racism, held in Johannesburg on 30 August–2 September.

For more information on the Roll Back Xenophobia Campaign, see the National Consortium on Refugee Affairs (NCRA) website <www.lhr.org.za/rollback/rollback.htm>.

The HPN Team

Sadly, we say goodbye to long-standing Coordinator Koenraad Van Brabant, who is leaving in December to take up the post of co-director of the Humanitarian Accountability Project in Geneva. We wish him every success. Recruitment to fill the post is under way.

Deputy Coordinator Rachel Houghton left the HPN in mid-August to embark on a Masters course at the University of Sussex. Her replacement is Matthew Foley, who comes to us from the London-based International Institute for Strategic Studies. We also welcome to the HPN team Victoria Siddiqui, who replaces Olivia Cheasty as Projects Administrator. Victoria has recently completed a Masters in the social anthropology of development at the School of Oriental and African Studies, University of London.

Sphere at the End of Phase II

Sean Lowrie, Sphere Project Training Manager, London, UK

With the approval of a final phase for the Sphere project (from November 2000 to November 2003), there is an opportunity to reflect on what has transpired so far, learn from the results and ensure that the project's remaining work is as effective as possible. Sphere offers a unique opportunity to make a substantial and positive contribution to the way the humanitarian system works. But it also challenges the humanitarian community to confront the larger and more difficult issues that undermine the effectiveness of that system.

What is Sphere?

Sphere's purpose is to make humanitarian assistance more effective, and humanitarian agencies more accountable. Now in its third year, the project is one of the largest collaboration and consultation processes that the humanitarian community has ever experienced. Over 800 people contributed to the technical content of the process, the most tangible output of which is a handbook containing a humanitarian charter, minimum standards, key indicators and guidance notes on the five basic life-sustaining sectors of disaster response: water and sanitation; food aid; nutrition; shelter and site selection; and health.

The handbook is the first programming tool in the humanitarian community to articulate a relationship between principles, legal norms and quality standards. While it was not specifically designed to bridge organisational cultures, the handbook provides a common language and reference point within the complexity of organisations that comprise the humanitarian system. It is also a substantial and leading NGO contribution to improving the lives of people in disasters. What is unclear is the extent of its impact on the work of humanitarian organisations. Before this can be evaluated, a major proportion of the humanitarian system needs to know about the handbook, and how to use it properly. Sphere's second phase has therefore been about dissemination, training and experimentation.

How the project works

Sphere has been using a 'multi-track' approach to disseminate the handbook and the ideas of the project. A primary track is through the project's management committee – a grouping of NGO networks representing almost 1,500 agencies involved in a sizeable proportion of the work in disasters being done today. The management committee, which meets three times a year, comprises SCHR, InterAction, VOICE and ICVA. Twelve governments fund the project, along with the NGOs on the management committee. Another 'track' is Sphere's website (at <www.sphereproject.org>), which provides the

handbook, training materials, pilot agency information, reports and case studies in three languages free of charge.

This year, another 'track' developed when 18 NGOs decided to participate in Sphere piloting. The 18 have committed themselves to incorporating the humanitarian charter and minimum standards into their policy and practice. General dissemination also occurs through a quarterly electronic newsletter, an introductory video, articles, public speaking and participation in relevant meetings. Finally, project staff are increasingly responding to requests from individuals for advice and information.

Policy into practice: the 'two-track' training programme

The training programme promotes the idea that the use of this tool (the Sphere handbook) will increase quality and facilitate a more dignified life for people affected by conflict and calamity. The only way to assess if this tool does indeed increase quality is to use it. Also, the training programme challenges people to look beyond specific organisational mandates to the collective impact of the humanitarian system.

The handbook is a simple and clear programming tool. It can be applied at all stages of the programme cycle, in capacity-building, training, advocacy and coordination. The benefits of using it include:

- the humanitarian system gets a much-needed common language;
- organisations will learn through the use of benchmarks and more sophisticated indicator justification based on a thorough analysis of the operating context; and
- individuals will become more proficient through referring to the information in the handbook.

The training programme focuses mainly on the day-to-day work of the individual humanitarian practitioner. This focus acknowledges some of the learning problems in a decentralised, multicultural, crisis-managing sector with high staff turnover. The materials also form the basis of the content used in the interagency field workshops. The workshops are designed to facilitate discussion, raise awareness and promote an understanding of how to use the handbook intelligently. They also stress that Sphere is a process of learning, rather than a static imposition of standards. Anybody in the humanitarian system is welcome to participate.

A little bit for everyone: the training materials

Most trainers will recognise that the materials will need to be adapted to the needs of a particular

audience. Draft versions of the materials are available on the Sphere website, along with extensive instructions and guidance notes.

The training programme comprises four modules. The introductory module emphasises that Sphere's minimum standards are meant to be absolute, and universally applicable. The key indicators for each minimum standard help to measure whether the standard is met or not. Not all indicators are universal, but they provide a benchmark from which appropriate indicator selection may develop. Guidance notes help in indicator selection, and illuminate areas of controversy where consensus has not yet been reached, as well as gaps in knowledge.

The four-part programme-cycle module is a pragmatic and easily understood framework for discussion. It emphasises that assessments involve understanding the context, and necessitate striking a balance between speed and accuracy. Commonly used indicators can mitigate bias, ensure consistency, facilitate coordination and feed into an effective information-management system. The problem-analysis section offers different analytical lenses that can be used to determine the full set and complexity of problems facing a population in danger, and proposes that the handbook can be a quick and simple diagnostic tool.

The disaster-preparedness module explores how the handbook can be used in preparedness activities, and emphasises the right to participation by disaster-affected people and the critical need for capacity-building. Both ideas are also frequently represented in the handbook.

The humanitarian-charter module challenges participants to think about what the term 'humanitarian' means, and the motivations behind humanitarian work. It explores how principles and international legal instruments can help field staff to make decisions when faced with the inevitable 'dilemmas', making the point that decision-making starts with a problem analysis, and combines principles with organisational mandates and cultures.

The Sphere 'roadshow'

Approximately 1,000 humanitarian practitioners have participated in Sphere training events around the world. In the field, participants usually represent a mix of national and international NGOs, UN agencies, donor staff and government officials. Post-workshop evaluations indicate a satisfaction with time spent and a desire to use the handbook in the future. To find out if the workshops are actually helping people to use the handbook, in August an evaluation questionnaire was sent to over 400 workshop participants, asking if they were now using the handbook. Evidence shows that individuals are beginning to use the handbook without the facilitation of the project team, which indicates that ownership may occur, and that workshops may have an impact. In addition, a pilot workshop on training

trainers has stimulated several Sphere field workshops independent of the project team. These are encouraging signs; the evaluation should tell us more.

Discussions, debate and common misconceptions

Several discussion points frequently arise in the workshops. One of the more common is the misconception that Sphere and the Ombudsman project are one and the same, when they are in fact different initiatives, each managed by their own committees. (On the Ombudsman project, see the accompanying article 'The Humanitarian Accountability Project: A Voice for People Affected by Disaster and Conflict'.)

Occasionally, there is discussion about the interpretation of Sphere and its implications. Some believe that minimum standards are dangerous in that they may be used by donors or governments to control NGOs, or that inexperienced staff may feel that the minimum standards are the sole measure of quality, and use them blindly. In a recent interagency workshop in Washington, a participant used the following metaphor to describe her understanding of Sphere: 'Vehicles are a tool for humanitarian work, yet vehicle accidents are the greatest threat to aid worker life. We all drive and we minimise the risks by learning how to drive properly'. Similarly, Sphere is a tool, and the training programme is about how to use this tool in an intelligent way to maximise its benefits and opportunities.

Ultimately, however, the training programme assumes that NGO staff are capable of undertaking a thorough contextual analysis before making programmatic decisions informed by the handbook. The humanitarian community has matured since the days of the stereotypical 'aid cowboy'. References to analysis, capacity-building and participation throughout the handbook reinforce this depth and maturity.

Another misconception is that the Sphere project office monitors compliance with Sphere. While there is no formal signing-up mechanism, the 18 pilot agencies that have agreed to integrate Sphere into their operations have in effect 'signed up'. Some NGO networks have not ruled out an internal signing-up procedure. However, there is no mechanism by which the project office can monitor compliance, and it has no interest in doing so. The project did commission related research on accountability, and concluded with two principal recommendations: one, improving the quality and transparency of NGO internal monitoring and evaluations; and two, joint assessments/evaluations by NGOs in the field.

A frequent complaint concerning the minimum standards is that they cannot be achieved without resources and access to populations in danger (humanitarian space). While this is addressed in the introduction to the handbook, this complaint comes from a perception that Sphere is an auditing, rather than a programming, tool. The workshops emphasise that the handbook can be used to improve quality and to advocate for longer-term solutions. But there is no

'magic bullet' in a world where people's lives are deliberately jeopardised by warring factions, corrupt governments and a frequently disinterested international community. Striving to meet the minimum standards is only a part of the response to these issues. The minimum standards are not rules, but an articulation of the right to disaster assistance. If every right imposes an obligation, NGOs can advocate more strongly (from a common and legitimate platform) for government bodies to fulfil their obligations and address humanitarian space.

Looking ahead

One of the challenges facing Sphere is to balance the need to raise awareness with the need to keep expectations realistic regarding the power of the tool. Sphere is not a regulatory initiative; its sole purpose is to improve the lives of people in disasters. Is that a sufficient reason to adopt and test it? Further investigation into the issue of profile versus expectations leads to the question of how organisations set priorities. Prioritisation and organisational change are usually in response to external pressure. While the conclusions about NGO quality in the Rwanda multi-donor evaluation were an external impetus for improved performance, Sphere is essentially an internally-driven NGO initiative. As a grouping of independent, unique and values-based organisations, NGO self-coordination might be similar to trying to herd cats to move the same direction. However, the same metaphor might be used for the entire humanitarian system, with its complex grouping of actors and forces, from legal to political to bureaucratic and civil-society organisations, each with a different measure of success. Will humanitarian agencies embrace Sphere's positive elements and consider it an empowering process? Instead of fearing how external actors may abuse the tool, NGOs should perhaps be asking how they can use standards and indicators to serve their fundamental humanitarian principles, and improve their performance.

Sphere has certainly been a catalyst for increased debate on what quality and accountability mean. Moreover, the response to the project has been significant because it represents an idea that resonates with many people from every quarter of the humanitarian system. Due to persistence and wide-ranging support, many people are finding out about the handbook, and responding to it in thoughtful and positive ways. We would like to thank the many donor agencies who support the project.

Due to significant demand, the project has been extended. Activities in the final phase include more workshops, more training of trainers, continued piloting work, promotion and dissemination, and the production of a video outlining the handbook's practical application in the field. There will also be an evaluation of the project's impact. Final-phase activities will culminate in a new edition of the handbook at the end of the third year, based on the feedback received from those affected by disasters, field practitioners, technicians, human-rights activists and humanitarian actors. The philosophy of the final phase is not to create a self-perpetuating bureaucracy, but methodically to reduce activities, with the goal that the handbook will become sustainably integrated into the humanitarian system.

To confront today's most crucial humanitarian issues, organisations need to be better equipped to act together in crises, and to advocate strongly for real solutions. As one of the few humanitarian-policy initiatives with a team to work on promotion, dissemination and testing, the Sphere project is an example of 'civil society issues coalescence'. Yes, this coalescence has produced only a tool. However, it is a significant tool, and it is a leading contribution to improving humanitarian quality and accountability by NGOs. It helps towards achieving a common language that enables global, joint action to meet the significant challenges facing the growing number of victims of conflict and calamity around the world.

Using Sphere: Oxfam's Experience in West Africa

Françoise Mompont, Regional Humanitarian Assistance Coordinator for West Africa, Oxfam GB

Oxfam GB's West Africa regional centre, based in Dakar, Senegal, has disseminated Sphere's humanitarian charter and minimum standards to its emergency staff and main partners involved in humanitarian response. Since mid-1999, the West Africa regional programme has held workshops to explain the charter, and the standards. It has also assessed Sphere's usefulness in the implementation of Oxfam's work, and the extent to which Oxfam can contribute to the project's third phase.

The workshops

The workshops, which are organised as capacity-building exercises, have benefited countries where Oxfam has a presence. These include Liberia and Sierra Leone, where conditions of conflict prevail, and areas affected by natural disaster, such as the 1999 floods in northern Senegal.

The workshops are organised so as to fit with Oxfam's reorganisation of its programming at global, regional and local level. This reorganisation is centred around five sets of strategic change objectives (SCOs). Each SCO corresponds to a basic human right, which becomes the driving force of a 'one-programme' approach within a region: the right to a sustainable livelihood; the right to health and education; the right to life and security; the right to a say; and gender equity.

SCOs four and five are cross-cutting, and should therefore run across all programmes. The third – the right to life and security – is directly related to the use and dissemination of Sphere. The underlying idea of standards based on the principles of humanitarian law and respect for basic rights to life with dignity are the cornerstone of Oxfam's programming under SCO3.

The workshops are a practical way to help people understand that they have basic rights, and that their governments are accountable for respecting those rights. Essentially, the workshops aim to empower the people with whom Oxfam works by giving them the tools to request that their rights are met. The capacity-building sessions comprise four main parts.

1. An introduction to basic principles of humanitarian law, the texts on which the charter is based, and the obligations of states.
2. An explanation of Oxfam's 'one-programme approach', with particular emphasis on SCO3.
3. A detailed description of the standards set by the Sphere project, with the clear message that these should be aspired to, but unfortunately may not always be fully met.
4. An open discussion of the applicability of these standards to specific country situations. This allows for a wide range of issues to be raised, from logistical problems to more political issues, such as donor adherence to these principles (or lack thereof), and the accountability of NGOs, donors and governments to their stakeholders.

First reactions

The Sphere standards are not well known among Oxfam staff. Many of the Liberian, Mauritanian and Senegalese staff and partners did not know that the manual was available in their offices, nor did they know that there was a videocassette presenting the genesis of the project, and its main goals.

The situation is different in Sierra Leone. This is probably because of the extent of 'pure' emergency assistance there; the common need for rapid response; and the relatively large number of different actors involved, which necessitates high-quality, coordinated assistance.

The workshop participants from Sierra Leone felt that the Sphere standards had been useful in encouraging donors to accept programmes designed to meet the minimum standards. Using Sphere also enabled Oxfam representatives to pressure governments to respect such principles, and accept that they would be held accountable if they did not. Demand for accountability was generally seen as the cornerstone for developing a solid programme. It was encouraging that workshop participants claimed that they would use the handbook to empower the communities where they work to lobby their respective representatives and local authorities to respect their basic rights.

One area of criticism that emerges from the workshops has to do with how skills and experiences which already exist in a community can be best used. Although there are rough guidelines on this issue, staff and collaborators still felt that there was not enough focus, either on community work or on the local involvement needed to implement programmes adequately according to the standards. Experience has shown that if a crisis arises, most of the able forces in a community are the first to flee, making it sometimes fairly impossible to organise

the remaining population in an active group determined and able to take their short-term future into their own hands. Capacity-building in defence of people's basic rights therefore becomes essential, and Oxfam believes the Sphere project can have a positive impact in this sense.

Minimum standards or guidelines?

Generally, workshop participants felt that Sphere could be a powerful tool. However, staff and partners were concerned that the standards were not practical enough; field workers repeatedly expressed scepticism as to how they could be applied on the ground. Some participants also regretted that the minimum standards dealt only with technical issues directly related to the consequences of natural or man-made disasters. Even though it is specified in the manual that humanitarian-protection issues are not dealt with, this was considered a necessary improvement which should at least be looked at in the final stage of project-impact assessment.

The Sphere video prompted further questions as to whether the standards were applicable globally. Watching it, workshop participants had the impression that there was a clear difference in standards between different groups, and in different areas. Participants felt that the narrative accompanying the video, although excellent, did not sufficiently highlight disparities in funding, an issue which regularly comes up in discussions of the distribution of aid worldwide. Images of refugees in Kosovo using cellular phones were particularly shocking, especially for people who had worked in emergencies in Kivu.

Ultimately, Sphere standards need to be seen as guidelines that we try to reach, and for the moment they cannot be much more than this. Workshop participants saw their work as essential in helping people to help themselves, and argued that this should be their guiding principle from the onset of an emergency. In other words, the best use of minimum standards largely depends on the extent of emergency preparedness work prior to the actual emergency.

We believe that we have already gone some way at the micro level in disseminating knowledge about the existence of the standards, and have enabled field staff, both in Oxfam and outside it, to use these tools to obtain immediate and equitable assistance in times of conflict. The programme for the coming year will evaluate how much of what has been done so far has trickled down to a wider number of communities, and whether or how local or national NGOs have taken on the burden of further dissemination. Oxfam's Regional Centre will soon be tackling senior managers in humanitarian assistance from West African governments, the West Africa-based donor community and the large international NGOs working throughout West Africa. This task will be carried out with the help of the Sphere training committee, and we hope that it will prompt senior managers to discuss issues linked to humanitarian response, and to commit themselves to ensuring that Sphere standards are a natural basis for intervention.

Sphere in India: Experiences and Insights

Mihir R. Bhatt, Director, Disaster Mitigation Institute, Ahmedabad, India

The question of how to 'localise' and 'institutionalise' efforts to promote minimum standards of performance in humanitarian response is an important one. Learning from experience is useful for this purpose. This article offers a brief account of the early lessons drawn from the activities of the Disaster Mitigation Institute (DMI) in India and elsewhere in South Asia.

Despite the Sphere project's cooperative, collaborative and consultative mission, to many in India and South Asia as a whole it remains an 'outside', 'Western' and 'top-down' idea. To get accepted and operationalised, Sphere needs to be rooted in the local experience and reality of relief work. It must be internalised in the operations of government organisations and NGOs providing relief. Thus, DMI decided to develop a strategy to find ways of 'localising' and 'institutionalising' the project in India and South Asia.

DMI's strategy

The strategy DMI developed comprised five elements:

1. start from the local realities of relief and relief institutions, and make activities problem-based or opportunity-driven;
2. set achievable targets according to DMI's capacity and workload;
3. seek out broader institutional participation and local partnerships;
4. make incremental plans for localisation, rather than waiting for a comprehensive plan; and
5. ensure that results are visible and measurable at the local level.

Local activities

At the local level, in Gujarat, DMI has undertaken a range of Sphere-related activities in 1999 and 2000. In June 1999, for example, a focus-group meeting was held in Gujarat with cyclone-relief workers from some of the most active and key NGOs and relief agencies to discuss the Sphere standards. The idea of relief standards was also introduced into meetings of the People's Coalition for Cyclone Relief and Rehabilitation (PCCRR), an informal coordination forum of NGOs in Gujarat. DMI used Sphere's standards to analyse the media response after the cyclone. For example, did the media see relief as charity, or as a right of the victims? Was the media aware of targeting issues in food aid? (For more on the media coverage of the Gujarat cyclone, see 'Does Voice Matter? Using Information to Make Relief Accountable in Gujarat', in Newsletter 16, March 2000, pp. 16–18.) Developing Initiatives for Social and Human Action (DISHA), an active member of PCCRR, routinely analyses the budget of the government of Gujarat, and relates the allocation of resources with Sphere standards. For example, is

money allocated to control communicable diseases? What emphasis is placed on the provision of water supplies, compared to drainage?

A further question is how more people can be made aware of the Sphere project. To that end, the idea of the project was carried to the NGO-GO preparedness meeting with the government of Gujarat and the Relief Commissioner's Office in Gandhinagar in May 1999. Key aspects of the Sphere documents were translated into Gujarati and published in the tenth and eleventh issues of the DMI's newsletter, 'Afat Nivaran', which reaches some of the key players in disaster risk-reduction activities in Gujarat. Reader reaction was positive, and most agreed on the need to address issues of quality in relief, and to measure quality. Extra copies of the newsletter were requested.

The time had come to find a partner to take the next steps. This partner had to be local, spread across the state, credible and with government links. In April 2000, such a partner was found in the Gujarat branch of the Indian Red Cross Society. On 8 May 2000, World Red Cross Day, DMI, the Society and the Oxfam (India) Trust, Ahmedabad, published the Sphere standards in Gujarati in booklet form. The following month, DMI held a multi-stakeholder consultation on Sphere-sensitive public-health assessment tools for disaster situations, which were developed by Oxfam (GB) and disseminated by the Sphere project team. Recommendations included translating Sphere documents into local languages, and developing posters and brochures and publishing them in a ready-to-use form.

DMI also conducted a community-based action review of drought relief in Gujarat by the Oxfam (India) Trust. The discussion on the draft recommendations for advocacy, held on 24 August, involved NGO and district-level government officials. The use of Sphere was recommended to improve field workers' knowledge of standards and in setting up an effective system to amend existing relief manuals and operations. Very few local NGOs knew about the Sphere project or minimum standards.

National activities

Relief is handled by both state and national governments. Thus, DMI has also been promoting Sphere at national level.

- DMI joined the Oxfam (India) Trust and a large number of NGOs in Hyderabad in February 1999 to discuss the Sphere project.
- In Delhi, DMI distributed copies of Sphere documents at the Annual Relief Commissioners' Conference in May 1999. They quickly ran out, and several relief commissioners asked for additional copies in Hindi or local languages.

- Also in Delhi, Sphere was discussed with leading training institutes at the first meeting of the National Advisory Group on 12 June 1999.

DMI also joined the Oxfam (India) Trust in Delhi to conduct a 'training of trainers' on the Sphere project for 30 selected NGOs, GOs, community-based organisations (CBOs) and donors. The training was conducted by the Sphere training team. A Hindi-language translation was released at the workshop. As a follow-up, an informal Sphere in India Committee has been set up, and currently has a membership of almost 35 NGOs, GOs and CBOs. A core group of Sphere pilot agencies is being created, and an action plan has been developed. This is not easy as agencies have different institutional structures and priorities and limited experience in coordination. The plan includes translating Sphere documents into local languages, producing awareness posters, holding meetings to introduce Sphere, collecting case studies, and linking up with relief commissioners. This process is being taken forward in partnership with Oxfam.

DMI also received the Sphere Project Team in Ahmedabad on 1–3 July 2000, and discussed ways of constituting a core group of pilot agencies. A national meeting is planned in December 2000, to which the pilot agencies and government agencies will be invited.

Regional activities

DMI's active role in Duryog Nivaran, a South Asian network, means that it also has access to the wider region:

- The Sphere project document was introduced at the regional policy forum on the 'Future of Mitigation, South Asian Disasters', held on 5–6 February 1999 in Delhi and attended by 66 representatives from the media, government and NGOs. The participants recommended minimum standards for relief wages.
- Concepts of quality and performance were aired at the UN-ESCAP Region Consultation held in February 1999 in Bangkok, Thailand, where they were well received.

Lessons learned

The value of organisational learning of the Sphere standards is recognised in India, and emergency

managers see knowledge of the standards as a key asset in relief response. But this group is small, and its members do not see documenting and sharing best practices as sources of superior learning. They do not fully consider creative ideas and innovative thinking around Sphere standards as essential to successful relief in India.

Learning from relief has been embraced in theory, but is still surprisingly rare in practice. Emergency managers find it easy to imagine using Sphere, but difficult to actually do so. The main reason for this is the lack of guidelines. Discussions of Sphere have paid little or no attention to the gritty details of implementation. They have presented a case for minimum standards for relief, and painted a tempting picture of the desired results. Most are operational and action-oriented. But key questions have not been addressed: How do I, as an emergency manager, get started? What tools and techniques must I master? What processes must be in place? When and how is each approach best used? What do I need to do to lead the learning process around Sphere standards? And how will I know when my NGO has truly become a Sphere-abiding or -using organisation? Unless these questions are answered in ways that fit with local conditions, Sphere will remain an 'outside' idea.

Sphere must move forward from being a project to becoming a campaign. The aim of this campaign should be to provide answers to these questions and, in the process, help emergency managers build more effective learning around Sphere standards. This campaign must be comprehensive; in exploring the landscape of learning, it needs to draw on research from many fields so as to provide a broad, integrated view. Much of the evidence must have deep practical importance, but has never before been assembled in one place or translated into terms that are accessible to emergency managers. From these studies will emerge a picture of the diversity of learning, the practices that contribute to success and failure, and the behaviour required of emergency managers and volunteers in promoting the Sphere standards at the local level.

The Disaster Mitigation Institute was introduced to readers in HPN/RRN Newsletter 16. DMI, a community-based agency, is active in responding to victims of cyclone, flood, drought and malaria.

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The New HPN Website: A Central Resource for the Humanitarian Practitioner <www.odihpn.org>

The HPN's new website offers enhanced access, increased links with other relevant sites, and thematic searchability. With the exception of our Good Practice Reviews, the full texts of all HPN publications – including for the first time French-language editions – are also available.

Now entirely database-driven, the site offers a wealth of material from the HPN's archive of reports and articles, book reviews, and training and conference information, together with key texts and guidelines for humanitarian action. Information can be accessed both by region and by theme. An extensive, searchable link library directs users to key sites in the sector. HPN members and institutions can submit their own recommended aid links and new humanitarian events to the site. Feedback pages enable readers to comment on reports, add their own views and engage in debate. We aim to make the HPN one of the central gateways for humanitarian practitioners, and a key site for debate.

Gendering Sphere

Carol Schlitt, Consultant to the Women's Commission for Refugee Women and Children, New York

Women and children account for the majority of affected persons in emergencies. Unaccompanied women and adolescent girls face disproportionate and specific security risks, often in the form of sexual and gender-based violence. Women and girls are also vulnerable as a result of their restricted access to food and other resources, and because traditional gender relationships may define their roles as passive. Gaining recognition of women's rights, particularly their sexual and reproductive rights, has been a long struggle. As humanitarian agencies apply Sphere to better address the political, protection, social and economic concerns of women refugees, the humanitarian charter and Sphere standards will be put to a true test.

Sphere and gender

Prior to the start of the Sphere process, it was generally believed in the humanitarian community that women were best served if services were gender-neutral. The Sphere Management Committee, however, questioned the idea of gender neutrality, and argued that women were underserved, or actually harmed, if their specific concerns and basic needs were not addressed. The challenge was how best to do it.

Initially, the Sphere humanitarian charter and minimum standards were to contain a separate chapter on gender issues with specific recommendations, such as gender-balanced evaluation and monitoring teams. However, some NGOs were reluctant to relinquish their autonomy over what they considered to be internal matters. Others were worried that donors would hold them to standards for gender equity that were difficult to meet, and penalise them for falling short.

The gender chapter was removed altogether, and the Management Committee conceded that it had failed to integrate gender adequately or consistently into Sphere. In July 1999, the Committee retained the Women's Commission for Refugee Women and Children to conduct a gender review of Sphere materials, and to suggest a series of amendments or additions.

The gender review

Based on consultations with donors and experts, a review of written submissions by humanitarian agencies and its own field experience, the Women's Commission made three major recommendations:

- that Sphere should acknowledge the need for *gender equity* in humanitarian services and programmes in emergency situations;
- that there was a need for women's *full participation* in decisions regarding access to humanitarian aid, and the appropriateness of humanitarian interventions; and
- that attention needed to be paid to the *physical safety* of women and adolescent girls in emergencies.

Equity

Women, including widows, female-headed households and unaccompanied adolescent girls, should be given equal access to housing, health care and food aid. The current version of Sphere includes many of the recommendations of the gender review. For example, Chapter 2, 'Minimum Standards in Water Supply and Sanitation', emphasises that access to services for women, men and adolescents must be equal. With regard to food security, the chapter on nutrition states that initial assessments in the analysis of an emergency situation should take note of 'particular groups which may be experiencing greater nutritional stress', including pregnant and lactating women. Guidance Note 8 under Analysis Standard 1 of Chapter 3 (on nutrition) states that 'in certain cultures, women eat after everyone else'. Because accurate statistics are essential for monitoring access, gender was infused into data collection, with requirements for disaggregation by sex and by age where feasible.

Participation

Changes to Sphere adopted from the gender review emphasise the importance of approaching the assessment, monitoring and evaluation of disaster response with a gender perspective, cognisant of the differing impact of disasters on each member of a population, as well as their differing coping mechanisms. Women should participate in a decision-making capacity, not merely as recipients of benefits and services.

Revisions of Sphere encourage the consultation of women from the disaster-affected population, and their involvement in decision-making. For example, in Chapter 4, on food aid, Sphere's distribution standard now requires that 'recipients are involved in deciding the most efficient and equitable method of distribution; women are consulted and have an equal input into decision-making'. Further, Guidance Note 2 in the Distribution Standard of the revised text now reflects a gender perspective that was previously absent, and states that 'women have the right to be registered in their own names if requested ... The involvement of women from various segments of the population will result in better representation of the community'.

There are still, however, some weaknesses. The Management Committee rejected the review's recommendation for gender-balanced staff for humanitarian agencies, and instead opted for ambiguity. For example, in Guidance Note 3 under Analysis Standard 1 in the chapter on water, the text states: '*Ideally*, there should be a balance in the numbers of men and women taking part'. Also, although the revised text of Sphere included many changes regarding the participation of women, it did not incorporate the suggestion that assessment teams include a gender specialist or a women's representative from the affected community.

Safety

Concerning the physical safety of women, important requirements in terms of gender were added to key indicators throughout Sphere. There is evidence that women and girls face specific risks in emergencies because of their gender. Sexual violence is a hazard, while sexual bartering may increase in order for women and children to meet their needs, and those of their families. Complex emergencies may contribute to HIV/AIDS infection in the population as a whole, and thus an increased risk for women and the infants they carry. Suddenly-displaced pregnant women often lack access to a clean and safe environment in which to give birth. It is estimated that at least 15 per cent of pregnant women experience complications requiring emergency obstetric care.

In June 1995, the Interagency Symposium on Reproductive Health in Refugee Situations identified a set of reproductive health activities – the Minimum Initial Service Package (MISP) – to implement in the initial phase of a refugee crisis to reduce morbidity and mortality, particularly among women. The MISP is the accepted minimum standard for reproductive health care in emergency situations, and is the most efficient way of preventing and managing the consequences of sexual violence, reducing HIV transmissions, preventing excess neonatal and maternal morbidity, and eventually providing comprehensive reproductive health services in the later phases of complex emergencies.

One of the most significant changes in the revised Sphere text is the inclusion of the MISP in Chapter 6 on health services. Guidance Note 5 under Healthcare Services Standard 2 requires that the MISP is used from the start of the intervention to respond to the reproductive health needs of the population. (Caritas Internationalis, a member of the Sphere Management Committee, added a note that its members cannot endorse the MISP, or the distribution of condoms.)

Sphere has done an excellent job in integrating the MISP's components into all sectors of the revised edition. However, the specific description of the MISP in the Health Services Guidance Notes could be improved, with a comprehensive description of how to implement it, including a reference to the medical (including emergency contraception) and psychosocial management of sexual and gender-based violence. By prioritising ante-natal services, as recommended in the Health Services Guidance Notes, Sphere diverges from MISP, which recommends the establishment of a community-based emergency obstetric referral system.

As a result of the gender review, other changes have been made in the Sphere documentation. Guidance Note 5 under Analysis Standard 2 in the chapter on water now reads: 'monitoring of water points and toilets is critical to the safety of women and children because sexual violence often occurs at these locations. It is essential to ensure that consultation before and during the programme includes adequate discussion with women, for whom the constraints on use are likely to be the greatest'.

In Chapter 5, on shelter and site planning, many significant changes were made. The revised text has responded to the issue of actual or potential threats to women's security in closed living quarters, and the need to consult women about the location of such things as water-collection points, latrines and areas to collect fuel for cooking and heating. The recommendations incorporated into the revised text include: site planning in consultation with women and men from the affected population; ensuring the presence of female protection and health staff and interpreters; and reviewing issues of sexual violence in coordination meetings.

Gendering Sphere: experiences on the ground

Twenty humanitarian agencies are beginning to pilot-test the Sphere project in the field. For Siobhan Bracken, International Rescue Committee (IRC) Programme Design, Monitoring and Evaluation Officer, the Sphere handbook is proving useful as an advocacy tool in her communications with donors and NGO partners. On a recent site visit to Akora Camp, 15 miles from Peshawar in Pakistan where Afghan refugees have been living for over 16 years, Bracken observed IRC monitors using the Sphere minimum standards to evaluate camp conditions. The IRC monitoring team, noting that women in the camp appeared malnourished, used the minimum standards in nutrition and food aid to measure the women's food intake, and learned that women refugees were receiving less than the minimum standards allowed in emergency situations. The IRC took this information to donors to advocate for increased resources.

Maggie Brown of the Sphere Implementation Team recently visited a refugee camp in Sri Lanka where implementation of the Sphere standards would have improved safety. She was stopped by a group of women refugees who pointed out that the latrines built for the military had walls, while theirs provided no privacy for women. Ms Brown notes that the Sphere guidelines explicitly state that 'women should be consulted in the design, construction and location of toilets'. Sphere has the potential to give the affected population the ability to hold service providers accountable.

Conclusion

Full participation of women and heightened awareness of their specific concerns are crucial to the implementation and realisation of Sphere. The 'gendering' of Sphere is a significant step in the Sphere process as a whole. Sphere has succeeded in making people think about quality control, and about what it means to have a right to minimum standards. Sphere has encouraged better analysis and can help humanitarian agencies to focus on gender at the onset of an emergency. The significance of Sphere lies in the fact that agencies willingly entered into a dialogue about a great moral question: what do people in disaster situations have a right to expect? The Sphere process continues. For the gendering of Sphere, that is a good sign.

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The Humanitarian Accountability Project: A Voice for People Affected by Disaster and Conflict

Deborah Doane, Project Manager, Humanitarian Accountability Project, Geneva

This autumn, the Ombudsman project is set to embark on a new phase. Soon to be launched as the 'Humanitarian Accountability Project: A Voice for People Affected by Disaster and Conflict', the project will move to a new home in Geneva, where it will be guided by an International Steering Committee and staffed with a small secretariat tasked with implementing the new programme. The new phase will aim to develop and carry out a programme of field trials and stakeholder research to test the effectiveness and viability of an accountability function for, and on behalf of, beneficiaries of humanitarian aid.

The new direction follows three years of research and consultation, which culminated in a meeting on 16 March 2000 at the IFRC in Geneva. Fifty senior representatives from key humanitarian organisations and international networks attended. At the meeting, many of the concerns that have been expressed about certain aspects of the Ombudsman idea were

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strengthened*

discussed.
There was,
for example,
c o n c e r n
that the
mechanism

should not have a policing function, because a consensus does not exist within the humanitarian community regarding common concrete standards by which the quality of response can be judged. Furthermore, concerns have been raised over the danger of reinforcing the use of codes or standards, as some argue that this could limit the scope for free and independent action.

It was also acknowledged that the obligations and responsibilities of specific humanitarian actors are not clearly defined. Although the group felt that the state is ultimately responsible for accountability to its population, the extent to which the international humanitarian community should and can temporarily assume these responsibilities in current emergency practice warranted further investigation.

Despite these concerns, there was still a strong consensus that accountability to the rights of beneficiaries must be strengthened. A large majority thus expressed an interest in embarking on a phase of field trials to gain a better understanding of how, and whether, such a function could be made to work.

The Geneva meeting concluded that the pilot should aim to provide a mechanism with a primary focus on the concerns of the affected populations, but that

a 'policing' or compliance mechanism was not appropriate. The word ombudsman was perceived as partially the source of some preconceptions and confusion in this regard.

New directions: the pilot project phase

The pilot project has been designed to answer some of the most frequently asked questions that have emerged in the debate, through a programme of field trials, stakeholder research and evaluation.

These questions include:

- How will such a function adapt to natural disasters versus complex emergency situations? Most importantly, how will it be able to quickly deploy in a rapid-onset emergency situation?
- How will the office function differently in either weak or stronger states, and how will it work with local institutions?
- What will be the best method of differentiating between issues related to specific projects, as opposed to questions that apply to the overall sector or a geographic area?
- Can such a function operate without requiring a large bureaucracy?

The International Steering Committee is set to lead the project over the next two years. This committee now represents a wide range of senior executives and individuals working in humanitarian assistance, both northern and southern. The group will be co-chaired by Niels Dabelstein, chairman of the OECD/DAC Working Party on Aid Evaluation, and Dr Alvaro Umaña, the former chair of the World Bank Inspection Panel. The first full meeting of the new committee takes place on 17 October 2000. Following the completion of recruitment of a new director and project manager, Phase III will officially be launched.

Still an open debate

The project acknowledges that there will be some who disagree either with the overall aims of the initiative, or with its specific approach. However, the intention of the pilot phase is not to close the debate and simply institutionalise an office. Rather, it is to undertake a thorough research and evaluation programme in order to facilitate a more informed debate about the merits and workability of improving direct accountability to beneficiaries of humanitarian aid.

For further information on Phase III, and the background to the project, see: <www.oneworld.org/ombudsman>.

The Limits and Risks of Regulation Mechanisms for Humanitarian Action

Fiona Terry, Research Director, Médecins sans Frontières, Paris

The idea that a uniform set of standards, both theoretical and technical, should be applied to humanitarian action to make it more effective in responding to the needs of people in distress has been welcomed by the majority of actors in the field of humanitarian assistance. Who could deny that aid recipients have a right to quality care, or that humanitarian action must, by definition, conform to certain principles? Yet several humanitarian organisations – predominantly French NGOs – have chosen to distance themselves from such initiatives, to the chagrin of agencies that invested considerable time and resources in attempting to forge consensus and cooperation among the variety of actors concerned.

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This brief article aims to clarify some of the central concerns held by organisations like Médecins sans Frontières (MSF) regarding the approach and the application of initiatives such as the Sphere project, codes of conduct and the Humanitarian Ombudsman. The main criticisms of the proposed regulatory mechanisms for humanitarian action are two-fold and inter-related: they are misguided in their focus; and as such they risk reducing, rather than expanding, the scope for effective humanitarian action.

A misguided focus

The various codes of conduct and the Sphere project have undoubtedly improved awareness among aid organisations of the guiding principles of humanitarian action and the need to strive for certain minimum standards of care to save life and assure human dignity. As a tool to provoke discussion and reflection they are useful; it is in the continual process of adapting theoretical principles to operational practices that the benefit of these tools lies. But once they are written down as rules, they are no longer a tool of reflection, but become ends to uphold in themselves. Putting the respect of principles above all else stifles the search for innovative ways with which to best access people in need. The symbolism of the stiffly laminated Code of Conduct for Sierra Leone – impervious to rain, crumpling and, most importantly, alterations – is striking. Some aid organisations carry a copy in their vehicles, as if it is this paper that will guarantee them protection, access to populations and understanding of their purpose by belligerents. Few organisations questioned whether their programmes really were impartial, neutral or independent. Most of them are not.

More worrying than this is the erroneous impression these initiatives give of increasing the responsibility

and accountability of humanitarian actors: in reality they ignore the most crucial issues confronting humanitarian organisations today. Protection is as integral a part of humanitarian action as the alleviation of physical needs, yet receives scant attention, despite the obvious clash that can occur between providing assistance and ensuring safety. From attracting combatants to the sites of food distributions in Liberia to being used to lure refugees from hiding in eastern DRC, humanitarian assistance can compromise protection. Assuring high technical standards in relief operations is no substitute for protection: a vaccination card or a full belly does not protect against *refoulement* or attack, as exemplified by the fate of Rwandan refugees in Zaire in late 1996.

Focusing on technical aspects of relief operations is often at the expense of addressing the more difficult ethical issues of humanitarian action. Contrary to the popular notion that crises in the 1990s were fraught with increased dilemmas, this is not a new phenomenon. Some NGOs working in the Khmer Rouge-controlled refugee camps in Thailand in the 1980s expressed appreciation of the efficiency with which the Khmer Rouge organised their camps. The humanitarian charter and codes of conduct are supposed to guarantee the ethics of humanitarian action, but fail to shed light on how to reconcile competing principles. Particularly in situations of conflict, honouring one principle might entail violating another, yet no hierarchy of principles is offered beyond putting the humanitarian imperative first.

Even honouring the humanitarian imperative is problematic if doing so jeopardises the safety of those that aid is trying to assist, or necessitates remaining silent when confronted with human-rights violations or the manipulation of humanitarian aid. Respect for some standards needs to be weighed against the non-respect of others, and decisions of the relative good or harm of aid judged accordingly. A bottom line of acceptable compromise needs to be established in order to ensure that the negative effects of aid do not outweigh the positive. Without a hierarchy or ordering of principles, they can be engaged to justify any form of action or decision; they do not serve as a constraint to permissible action.

Just as minimum standards of relief assistance are not always possible to attain, so attaining minimum standards does not guarantee that aid is humanitarian.

Sufficient food has been delivered to North Korea to cover the needs of the population, yet people continue to starve because they lack entitlement to food. Denied permission to conduct independent assessments, or monitor and evaluate the end use of aid, MSF withdrew from North Korea because channelling relief through this discriminatory system only strengthened it. There was no humanitarian space in North Korea. None of the regulatory initiatives helps to shed light on how to respond to dilemmas of this nature.

it is the indifference of powerful states to the plight of civilian populations that poses the greatest problems to humanitarian operations today

Finally, the proposal to appoint an Ombudsman to listen to the concerns of 'beneficiaries' – particularly if situated within the UN or paid for by governments – runs counter to the whole notion of increasing the responsibility of humanitarian actors and governments. First, humanitarian action is not a commercial enterprise that can

be judged according to market forces. The 'clients' to which this initiative refers are not consumers, but victims of some kind of abuse that has left them powerless to meet their own needs. To imagine that they will organise of their own volition to oppose the people that came to assist them is utopian. A much more likely scenario is that powerful elements will use such a system to oppose those aid agencies that do not act in their interests, and will increase the pressure on victims. This initiative ignores the fact that one of the biggest problems facing humanitarian action is how to reach victims without strengthening their oppressors.

Potential mechanisms of control

The second major concern with Sphere, codes of conduct and the Humanitarian Ombudsman project is that they provide mechanisms through which control can be exerted over aid organisations by the very powers from which NGOs should strive to retain independence. Many donor governments have made adherence to these standards a prerequisite for funding. Given the growing tendency of the UN and donors to incorporate humanitarian action in support of political processes – such as UN Strategic Frameworks and US Food for Peace – humanitarian agencies risk eroding their independence and impartiality through being coordinated in this way. Humanitarian action is not given on the sole criteria of need if it is used as a tool of peace.

Second, and more important, the Ombudsman initiative puts the onus on the victims to identify problems of humanitarian action: does the absence of complaints imply that all is well? This represents a final step in shifting the responsibility for alleviating the plight of people in distress from governments to the victims themselves. To call this accountability is the height of hypocrisy.

Signatories to the codes of conduct claim to respect humanitarian principles, yet provide no indication of how they measure such adherence. NGOs in Sierra Leone, for example, consider that they are independent despite the majority receiving over 70 per cent of their funding from governments of the US, UK or European Union, each of which is pursuing a political agenda in the country. Only when the UK's Department for International Development (DFID) directly pressured some of 'its' NGOs to evacuate due to London's security concerns did the question of real independence arise.

It is not the NGOs that deliver Gatorade athlete's drinks to Goma, drive a truck full of blankets to Bosnia, or even accept an armed escort to deliver food in Sierra Leone that pose the greatest problems to humanitarian operations today. Rather, it is the indifference of powerful states to the plight of civilian populations in areas deemed outside their spheres of interest, and their reluctance to take the necessary measures, in financial and political terms, to address the political roots of the problem. From Sphere, through the codes of conduct and finally to the Ombudsman, the onus of responsibility for assisting vulnerable people shifts from states to humanitarian organisations, and finally to the victims themselves. They do not make humanitarian action more effective or responsible. On the contrary, they reduce its potential to assist people in need in a truly impartial and independent manner.

Receiving government funding does not necessarily obviate the possibility of independent humanitarian action, but the prevailing trends towards greater coordination, cooperation and consensus between NGOs, UN agencies, governments and military forces blur the distinction between political and humanitarian activity. It is necessary to increase the independence of humanitarian action, rather than provide the tools with which donors – and belligerent parties – can subsume it beneath a larger political agenda.

The Médecins sans Frontières website can be found at: www.paris.msf.org.

Correction
 In Chris McDowell's article 'East Timor: Humanitarianism Displaced', Newsletter 16, the phrase 'The first six months of the East Timor operation' (p. 19) should read 'The first six weeks'. Apologies.

Regaining Perspective: The Debate over Quality Assurance and Accountability

Koenraad Van Brabant, Coordinator, Humanitarian Practice Network

Over the past two years, there has been persistent and increasing opposition to the Sphere and Ombudsman projects, and by extension to field-based or general codes of conduct, including the People-in-Aid code. This opposition has come primarily from French NGOs associated with the Groupe Urgence-Réhabilitation-Développement (Groupe URD). The initial objection to Sphere – that ‘to every complex problem there is a simple solution, and it is a bad one’ – has led to an advice to the French government not to co-fund the Ombudsman project; and has resulted in the creation of a ‘Platform for Quality’ and consideration of a ‘Project for Quality’, in explicit opposition to Sphere and the Ombudsman project (renamed the Humanitarian Accountability Project). The increasingly acrimonious tone of the debate and its apparent polarisation are partially due to the fact that our francophone colleagues feel they are not being heard and taken seriously. That few non-French speakers participate in debates in France and read French writings on humanitarian action plays a major role in creating this perception. This article summarises the key critiques, and reflects on the debate.

Criticisms of Sphere

The first set of critiques concerns the minimum standards. It is argued that Sphere does not take into account temporal, contextual and socio-cultural differences: achieving ‘universal’ minimum standards might not be possible in the initial phase of an emergency response, or in volatile contexts with, for example, ongoing displacement or problems of access and security. Moreover, although Sphere argues for close consultation with, and the involvement of, target groups, it also seems to impose sometimes very detailed standards, which may in fact differ from the wishes of the beneficiaries.

The second set of critiques concerns the Sphere charter. Since it was developed by NGOs, the argument goes, it has no basis in international law. Moreover, it implicitly sets a whole development agenda: the living conditions of half of the population of Calcutta, for example, would not meet the minimum standards, even in ‘normal’ times. Guaranteeing people’s basic material rights and the right to life with dignity, as proposed in the charter, cannot be realised simply by material assistance. It is intimately linked with social, economic and political rights, which the charter does not address sufficiently.

The third set of critiques concerns the appropriateness of Sphere as a tool for quality assurance. Do its standards and indicators direct attention to the most important issues? Is it not more important to review crisis responses in terms of the broad political and strategic choices that are being made, for example who

decides which areas are given priority for demining in a national demining programme? Is it not the impact of an action that is most important, rather than whether technical standards have been met? Does one measure, for example, the quality of a prosthesis only in technical terms, or in terms of whether a person can afford it, walk with it, and repair and replace it locally? Should evaluations not rely more on participatory methods to gauge beneficiary satisfaction, rather than checking whether a project output met the standards?

The fourth set of critiques concerns the possible abuse of the Sphere standards – the ‘Fear project’. Sphere, it is argued, is unduly presented, or perceived, as the major management and evaluation tool for disaster response. The emphasis on technical standards and indicators and on service delivery can have profoundly negative consequences. Sphere’s ‘technocratic’ approach to ‘professionalism’ reduces the importance of global solidarity between peoples, and the importance of individual commitment (the ‘volunteer spirit’). The concern to meet the standards can also stop NGOs from being innovative and taking risks so as to avoid uncertain outcomes. Finally, signing up to codes and standards is becoming a cheap way of obtaining an image of professionalism and getting ‘accreditation’. But signing says nothing about competence and performance in the real world, where agencies may continue with business as usual. Simultaneously, there is the risk of abuse by institutional donors, which may conceivably fund only those agencies that have signed up, or that are meeting the standards. This works against smaller and younger associations, and against many southern and eastern NGOs.

The final critique concerns that of the duty-bearers. That Sphere and the Ombudsman project are NGO initiatives whose primary target audience seems to be NGOs gives the impression that it is NGOs which also have the primary duty or responsibility with respect to people’s rights. But as the situation in Iraq under sanctions shows, NGOs do not have the legal and political clout nor the material capacity to bear this responsibility. The real duty-bearers are governments. Sphere keeps governments and donors out of the picture, and distracts from the politics of humanitarian action and the international legal obligations that governments have entered into.

Criticisms of the Ombudsman project

The former Ombudsman project comes under fire because of its perceived association with Sphere and the 1994 Code of Conduct for the Red Cross movement and international NGOs. It is rejected primarily because it is seen as a mechanism to address one major weakness in the Sphere project and the

code: the question of who ensures that principles and standards are adhered to, and who enforces quality performance. Such a policing role would mean an Ombudsman evaluating performance and obliging agencies to apologise, and possibly even pay compensation, where their poor practices have caused harm, and perhaps even assuming the authority to exclude poor performers from field operations. This is deemed to be unacceptable, and a violation of the independence of NGOs. Moreover, like Sphere, an Ombudsman office is held to have no basis in international law, and is perceived as turning an undue spotlight on NGOs as duty-bearers. It is a false solution to the problem of quality assurance. Quality assurance, it is argued, has to come through stronger evaluation, learning, coordination and advocacy.

The debate in perspective

The argument is far from concluded. But it is time for all sides to start putting things into perspective and engaging in a more constructive debate.

The legal basis

There are three points to make here. First, the Sphere charter and codes of conduct cannot substitute for, and should not distract from, existing international laws, and the obligations that states have entered into by signing and ratifying them. Second, not everyone agrees that there is no basis in existing law for a humanitarian charter or an accountability mechanism. Third, the fact that NGOs collectively propose a certain interpretation of rights cannot by itself be objectionable. Laws are open to evolution. Many NGO coalitions advocate for more stringently protective interpretations of existing legal instruments, while others have been the source of new international treaties, such as the Ottawa convention on landmines. In its latest *World Disasters Report*, the Federation of Red Cross and Red Crescent Societies has called for a body of law covering international disaster response. The circus in Kosovo, where the 'international community' is arguing over institutional self-interests while at the same time telling the Kosovars to live harmoniously together, shows all too well how misplaced many agencies' centre of gravity has become.

The duty-bearers

This is a crucial issue. It is important to keep the spotlight on the responsibilities of governments and armed groups controlling populations. The array of national and international actors in the humanitarian response 'system' leads to diffuse and sometimes confused responsibilities, and the extent to which international actors should and can temporarily relieve a given state or armed group of its duties is not clear. Still, in the confusion it is possible to distinguish between actions and decisions that are clearly within the control of one actor or another, and others that clearly are not.

Abuse by donors

Staff in donor administrations (including non-governmental fundraising platforms such as the

Disasters Emergency Committee in the UK) are intelligent people. Nonetheless, there is a risk that an administrative short-cut to quality control will lead donors to rely on agencies' signing up to codes and standards, instead of properly monitoring and evaluating their performance. There are precedents, such as the reduction of the Local Capacities for Peace project to 'Do No Harm', and the use of this soundbite to deny NGOs funding in politically sensitive situations. Additionally, the terms of reference of evaluations as a matter of 'standard' good practice should include the performance of the funding agency and its impact on the performance of the operational agency. Finally, accountability in the light of a basic right to life with dignity would also call into question the increasing influence of geostrategic considerations in international aid flows. But the fact that something *can* be abused is not enough by itself to deny its existence. Everything can be abused, including French wine and freedom of speech. We try to control the abuse, not ban the item or the right.

Abuse by NGOs

There is ample evidence that NGOs signing up to these codes have continued to operate as before, making it a token gesture. Field-level codes in, for example, Liberia or Sierra Leone were disregarded as soon as the outside pressure on agencies eased. Many agency staff still do not know about the 1994 Code of Conduct, or have no guidance on what it means in practice; others are no longer happy with the code as originally formulated. The 1996 InterAction field-cooperation protocol had no noticeable impact on practice. It can be argued that nothing is more damaging to the reputations of NGOs than their inability to take their own commitments more seriously. The People-in-Aid code and the Sphere project may have more influence and impact, because a project was built around them to support agencies working with them. At the same time, a bland rejection of attempts to articulate external benchmarks against which performance can be reviewed is equally objectionable: it does not weed out poor performance and, while it may preserve the 'voluntary spirit', this can lead to amateurism. It can also become a way of evading critical examination and accountability.

Good practice

Humanitarian action usually involves managing dilemmas. There are no simple best solutions, and good practice to a large degree may amount to making the best possible choice under difficult circumstances. The Sphere handbook highlights standards and indicators, while paying comparatively little attention to context and scenario analysis, and to the processes and arguments that inform decisions. The RRN/HPN Good Practice Reviews, by contrast, highlight arguments and contextual considerations, and leave it more to the user to develop the action most appropriate to the context. Nonetheless, it is an exaggeration to argue that the Sphere handbook does not challenge users to think through a programme's design and relevance. In the end, it is the impact that

counts, but the nature of the decisions and the constraints on them need to be taken into account.

Rule or tool

An especial objection stems from the perception that the Sphere standards intend to be a universal one-size-fits-all solution, or an immutable rule. This interpretation is partially fed by the connotations of the word ‘standard’ – ‘norme’ in French – but also by Sphere’s own insistence that the minimum standards are a universal right. At the same time, the Sphere handbook is probably used more as a tool, a benchmark rather than a straightjacket. The question then becomes whether aspiring to meet minimum standards or their progressive realisation is good enough, or just another excuse.

Unhelpful positions

Sphere’s value depends very much on how intelligently it is used. The hype around it, both in favour and against, has been exaggerated. Agencies were doing quality work for years before the Sphere project, and will continue to use references other than Sphere to do so. The Sphere handbook by no means encompasses all the aspects of humanitarian action in which quality work is required. That does not invalidate it, but it does put it in perspective. On the other hand, the Sphere project has created an unprecedented degree of reflection and debate about quality work, rights and accountability, which in itself is a major achievement. And there is growing testimony of how that reflection is filtering down to field level.

Another mistake is the appeal to ‘size’, and the implicit claim of consensus. Is the fact that many people contributed and that many agencies actively work with the Sphere handbook decisive? No. It should be remembered that the MSF movement originated during the Biafra war out of a breach of the then-accepted ‘code of conduct’. The origins of Handicap International lie in a rejection of then-accepted standards of treatment for mine victims in Cambodia. There are also examples from outside of the French NGO world of agencies pushing boundaries, and even trespassing beyond them.

The argument that Sphere and the Code of Conduct would be the key references for a humanitarian ombudsman, and ascribing to this function a policing role, is also misplaced. First, it elevates interagency references above the opinions and priorities of the target populations, and above locally developed and agreed references. Second, there is significant, though largely concealed, unease about some of the principles in the code, and the wide room for interpretation in their application. There are other possible references, as well as significant experience with increasing transparency and accountability to target groups.

Finally, it is clear that an ombudsman-type function must operate at different levels, ranging from the district to the international ‘humanitarian capitals’. No

one entity will be able to do this. At the same time, field research has indicated widespread agreement on the need for an independent function to strengthen the voice of target populations, and to improve the listening skills and responses of those claiming to bring benefits to others.

Those who are critical of Sphere and the Ombudsman project have also made mistakes. The biggest has been to turn the debate into a French–Anglo–Saxon argument. First, there are other thinking races on the globe beyond just these two. Second, there are French humanitarians who are prepared to engage with Sphere and the Ombudsman/Accountability project, while many of the concerns raised by the ‘French’ are shared by, and debated among, other nationalities. Third, French chauvinism goes against the spirit of universality that should be one of the driving values of humanitarian action, and introduces a dark nationalism that these same agencies see as a major contributing factor to the conflicts which cause humanitarian needs. This is deplorable, and it is good to see it causing growing unease within several French NGOs.

Misrepresentation is frequent, even in writing. ‘Anglo-Saxon’ positions and practices are bluntly labelled ‘technocratic’ and ‘instrumentalist’, reducing target populations to mere ‘consumers’. It is more than hinted at that Anglo-Saxon humanitarian action is heavily influenced by business concepts. Such a portrayal reflects more an undertone of anti-Americanism than the reality of what most so-called ‘Anglo-Saxon’ aid organisations actually do. Critical – and sometimes outright hostile – readings ignore the nuances and reservations prevalent in the respective project documents.

The corollary of this is uncritical praise for French NGO action. The ‘advice on the Ombudsman project’, from the National Consultative Commission for Human Rights to the French government, refers to various French institutions and platforms for evaluation, coordination, training and learning, and argues that advocacy is a better way of improving quality and accountability. It also claims, mistakenly, that France, with the Groupe URD, is the only country in the world with an interagency platform that combines research, training, evaluation, learning and advocacy. Painting the humanitarian world in black and white in this way deceives the French public and the French authorities, and makes it difficult for outsiders to listen sympathetically to what are sometimes valid points. The irony is that an evaluation of the response of French NGOs to Hurricane Mitch, conducted by the same Groupe URD, shows that French NGOs and evaluators are not vastly superior to their ‘Anglo-Saxon’ and other colleagues, but are struggling with exactly the same issues, and exhibit often very similar weaknesses.

In the heat of the debate, the mostly francophone opponents of Sphere and the former Ombudsman

project are missing many points, and risk throwing the baby out with the bath water. First, they underestimate the influence their valid concerns have already had, and which is visible in the rethink of the Ombudsman which changed it into a humanitarian-accountability project. Second, they foreclose constructive involvement with the piloting of these projects, an undertaking in which the French have a strong tradition. Third, the elevation of the principle of NGO independence to the status of a sacred cow, whereby every external critical look at NGO performance is treated as a violation, risks becoming seen as an excuse to evade accountability. NGOs have been in the forefront of the battle to make governments, civil administrations and corporations adopt codes of conduct and articulate standards against which they could be held more accountable. It would be an ugly inconsistency, and highly undermining of their credibility, for them to refuse any benchmarks against which they could be held accountable.

The discussion about the nature of the benchmarks and how aid agencies should be held accountable is

not closed. But the real problems of interagency competition, poor performance and weak or non-existent accountability need to be addressed. The politics of humanitarian action need watching and require critical engagement, but this does not mean that the quality of performance cannot be inquired into at the same time.

The current acrimony and polarisation are unhelpful and damaging. There is a need not only to take valid concerns and criticism seriously, but also to end hostile readings, misrepresentations and chauvinism. Both the Sphere project and the Humanitarian Accountability Project are now to be piloted. This should be done not only in a spirit of true action-research, with constant critical reflection and adaptation, but also with the will and persistence to find workable and acceptable ways of enhancing the quality of performance and agency accountability. A 'project on quality' can be as valid a vehicle for this as any other. Regardless of nationality, everyone's experience, commitment and expertise need to be drawn upon.

Resources

- 'On the Job Training on Sphere', *International Health Exchange*, August 2000, pp. 13–16.
- 'Can We Measure the Quality of Aid?', *Humanitarian Affairs Review*, no. 9, 2000, pp. 24–30.
- Chaloka Beyani, *The Legal Framework for an International Humanitarian Ombudsman*, <www.oneworld.org/ombudsman/articles/legalfin.html>, October 1999.
- J.-L. Bodin, 'Vers une Derive de l'Humanitaire?', in *Geopolitique de la Faim* (Paris: Presses Universitaires de France/Action contre la Faim, 2000), pp. 253–56.
- Ian Christoplos, 'Humanitarianism, Pluralism and Ombudsmen: Do the Pieces Fit?', *Disasters*, vol. 23, no. 2, June 1999, pp. 115–24.
- Commission Nationale Consultative des Droits de l'Homme, *Avis sur un Projet d'Institution d'un Mediateur Humanitaire*, Paris, 2000.
- ETIKUMA 99: Colloque Européen de l'Ethique Humanitaire, *Les Codes de Conduite: Référence Ethique et Gage d'Efficacite pour les Actions Humanitaires Internationales du Ille Millénaire?* (Lyon: Bioforce, 2000).
- Lola Gostelow, 'The Sphere Project: The Implications of Making Humanitarian Principles and Codes Work', *Disasters*, vol. 23, no. 4, December 1999, pp. 316–25.
- Groupe URD, 'Les Dangers et Incoherences des Approches Normatives pour l'Aide Humanitaire', <www.urd.org/rech/sphere/dangers.htm>, 1999.
- Groupe URD, 'Plate-forme des ONG pour une Autre Approche-Qualité de l'Action Humanitaire', <www.urd.org/rech/sphere/platform.htm>, 2000.
- François Grunewald, *La Sphere en Question*, mimeo, Groupe URD, 1998
- International Federation of Red Cross and Red Crescent Societies, 'The Sphere Project: Everybody's Business', in *World Disasters Report 1999* (Geneva: IFRC, 1999), pp. 115–30.
- Simon Maxwell, *What Can We Do with a Rights-Based Approach to Development?*, ODI Briefing Paper No. 3 (London: Overseas Development Institute, 1999), <www.odi.org.uk/briefing/3_99.html>, 1999.
- P. Perrin, 'Standards et Assurance de Qualité', in *Geopolitique de la Faim*, pp. 247–51.
- The People-in-Aid project: <www.peopleinaid.com>
- D. Puillet-Breton, 'Une Code de "Bonne" Conduite?', in *ibid.*, pp. 231–45.
- Peter Raynard, *Mapping Accountability in Humanitarian Assistance*, <www.odi.org.uk/alnap/pdfs/praccountability.pdf>, Active Learning Network for Accountability and Performance in Humanitarian Assistance (ALNAP), May 2000.
- Hugo Slim and I. McConnan, *A Swiss Prince, a Glass Slipper and the Feet of 15 British Aid Agencies* (London: Disasters Emergency Committee, 1998).
- N. Stockton, 'The Search for Standards and Accountability in Emergency Relief Operations', speaking notes at the Institute of Development Studies (IDS), University of Sussex, <www.ids.ac.uk/ids>, 2000. The author can be reached via Oxfam GB.

The UN Joint Logistics Operation in Mozambique

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The millennium did not bring much good fortune to Mozambique, one of the poorest countries in the world. During February, two consecutive cyclones caused the most severe floods for 50 years. On 4–8 February, heavy rains transformed the areas of the Limpombo, Incomati and Limpopo rivers in the south into an enormous lake. The Maputo/Matola area, home to more than 1.5m people, was severely affected, and the homes of 250,000 Mozambicans were destroyed. The second cyclone, on 27 and 28 February, severely affected the Limpopo and Save river basins further to the north.

The international reaction

South Africa was the first nation to respond, deploying helicopters and light aircraft into the area. The priority was to save those people who were overwhelmed by the floods. Rescue operations started on 11 February and, within a week, more than 2,800 people had been rescued. UN agencies and NGOs present in the area also responded, and appealed for special funding. Humanitarian support gradually arrived and, by 26 February, the situation appeared to be under control. The number of victims had been limited and sufficient food and non-food commodities were in place to support those in need. However, following the second cyclone the South African air force resumed rescue operations and picked up thousands of people, literally out of the trees. In addition, French, Malawian and commercial helicopters arrived, and undertook joint rescue operations until 6 March.

The combined rescue effort saved 16,551 people, 14,391 of them by the South African air force. Meanwhile, in parallel with the rescue activities, relief operations gained momentum. The shocking pictures portrayed in the world's media fuelled an overwhelming humanitarian response. Hundreds of tons of relief commodities arrived. The floods had severely damaged roads, and thousands of people were isolated. It became clear that aircraft would also be needed to ensure the proper distribution of food and shelter materials.

Once relief commodities became available, the national authorities and the UN's Resident Humanitarian Coordinator, Emmanuel Dierckx de Casterlé, faced the problem of their timely distribution. In the early days of March, in addition to South Africa, Malawi and France, the UK, Germany, Spain, Belgium, Portugal and the US sent numerous aircraft to the region. Other countries, such as the Netherlands, contributed boats to support food distribution in the flooded areas. National humanitarian organisations such as the US Office for Disaster Assistance (OFDA) and the UK's Department

for International Development (DIFID) provided funding to charter commercial aircraft. By 10 March, 58 aircraft and more than 200 boats were available to support the overall humanitarian effort.

The JLOC

To organise these relief operations, the Mozambican authorities and the UN set up a Joint Logistics Operations Centre (JLOC) in Maputo. The World Food Programme (WFP), the most experienced UN agency in logistics and deeply involved in the emergency, was appointed the lead coordinating agency. Besides WFP, the UN Development Programme (UNDP), UN Children's Fund (UNICEF), the Office for the Coordination of Humanitarian Affairs (OCHA) and some of the nations whose aircraft were operating in the area provided staff support.

At the start of the emergency operation, it was not possible to manage all boats individually, and the JLOC invited the donor nations to offer them directly to the national disaster-relief authorities and to those humanitarian organisations operating in the flooded areas. The JLOC's most important task was to manage aircraft, and to coordinate and produce a detailed daily schedule of all humanitarian flights. It established a common procedure for all humanitarian organisations, whereby they could request air transport to support their relief activities. Requests were then prioritised and coordinated with the air operators. Every day, the following day's schedule was decided at 4pm during a meeting with the military authorities. On the day of implementation, a general coordination briefing was given to all participating crews and, by 8am, virtually all aircraft were airborne. Operations took place from dawn to dusk, seven days a week. At the operation's peak, more than 250 hours were being flown each day. By mid-March, hundreds of tons of relief goods, which did not necessarily match with the most urgent requirements, had arrived in the country. The JLOC was not only faced with allocating commodities and transport, but also, in close coordination with the national authorities, with registering and storing goods which were not urgently needed in the field.

Knowing that air operations are very costly, every effort was made to rationalise the use of aircraft, and the concept of Pick-Up Points (PUPs) was introduced. The aim was to transport relief goods as far as possible overland to centralised points, from where helicopters collected them and flew them across the flooded areas, directly to people in need. Such operations had to be carefully planned because several helicopters operated at these PUPs; on some days, more than 180 tons of

food and non-food items were airlifted from one location to another. Since each helicopter is limited to between 2.5 and three tons, more than 70 flights were sometimes needed from each field location, requiring intensive supervision and coordination. On some occasions, more than 400 flights were registered throughout the country. An additional problem was that the helicopters needed to refuel. Fuel was transported by trucks and stored in bladder tanks at the PUPs. At airfields that could not be reached by fuel trucks, transport aircraft 'de-fuelled' from their own tanks into bladder tanks.

This gigantic humanitarian air operation lasted for several weeks, and was only interrupted by a few days of bad weather. By the end of March, most nations decided to withdraw their military assets, and the WFP had to charter additional civilian helicopters. At that stage, all available commercial helicopters in southern Africa were involved in the emergency, and additional helicopters were to be flown in from distant locations. During April, the operation gradually decreased, but helicopters remained in Beira until the end of the month, and the operations north of Maputo continued until 15 May.

The humanitarian air operation in Mozambique was probably the largest the world has ever seen. At its peak, 58 aircraft, 18 at Beira and 40 at Maputo, were available. Aircraft were of 24 different types, belonging to 15 different nations or operators. They flew a total of 9,318 hours, and transported 30,339 passengers and 11,633 tons of food and non-food items. The military operators carried out approximately two-thirds of the flights and, thanks to their quick reaction, accounted for 98.7 per cent of the rescue operation. The major concern of all involved was to avoid accidents, and in this respect the operation was a great success. Helicopters and aircraft performed more than 20,000 take-offs and landings, including more than 16,000 winch operations, sometimes in very difficult circumstances, without incident – an unambiguous demonstration of the professional skills of all those involved.

Lessons learned

Without this air operation, many thousands of people would have died, not only as a result of the overwhelming force of the floods, but also from the shortage of food and drinkable water. Because several nations offered aircraft to the UN free of charge, it is difficult to estimate the global cost of the operation. Nevertheless, these nations had to bear the costs internally, and deploying military detachments is very expensive. The cumulative costs of these air operations are estimated at more \$30m. This is a significant amount of money indeed, but given that soccer clubs are prepared to offer more than \$20m for a player, the international community should be prepared to invest such an amount in an effort to save lives.

Since air operations are expensive, the UN should make every effort to manage these assets professionally. However, the JLOC's activation process was difficult. The centre was installed in rooms without any furniture or telephone lines, and it took some time before staff had proper maps, office equipment and communications. Initially, it was difficult to impose the UN's centralised-management concept upon the military actors, although coordination between the JLOC and the military structures was eventually flawless.

The JLOC concept proved that it is possible to combine all relief efforts. All organisations involved in the relief operation had access to a common pool of air transport, and every effort was made to coordinate their activities. Learning from this experience, and with the encouragement of donor nations, UN agencies are finalising the JLOC concept, and setting up a system so as to rapidly deploy the necessary office equipment and communications in case of large-scale emergency. An important point is the availability of qualified experts to man a JLOC. Training sessions are planned for a pool of experts from all UN agencies. This should make possible a quick-reaction capability, which can deploy immediately at the onset of an emergency, and which can efficiently coordinate the overall humanitarian relief effort.

The Political Economy of War: What Relief Agencies Need to Know

HPN Network Paper 33 by Philippe le Billon

War generates both 'winners' and 'losers' and the vulnerability of losers needs to be understood as a result of powerlessness. These two simple arguments are put forward by a 'political economy of war' studying the production and distribution of power, wealth, and destitution during armed conflicts.

This paper argues that a political economy approach to war has far reaching implications for relief work. First, a comprehensive protection of victims implies the safeguard of political and economic rights from violence and coercion. By understanding the political economy of war, relief agencies can better assess the forms of economic violence threatening livelihoods during wars – whether in the form of physical abuse, looting, destruction of productive infrastructures, exclusion from jobs or economic collapse. Second, analysing the context and implications of relief work is crucial to minimise its negative impact given, the manipulation of humanitarian presence and resources by belligerents and foreign states, and thus to guarantee accountability for local populations, donors and the public. Finally, a political economy understanding of the course of a conflict can help to identify political and economic interests impeding a transition to peace and avoid the reconstruction of a pre-war economy that may have had much to do with the origin of the conflict.

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Forgotten, not Forgiven: Somalia's Painful Transition from War to Peace

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Investing in the transition from war to peace and relief to development has increasingly been advocated as the way forward in rebuilding war-torn societies. By providing opportunities for people to rebuild their lives and engage in constructive activity, the chances are greatly improved that people will be persuaded to disengage from conflict and discontinue active or passive support for war. But too often, agencies lack the institutional courage, practical expertise and financial backing to deliver on their rhetoric. As a result, they continue to do what they know best, based on what limited thinking, limited resources and limited donor support allow: quick fixes and project-driven relief programmes.

What is needed is a proactive, targeted and carefully designed approach to rehabilitation, which rewards peace, promotes a return to normality and presents concrete prospects for a conflict-free future. Agencies can use the local knowledge and understanding they have gained during the emergency phase, together with their post-emergency presence and their access to resources, to make the transition from emergency to rehabilitation programming and provide incentives for sustainable recovery. Regrettably, the noble ideals and cutting-edge developmental theories we frequently read – and write – about in project proposals, progress reports, programme evaluations and academic journals, find little foundation in the day-to-day reality of aid programming in places like Somalia.

Somalia in transition

Occasionally, this truth comes to light, only to be quickly attributed to lack of confidence in a country's fragile stability and uncertain security situation. The security of aid workers in conflict-affected countries is of grave concern to all agencies. But in Somalia, the situation is more complex than the clichéd security pretext would have us believe. In the warring south, occasional kidnaps, together with sporadic security incidents in Puntland or Somaliland, are frequently cited as evidence that any meaningful investment or medium-term aid strategy is inappropriate. This apparently obviates the need to construct a coherent programming response for the two-thirds of the country which has been firmly on the path to recovery for most of the past five years. Meanwhile, local efforts at rehabilitation go unreported. Those images of a US Marine being dragged through the streets of Mogadishu have not been forgotten, nor Somalia forgiven.

In southern Somalia, fighting has continued since 1991. A five-clan alliance maintains a precarious peace over Mogadishu, but faces opposition from two other faction leaders with artillery in range of both the port and the airport. Also in the south, fighting between

the Digil-Mirifle and Habr Gedir sub-clans escalated in mid-1999, as Ethiopia and Eritrea injected new resources into the conflict. In the north-west, Somaliland was subjected to a two-phase conflict in the 1990s: initially in the run-up to the 1991 conflict when the Somali National Movement defeated the forces of Siad Barre, and again in 1993–94, when internal fighting split the newly declared, though as yet unrecognised, republic.

By contrast, with the exception of the area south of Galcaio, security conditions in the north-eastern Puntland State and north-west Somaliland are probably better than in Kosovo or East Timor. But despite the relatively peaceful conditions and the favourable environment for development, longer-term potentials have not been systematically identified, let alone harnessed by donor countries and implementing agencies.

The situation in Puntland State

Puntland State was declared in 1998 following an announcement by the UN Political Office for Somalia that it would support peaceful regions and emerging regional administrations as the building-blocks for a peaceful and federated state. Three months of consultation, involving community elders and political leaders, preceded the declaration.

Puntland encompasses the regions of Mudug, Nugal, Bari, Sool and the eastern part of Sanaag. Although it has its own government under a president, former Somali army colonel Abdullahi Ahmed Yousef, Puntland was established as a state within what was hoped would eventually become a federal nation. Unlike Somaliland, Puntland considers itself part of Somalia.

Efforts to construct government ministries are making progress. There are currently nine: interior; social affairs (including health and education); finance; livestock and agriculture; trade and industry; religion and justice; commerce, information and culture; water and transport; and fishery and ports. However, public-sector services are minimal at best. Government income depends heavily (80–85 per cent) on customs duties, the majority of which come from Bosaso port. The remaining 15 to 20 per cent is raised through airport tax, and the licensing of motor vehicles and businesses such as restaurants. According to the Ministry of Finance, overall revenue for the first quarter of 2000 is estimated at 20.9bn Somali Shillings (SS), equivalent to US\$2.09m, giving a total average income of SS83.6bn (\$8.36m) in 2000.

Livestock rearing, in which the majority of the population is engaged, dominates the local economy. There is a thriving enterprise culture and informal



Reconstruction in action

sector. Those with sufficient means can obtain a range of medicines and services from an ever-increasing number of general practitioners (some of whom may be operating in Puntland without necessarily being qualified to do so). In Galcaio, Garoe and Bosaso, scores of building projects are under way; in Galcaio alone, 40 private construction firms are registered. Much of the large-scale investment in Puntland is financed by remittances from overseas Somalis, or by the earnings of Somalis returning after a period overseas. Investment is particularly noticeable in electricity generation, water supply, banking and telecommunications; private firms such as Galkom provide more than 1,000 of Galcaio's 15,000 inhabitants with international telephone access (local calls are free). The Amal and Barakat banks provide financial services, maintaining a vital link for Somali diaspora remittances. Remittances amount to as much as \$5–6m a month in Puntland, and \$1.5m a month in Garoe alone. Although the government has yet to introduce a tax on such income, plans to levy a charge calculated on a percentage basis are being prepared.

Internally displaced persons (IDPs), mainly from the south, present both opportunities and challenges to the emerging Puntland administration. On the one hand, many are industrious, and are taking advantage of Puntland's stability and opportunities for work and trade. In towns like Garoe, Galcaio and Bosaso, they are the driving force behind rehabilitation. On the other hand, many are destitute and vulnerable, and have had to sell their household assets. Their coping capacities have been eroded by a decade of conflict, and they need the administration's help. Given the limited resources and enormous demands on the new government, supporting this caseload will not be an easy task.

Qat addiction is draining resources in Puntland to the tune of at least \$45,000 a day. In Bosaso alone, the Ministry of Finance estimates that \$10,000 is lost daily. This is a conservative estimate, since it does not take into account informal-sector trade. Young men, traumatised by war, unemployed, and with few prospects seek solace in qat chewing, which begins as early as 2pm, and typically continues late into the

night. The social consequences are disastrous, affecting people's ability to work, and even to function normally. This is a significant obstacle to any return to normal social life in Somalia.

Rewarding peace?

The relative security in north-east and north-west Somalia has allowed gradual post-conflict rehabilitation. In essence, however, this is a 'negative peace': unexploited, unrewarded and marked by a lack of confidence in its durability. There are at least five prerequisites to an effective response by international agencies and donors that will reward peace and make the most of the opportunity to support Somalia's painful transition to recovery.

The first is competence. While many agencies have considerable experience in responding to emergencies, this is not necessarily complemented by equivalent expertise in reconstruction and development programming. For example, community participation as a development concept is widely advocated, but not necessarily well implemented. Moreover, the depth and breadth of the response required to constitute a meaningful approach to rehabilitation needs in a region such as Puntland, where there is little international support and limited local capacities, present enormous obstacles. Gearing activities towards a more developmental outcome will require a coordinated approach from agencies and the regional administration to clarify objectives; reach consensus; change attitudes; genuinely enable local communities; build local and institutional capacity; and ensure sustainability.

The second prerequisite is presence and legitimacy. Restrictions on expatriate staff numbers due to poor funding; limited travel opportunities to and within Somalia; and a reluctance to negotiate the relatively primitive conditions prevailing in most of the country mean that many agency staff spend less than a quarter of their time on the ground in Somalia. They have little opportunity to experience first-hand the extent to which reconstruction and recovery is under way in places like Galcaio. What local authorities and community leaders perceive as 'remote-control' aid programming from agencies' Somalia offices in Nairobi has resulted in a failure to keep in touch with developments on the ground in Somalia. Vague, unsupported, second- and third-hand reports, often from questionable sources, make up a large part of the weekly and monthly 'situation reports' submitted by some agencies, underlining the importance of a presence on the ground in 'assisted' areas.

Third is knowledge. The coping capacities of communities are neither well-researched nor understood, and are often underestimated. The paucity of reliable statistics about health, social, demographic, economic and commercial conditions, particularly outside the few major urban centres, presents significant obstacles to planning medium- and long-term rehabilitation programmes. Contradictions

abound in Puntland, where estimates of the population vary from 850,000 (UN Development Office for Somalia) to 2.5m (UNICEF and Puntland government figures). Even under normal conditions, accurate population figures would be hard to calculate given that around 60 per cent of the population are nomadic; in Puntland, the embryonic Ministry of Planning is without even a photocoper.

Confidence is the fourth prerequisite. Reluctance at institutional level to transfer real responsibility and control over resources to local employees, communities and officials is an oft-noted obstacle to genuine recovery planning. Communities should be recognised as the main partners in service-rehabilitation projects. Community participation ensures more effective management, and that the services provided are relevant. The aim of these projects should be to allow the communities to own, manage and support the service. A parallel aim should be to build the capacity of the emerging local and central administration to supervise and regulate services, and provide the necessary support to sustain them.

Fifth is political will among donor countries, whose memories of UNOSOM's experience have yet to fade. While the international community has legitimate concerns as to the character of the administrations they are called upon to support, it also needs to be aware that procrastination and short-termism will in the long run undermine the very processes it is striving to establish. There is an urgent need to develop a coherent, long-term strategy that will provide consistent

support to regional and local efforts to establish democratic forms of governance, and to provide services.

Towards a proactive approach

The importance of lending a hand to societies making the frequently slow, and invariably painful, transition from war to peace should be obvious, and all the more so when it is made as a result of people's determination to restore normality in the midst of upheaval, and against the odds. A proactive approach to rehabilitation, based on providing incentives to local people to disengage from conflict and return to a normal, peaceful way of life, can identify opportunities for resettlement and recovery that can become the platform for stable peace.

Resources

For further details of the IFRC's work in Somalia, see <www.ifrc.org/where/country/cn5.asp?countryid=157>. The University of York's Post-War Reconstruction and Development Unit is at: <www.york.ac.uk/depts/poli/prdu/>.

Mary B. Anderson, *Do No Harm: How Aid Can Support Peace or War* (Boulder, CO: Lynne Rienner, 1999).

Sultan Barakat, Sean Deely, Ahmed Mohamed Hassan, Raymond Martin and Hakan Sandbladh, *Health Sector Rehabilitation in the Puntland State of Somalia*, unpublished report for the International Federation of Red Cross and Red Crescent Societies, 2000.

F. C. Cuny and V. Tanner, 'Working with Communities to Reduce Levels of Conflict: "Spot Reconstruction"', in *Disaster Prevention and Management*, vol. 4, no. 1, 1995.

Sean Deely, *Lead Agency? The Role of the International Federation of Red Cross and Red Crescent Societies in Post Conflict Rehabilitation*, unpublished MA dissertation, University of York, 1998.

Disarmament and Demobilisation in Sierra Leone

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Sierra Leone has suffered virtually continuous civil conflict since 1991. In that time, many thousands of children, women and young men have been recruited or forcibly abducted to fight and work with rebel forces. In February 1998, the re-installed government of President Ahmed Tejan Kabbah embarked on a policy of reconciliation, and instigated a programme to disarm, demobilise and reintegrate the 45,000 combatants fighting in all of the country's various factions, both pro- and anti-government.

Progress has not been easy, and rebel activity largely halted the programme between January and July 1999, and again from May 2000. Although nine fully-equipped camps have been established across the country, only two – at Lungi north of Freetown, and at Daru in the far east of the country – are running. Nonetheless, despite the difficulties much has been achieved; as of 4 May 2000, 22,184 adults and 1,980 children had been demobilised.

The demobilisation programme

The government established the National Committee for Disarmament, Demobilisation and Reintegration

(NCDDR), chaired by the president, in July 1998. An Executive Secretariat reporting to the NCDDR was set up, with responsibility for the overall planning and implementation of the Disarmament, Demobilisation and Reintegration (DDR) programme. The government's policy and programme framework were developed in close consultation with all the relevant stakeholders: the West African peacekeeping force ECOMOG; the UN Observer Mission in Sierra Leone (UNOMSIL); UN agencies, the UK's Department for International Development (DFID); the World Bank; NGOs; the Armed Forces of Sierra Leone (AFSL); and the affected communities.

The initial programme mainly involved former combatants of the AFSL, which had seized power in a military coup in May 1997, toppling Kabbah's democratically-elected government. It then invited the rebel Revolutionary United Front (RUF) to form a joint government, which became known as the Armed Forces Revolutionary Council (AFRC). The AFRC remained in place until February 1998, when ECOMOG forces toppled it in turn. Some 7,000 ex-AFSL fighters were either captured, or gave themselves

up to ECOMOG following the junta's collapse. Faced with the choice of either being retrained as a new 'loyal' force to fight alongside ECOMOG or leaving the army and joining the demobilisation programme, around 3,000 chose demobilisation.

The initial programme, which took place at Lungi camp, began in August 1998, and was scheduled to be completed the following December. An international team, funded by DFID, managed the camp, and oversaw the feeding, healthcare, shelter and registration of the ex-combatants. ECOMOG provided security. The team also improved the local infrastructure to create a better relationship between the former fighters and the people of Lungi, thus relieving some of the tension between them. These improvements consisted of the rehabilitation of the area's water-treatment plant, undertaken with the help of the International Committee of the Red Cross (ICRC), which gave 100,000 people access to clean piped water; supplying drugs and equipment to the local hospital; and the grading of unmetalled roads after the rainy season.

Registration took the form of a socio-economic survey, a medical examination and the issuing of a photo ID card once the programme had been successfully completed. Ex-combatants were also screened by UNOMSIL and ECOMOG to discover if they had actually taken part in the conflict, and were therefore eligible for the demobilisation programme.

Following registration and screening, the ex-combatants underwent Pre-Discharge Orientation (PDO). This entailed:

- Career counselling. Since many of the ex-combatants had spent most of their adult life in the army, few had any skills that would enable them to rejoin civil society.
- Registration of vocational expectations. This part of the process was linked to skills training and employment-creation activities.
- Civic education. Primarily aimed at giving ex-combatants a knowledge of civil society, what would be expected of them within it, and where they could get help in the future.
- An information and sensitisation campaign. Although this was part of a nationwide initiative, the NCDDR felt that it was important that the ex-combatants helped to put across the peace message to civil society as a whole through the promotion of ex-combatant art, music and drama groups.
- Trauma healing and psychosocial counselling. A number of ex-combatants had drug problems, or were disabled due to wounds received or mutilation; others needed to come to terms with their actions.

With the help of UNICEF, the programme successfully demobilised 200 war-affected children during November and December 1998, who passed into the care of local NGOs around the country, either to be reunited with their families or to go to foster parents. This gained a lot of positive publicity and was felt by

the Sierra Leone government and by the UN to be a real turning-point towards lasting peace.

However, on 6 January 1999 AFRC/RUF forces stormed Freetown. A week earlier, the ex-combatants had been moved from Lungi to Pademba Road Prison in Freetown because of fears of an attack on the camp. Early on 6 January, the prison was stormed by the AFRC/RUF, and the inmates, including the ex-combatants, were released. The rebels tried to force the former fighters to join them, but the majority escaped to the sanctuary of the Brookfields Stadium hostel under ECOMOG protection. AFRC/RUF forces attacked the stadium the following night; after a four-hour battle, in which many of the ex-combatants were killed, ECOMOG troops finally beat off the assault. Over the following weeks, the rebels were slowly driven out of Freetown, although they still controlled much of the country, and the ex-combatants started coming out of hiding and surrendering to ECOMOG. They were housed in the disused Mamy Yoko Hotel, where they remained for five months.

During that period, the PDO was completed and, in June 1999, 1,410 ex-combatants received the first half of their safety-net allowance of 250,000 leones (approximately US\$150) to help them restart their lives, along with their ID card and discharge certificate. The second payment was issued 90 days later at the Executive Secretariat's Western Office, one of the six regional offices set up to support and assist former fighters. A further 1,600 were demobilised from Lungi during the three months up to December 1999.

The programme's achievements

The initial programme achieved all of the objectives required by the NCDDR, the UN and the international donor community, despite the fluid, complex and difficult environment in which it was undertaken:

- It established the NCDDR as a policy and institutional framework; a functional, locally-staffed Executive Secretariat; and an interagency coordinating committee.
- The World Bank and DFID created the Multi-Donor Trust Fund to act as a focal point for donations to the DDR programme.
- Over 3,000 ex-combatants, including the 200 child soldiers, were screened, registered and demobilised.
- A PDO programme was created, including information and sensitisation seminars, trauma healing and counselling, career-counselling workshops and reconciliation activities.
- A national sensitisation campaign and opinion survey was launched as part of the post-war recovery message.
- Socio-economic data and profiling were collected to support plans for skills training and employment-creation schemes.
- The two-part transitional safety-net allowance was paid to the first group discharged from the DDR programme after completing the PDO.

The next steps

With the signing of a cease-fire and the Lomé peace agreement by the government and the RUF on 5 July 1999, hopes of a sustainable peace were raised. Rapid disarmament was expected, and eight more camps, in addition to the one at Lungi, were built in August and September.

The basic framework of the DDR programme, as used for the AFSL at Lungi, was adapted and scaled up for the expected 45,000 ex-combatants. However, with ECOMOG starting to pull out and the UN peacekeeping force UNAMSIL slow to materialise, the continued security threat made it impossible to restart the programme in all parts of the country. Small isolated groups of rebels attacked villages for food, and the feeling of unrest grew. The RUF refused to disarm to ECOMOG, and UNAMSIL observers risked being kidnapped if they tried to negotiate with the rebels.

Nonetheless, some major steps forward were taken between September and December, with many rebels disarming at Lungi, and at the camp at Port Loko north-east of Freetown. However, rebels in the major RUF stronghold of Kailahun in Eastern Province would not come forward and demobilise. The RUF leadership continued to insist that they had told all of their troops to disarm, but would not allow observers into areas they controlled, where they were using forced labour to strip diamonds. Following rumours of an attempted coup by the RUF leadership in May 2000, all international staff running the camps have been withdrawn; only the camps Lungi and Daru appear to be still open, operated by local staff with the help of UNAMSIL. With fighting continuing throughout the country, and UNAMSIL requesting more men, there seem to be no quick solutions to the problem of disarmament and demobilisation in Sierra Leone.

The Protection Gap: Policies and Strategies

Enrique Eguren, Coordinator, PBI Colombia

International NGOs have failed to protect the people they are trying to help in complex emergencies. The old idea of aid without protection is no longer adequate, or justifiable. International NGOs are well-placed to protect: they are in the field, close to the affected population. Moreover, they have an undoubted capacity for advocacy before governments and other bodies. These strategic advantages bring moral responsibilities, and international NGOs cannot ignore human-rights violations affecting the people they are trying to help. Although no international conventions compel international NGOs to provide protection, the universal responsibility for promoting and protecting human rights, together with their own mission statements, commit many to doing so.

There are, of course, obstacles. Too often, governments take humanitarian action, but not political action, leaving humanitarian agencies on their own in the midst of protracted conflicts. Humanitarian NGOs themselves are reluctant to do human-rights work. As a result, protecting human rights risks being nothing more than a 'politically correct' complement to humanitarian assistance, devoid of a real strategy to address these problems. In other cases, human-rights protection and humanitarian assistance are kept separate in policy and planning, despite the fact that they are closely entwined in the field, severely hindering the implementation of an effective strategy for protection.

What does 'field protection' mean? In a nutshell, it comprises the strategies and activities that ensure that the human rights of affected people are respected. In conflicts, there are few bodies with a formal and established mandate to protect human rights; some UN organisations and the International Committee of the Red Cross (ICRC), for example. These

institutions alone cannot deal with the vast demand for protection, especially where internally displaced people (IDPs) are concerned. In any conflict, especially in complex emergencies, what prevails in the field is a mixture of NGOs and governmental and intergovernmental organisations, which does not necessarily guarantee adequate protection.

Strategies: deploying international personnel

The mere presence of international staff can aid protection, but cases tend to be isolated or the result of individual initiative, and there are as many instances where an international presence has had no effect at all. Failure to act could even be taken as acceptance of such abuse.

Just as it is impossible to fight a famine simply by setting up food warehouses (you need a strategy behind them), so too it cannot be assumed that, simply by being there, an international presence is providing protection. What is needed is a *strategic* international presence. This means international observers, tasked with dissuading people from committing human-rights abuse, and informing authorities and institutions when such violations take place so that perpetrators can be punished. The presence of international observers is key when governments or officials make decisions about the affected population. They may act as 'brokers', linking by their presence the government's actions and international standards of humanitarian aid and protection.

A field strategy for protection: Peace Brigades International in Colombia

According to Amnesty International, the human-rights crisis in Colombia has reached 'alarming proportions'. The country is in the midst of an armed conflict between the security forces and the self-named *Autodefensas*, or paramilitaries, and insurgent groups, mainly the Revolutionary Armed Forces of Colombia (FARC) and



PBI observer, Atrato River, Uraba, Colombia

the National Liberation Army (ELN). The conflict has displaced more than a million people over the past 15 years; in the first six months of this year alone, over 1,000 civilians were killed. Armed groups are targeting human-rights and humanitarian workers as well as IDP organisations. According to the UN High Commissioner's *Report on Human Rights in Colombia* of April 2000, the state's efforts to guarantee the right to life and to protect the population have been 'inadequate'.

Peace Brigades International (PBI) has maintained an international observer/accompaniment team in Colombia since 1994. The objectives of PBI Colombia are to protect IDPs, and the human-rights workers who suffer repression as a result of what they do. It always operates at the request of local organisations.

PBI Colombia deploys permanent teams of observers to accompany IDPs and organisations under threat, and pay regular visits to conflict zones. It has four teams in four areas of the country, staffed by 42 people, seven of whom are Colombian. PBI Colombia also carries out extensive advocacy work before the civil and military authorities and the diplomatic corps, and liaises and coordinates with UN bodies and national and international NGOs, church organisations and others.

As well as accompanying local groups, its observers also participate in verification commissions and negotiations with the authorities, and pass on their main concerns regarding the protection of IDPs to local officials, embassies and UN offices. The organisation is also engaged in post-trauma rehabilitation and attempts to rebuild the social fabric of communities which have experienced violence. In all these ways, PBI Colombia creates an 'umbrella' of protection for IDPs, and for the NGOs which support them.

Effectiveness

It is difficult to measure the impact of the protection that the presence of international observers provides. Nonetheless, PBI is in demand; the majority of Colombian NGOs have asked for staff to accompany them, and both the UN High Commission for Refugees (UNHCR) and the UN High Commission for Human Rights (UNHCHR) have acknowledged PBI's protection work, as have several international NGOs.

IDPs, international observers and humanitarian workers move in areas under dispute between the army, self-defence groups or paramilitaries and guerrilla groups.

In such a complex environment, the presence of international observers is just one factor in a whole series aimed at providing protection. It can never be seen as the single, determining factor when judging the results of protecting displaced people.

Where can observers be deployed?

The presence of international observers is not effective in all types of conflict. One prerequisite is that a violator must be susceptible to the international pressure which an international NGO can bring to bear. Usually, this is the case in a conflict which has received some media coverage, and in which a variety of NGOs are working.

An international presence is particularly effective when the violator is the state, or an actor against which the state can take action. This implies that the government is capable of maintaining its executive role within the state. In situations of open conflict where a state or a government stops fulfilling this role (as in Somalia at the beginning of the 1990s), there are likely to be no bodies to which NGOs can appeal which are susceptible to international pressure.

The state has to take responsibility for protecting the human rights of its citizens and for providing assistance to conflict-affected people, especially IDPs. But international NGOs need a clear strategy for exerting pressure on the state when, as often happens, it does not meet its obligations.

Frequently, international NGOs do not pay enough attention to the role that local civil society can play when planning humanitarian assistance and human-rights protection. This is crucial in any strategic approach to protection: since it is impossible for international NGOs to protect the whole affected population, an international presence should focus on the key *nodes* of the society – the people and bodies that are most at risk of abuse, such as local NGOs, grass-roots organisations and key individuals.

Getting there

These reflections can be applied to all international observers, be they part of a UN mission or any other organisation. Field protection requires a strategy and specific activities which are not usually included in international NGOs' plans for dealing with human rights, or delivering humanitarian aid. International observers must maintain a constant or regular presence, should meet regularly with national and international authorities and officials, and disseminate information concerning abuses. Human and financial resources need to be allocated to such work, and staff should be properly trained. Only in this way can the presence of international personnel become a real protective umbrella for the affected population.

In order to undertake this role, humanitarian NGOs need to widen their limited protection strategies, and either train all their workers, or dedicate a number of their workers specifically to this task. Alternatively, some

international NGOs – PBI, for instance – specialise in protection, and implement this work in coordination with both humanitarian and human-rights NGOs. International NGOs should work towards:

- developing a shared mandate and strategy for action, so that such cooperation could be easily implemented in different scenarios;
- training staff of those international NGOs providing humanitarian aid in the protection of a displaced population's human rights; and
- allocating the resources for implementing the field-work necessary for protection.

Only in this way will IDPs and organisations operating locally be able to look to international NGOs for assistance in protecting their human rights.

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Resources

Jon Bennett, 'Internal Displacement: Protecting the Dispossessed', Norwegian Refugee Council, 1997 <www.nrc.no/global_idp_survey/bennettidp.htm>.

Liam Mahony and Enrique Eguren, *Unarmed Bodyguards. International Accompaniment for the Protection of Human Rights* (West Hartford, CT: Kumarian Press, 1997).

Diane Paul, *Protection in Practice: Field-Level Strategies for Protecting Civilians from Deliberate Harm*, RRN Network Paper 30 (London: Relief and Rehabilitation Network, 1999).

Protecting Refugees, UNHCR, 1999.

Developing the ALNAP Learning Office Concept

Kate Robertson, Network Administrator, ALNAP

The Active Learning Network for Accountability and Performance in Humanitarian Assistance (ALNAP) is an interagency forum working to improve learning and accountability within the humanitarian system. Members include bilateral and multilateral donors; UN agencies and departments; NGOs and umbrella organisations; the International Red Cross and Red Crescent Movement; and independent academics, consultants and research institutes. ALNAP seeks to identify and disseminate good practice, and build consensus on common approaches.

The 'Learning Office' concept

The concept of a 'learning office' (LO) was born out of ALNAP discussions during the Kosovo crisis. Although aware of OCHA's mandate for system-wide memory capture, the general view was that this was neither well-supported, nor delivering. ALNAP's Members agreed that its cross-sector nature might allow it to play a useful role.

By the end of 1999, the principle of a dual-function LO as a provider and repository of information was well-supported within ALNAP. However, the lack of agreement on how an LO might be implemented made it impossible to put it to the test during the Kosovo, Orissa and East Timor crises. Full Members failed to achieve a consensus, primarily around issues of location, overlapping mandates and 'client' buy-in – that is, whether such a resource would be valued and supported by those it sought to serve.

Several fundamentals were nonetheless agreed. The LO's mandate and activities should complement existing field-learning mechanisms, rather than overlap with them; its independence should not be compromised, despite the need to maintain critical UN links; and, most importantly, it had to establish its worth to over-stretched operational personnel at the height of a humanitarian response.

Phase 1: developing an LO model

In January 2000, ALNAP started fleshing out a model to address these issues by commissioning the Disaster Mitigation Institute (DMI) and Moira Reddick, an independent consultant, to undertake a retrospective field study of how an LO might have worked during the Orissa crisis. A complementary desk study was also commissioned from Moira Reddick to look at existing 'Information Office' models, thereby placing the Orissa findings in a wider context.

The study characterised the Orissa crisis as a rapid-onset natural disaster, and the humanitarian response to it as involving multiple actors, including volunteers and small NGOs, most of which had little or no relief experience. Those with experience were either unable or unwilling to share their knowledge with others.

The Orissa study involved some 60 interviews with representatives from government, donors, the UN, the Red Cross, INGOs, NGOs, community-based organisations and the media involved in the response to the crisis. These revealed a solid core of support for the LO, and a consistent view that, in the context of Orissa at least, it could have helped to promote better practice, both in combined and individual responses. All those interviewed stressed the need to put learning-related issues on the agenda as an operational concept. The LO concept received a universally positive response from the policy-makers consulted. However, the cautious and occasionally sceptical response from those directly involved in implementing humanitarian programmes emphasised the need to prove the LO's operational worth in situations where resources and time spent on learning-related issues were at the perceived expense of direct humanitarian action.

The role of the LO

The possibility of a coordination role for an LO was raised by several of those consulted. Although this was

discussed at length, there was general consensus that to include coordination in an LO's mandate would seriously compromise its neutrality and independence, and undermine its learning focus. Establishing a clear mandate would help mitigate against false expectations and the danger of an LO being sucked into a coordination role where a coordination vacuum existed.

In terms of a learning-support role, the learning flows to be supported by an LO were defined as:

- 'learning in' from previous emergency situations for current use;
- 'lateral learning' between organisations on the ground; and
- 'learning out' by capturing learning on the ground for use in future emergency situations.

Existing 'learning' mechanisms

To address the issue of overlapping mandates, the desk study looked at the information offices (IOs) established by VOICE in Albania; the Humanitarian Community Information Centre (HCIC), a joint undertaking by the UNHCR and OCHA in Kosovo; and the Australian Council for Overseas Aid (ACFOA) in East Timor.

The VOICE IO was established in May 1999 to assist with coordination through collecting, compiling and disseminating information on the current situation, and managing basic data, including contact lists, meeting summaries, import regulations and tax exemptions. The information was extremely specific, and was sought primarily by NGO personnel. No additional documentation or analysis was undertaken.

The HCIC works alongside the NGO Council, itself established in late 1998 by 40 NGOs wishing to share information and learning. The HCIC's primary activities are collecting and disseminating situation-specific information. It has field-liason and information officers, and an on-site representative from NATO's Kosovo Force (KFOR). The HCIC acts as a contact point, making meeting and workshop facilities available to other humanitarian actors. It sees its client group as sector-wide.

The Darwin-based ACFOA IO was established to service the sector as a whole following the onset of the East Timor crisis. It offered meeting space, practical information and lines of communication. Although it facilitated communication and information flows, it neither filtered nor analysed information, and did not relocate to Dili when the UN mission deployed there in September 1999.

The desk study concluded that none of the information offices it assessed had 'learning' as part of its mandate. Those charged with running the IOs believed an LO would have complemented and potentially reinforced, rather than duplicated, their activities.

Emergency situations and the learning office

The desk study also proposed a tentative typology of five situation-specific LO models:

1. ALNAP (Secretariat)-led/Independent: following a rapid-onset emergency, where no national ALNAP Full Member organisation is available and no security issues exist (during Mozambique's floods, for example).
2. ALNAP (Secretariat)-led under Full-Member Security Umbrella: following a rapid-onset emergency involving issues of security (Sierra Leone in 1999–2000; East Timor in 1999).
3. ALNAP Full Member-led: where a Full Member is available and willing to lead (the DMI in Orissa).
4. Locally-Supported: where ALNAP LO personnel would assume the role of advisors to a previously identified local-support partner organisation (in Bangladesh in 1998, or during Hurricane Mitch in 1999, for example).
5. Humanitarian Community-led: in on-going emergencies, where a longer-term strategy than that envisaged by ALNAP would be appropriate.

Despite the specifics of the Orissa case and the need to test the typology through additional field visits, the consultants identified common factors fundamental to a successful LO, whatever the context:

- neutrality and clarity of mandate and purpose, including a clear definition of 'learning';
- ownership by 'client' groups;
- preparedness with regard to core material, personnel, support procedures, equipment and funding;
- provision of appropriate, context-specific material and personnel;
- timely arrival;
- prioritisation of the different learning objectives in relation to different stages in the response;
- operational transparency;
- a minimum commitment of six months; and
- a well-defined exit strategy.

Phase 2: developing a detailed LO proposal

Following the presentation of Phase 1 findings to its Full Members in April 2000, ALNAP commissioned field visits to Sierra Leone and East Timor to be undertaken by Moira Reddick and independent consultant John Telford. These visits aim to verify the typology, identify potential support partners and produce a sufficiently developed 'LO Proposal' to allow the LO to be field-tested.

Putting it to the test

Identifying, gathering and collating relevant 'material' and 'tools' for the LO to take to the field is a crucial next step. The LO's resources, whether human or material, have to be sharp, focused and accessible. If a prime reason for the continued lack of system-wide learning is the much-stated one of opportunity cost, then this ALNAP initiative will go some way towards limiting or sharing this cost, creating learning space and highlighting both the short- and long-term benefits of sharing and implementing lessons learned.

Additional information on ALNAP and the Learning Office can be obtained from the ALNAP website: <www.odi.org.uk/alnap>

The Performance and Accountability of Donor Aid Administrations: The Role of Parliaments

HPN staff

Two noteworthy reports were published in August this year by the UK's Parliamentary Select Committee on International Development (IDC): *The Effectiveness of EC Development Assistance*, and a Special Report on the UK's response to the Mozambique floods earlier in the year. These reports are notable not simply by virtue of the issues they raise; they are important testimony to the role a well-informed parliamentary body can play in critically examining the performance of donor administrations.

EC development assistance

The report on European Community (EC) development assistance is the third on this subject from the Select Committee in as many years. Although the report recognises some improvements, the parliamentarians also 'remain exasperated at the lack of progress'. The committee's interest in the subject stems from the fact that 25–30 per cent of Britain's international aid budget is spent by the EC. It wants to see this taxpayer's money used effectively, and in line with the aims and objectives of the UK government's White Paper on international development.

This is not currently happening: less than half of the EC's development spending reaches the poorest countries. Although the IDC welcomes the reduction, after recent reforms, of Directorates-General (DGs) and Commissioners holding development funds from four to two, it still feels that priorities cannot be weighed on a global scale. The split between the DG Development and the DG External Relations is perhaps no coincidence. EC development aid is in fact being used to pursue two different objectives: traditional development, but also fostering stability on Europe's periphery. Spending is directed increasingly at Central and Eastern Europe (through the PHARE programme), the former Soviet Union (TACIS) and the Mediterranean and Middle East (MEDA). One objective is to help applicant countries to converge with EC policy and European Union (EU) standards. There is no guarantee, however, that these funds have a poverty focus. The IDC wants the outcomes of these programmes audited against development objectives, and finds it 'inexplicable' that responsibility for Asia, home to half the world's poor, remains outside DG Development.

Why is this important for humanitarian actors? Because the wider trend towards geographical selectivity (aid

concentration in areas of geostrategic interest) and political conditionality on development aid mean that aid will become more concentrated, but probably not where it is most needed. Second, the discussion about 'linking relief and development' takes on a different dimension if development aid 'doesn't show up'. Third, because the reassertion of a political–security framework in international relations, albeit a different one from that which characterised the Cold War, is likely to lead to more restricted interpretations of what constitutes 'humanitarian aid'. After years of critically debating humanitarian action, it seems that today's priority debate should rather be about the objectives, strategies and conditions of our 'development aid'. Should it be 'pro-poor', or just 'pro-Europe' (or 'pro-US')?

The IDC report draws attention to other persistent problems with EC aid. One is delays in disbursements, which now average four and a half years. Almost two years after Hurricane Mitch, none of the Euro 250m allocated to reconstruction in Nicaragua had been disbursed. Similarly, two weeks after the late-February floods in Mozambique, ECHO had made funding decisions, but no disbursements have yet taken place. The IDC makes a practical suggestion: a payment code of conduct for the EC. This would introduce penalty payments if the original amount contracted is not disbursed within the period agreed.

The huge underspend is not wholly the result of inefficiencies in the EC, but these remain one of the important causes. Understaffing is an issue, including in ECHO. This has given rise to massive subcontracting, for example in the form of Technical Assistance Offices (TAOs). The problem is that these remain outside proper budgetary and political control. As the EC member-states are largely opposed to an increase in staff, the Community is now likely to do what aid agencies have been doing for years, namely put staff on to programme budgets.

The IDC also takes note of the proposal, put forward by the EC itself in its 'Communication on the Reform of the Management of External Assistance' of May 2000, to establish a Quality Support Group. Among its functions would be ensuring that programming documents respect minimum quality standards and compliance with evaluation results; identifying best practice inside and outside the humanitarian sector so as to promote excellence and innovation; and

INSTITUTIONAL INITIATIVES

disseminating results. It is intriguing to compare the statement in the 'Communication from the Commission to the Council and the European Parliament' (see RRN Newsletter 16, March 2000, p. 25) – that 'ECHO is currently financing the delivery of humanitarian assistance at least as well as any other organisation, and probably better and in a more cost-effective manner than any other comparable international organisation' – with a statement in the 'Communication on the Reform of the Management of External Assistance' to the effect that 'the EC's management performance has deteriorated over time to the point of undermining the credibility of its external policies and the international reputation of the European Union'. Is there a lack of communication within the Commission?

Mozambique

The IDC's report on Mozambique inquires into the performance of the UK's Department for International Development (DFID) and of OCHA in responding to the February floods, and into the capacity of the UK Ministry of Defence (MoD) to rapidly deploy assets for disaster response, along with the cost of doing so. It should be read in conjunction with the replies of DFID and OCHA, contained in appendices to the report, which complement and sometimes correct some of the 'findings' of the parliamentary committee.

One issue is the exact role and responsibility of OCHA in relation to the host government and the in-country UN team. OCHA sees its core tasks as being establishing a coordination centre, providing information and helping with appeals for international assistance. It does not see taking the lead in the overall assessment and disaster response as a core function. Its capacity remains hampered by a shortage of core funding and a low level of standby reserves.

DFID is congratulated for its speed and effectiveness. On 26 February, a day after renewed and heavy flooding, it had urged OCHA to send a new Disaster Assessment and Coordination (UNDAC) team, checked that there were no MoD assets in the vicinity, made available US\$1m to keep the five

South African army helicopters already working in Mozambique in operation, and activated its own emergency call-down arrangements to mobilise extra capacity. A few days later, several extra helicopters and an MoD support ship were chartered and deployed, as well as assets and trained staff from specialist UK rescue services. The report presents the figures quoted by the MoD for the deployment of its assets, and their relative cost. DFID's reply confirms that using military forces and assets may not always be the most cost-effective or quickest option, but it does not challenge the MoD's demand to send its own reconnaissance teams, and its wish to provide a perhaps expensive – but also 'complete' and therefore independent and flexible – 'package'.

Finally, the report discusses whether Mozambique received enough development assistance before and after the disaster, and whether all or only part of its external debt should be cancelled. It does not draw more general conclusions, but praises Mozambique and its government for being committed to simultaneously pursuing macroeconomic reform and pro-poor strategies.

What is important here is not just the subjects or issues addressed. These reports are the outcome of an active and knowledgeable parliamentary committee critically inquiring into the performance of donor administrations, without party-political bickering, and putting these reports in the public domain. It is to be hoped that other national parliaments, as well as the European Parliament, do the same.

Resources

The Effectiveness of EC Development Assistance, Ninth Report of the Parliamentary Select Committee on International Development, 8 August 2000.

Mozambique, Fifth Special Report of the Parliamentary Select Committee on International Development, 7 August 2000.

Both reports are available at <www.publications.parliament.uk/pa/cm/cmintdev.htm>.

The 'Communication to the Commission on the Reform of the Management of External Assistance' can be found on the Europa website at <www.europa.eu.int/comm/off/com/index_en.htm>.

Related reading

E. Clay, et. al., *An Evaluation of HMG's Response to the Montserrat Volcanic Emergency*, 2 vols (London: Department for International Development, 1999)

What do you do when a volcanic eruption destroys the economy and virtually all infrastructure, makes two-thirds of an island uninhabitable, displaces 90 per cent of a population and makes them almost totally dependent on your aid? This evaluation looks at the quality of the British government's actions and management systems in one of its Overseas Territories, without shunning the controversies between the government and people of Montserrat and the UK government, that at times became very public. But there are also broader lessons here to do with risk-mapping and crisis management.

Protecting Civilians in Armed Conflicts: The Creation of a Humanitarian Commission within the UN

Jean-Christophe Rufin, writer and lecturer, Sciences Po, Paris; Jacky Mamou, President, Médecins du Monde, Paris

In 1918, five per cent of the victims of the First World War were civilians. In 1999, 95 per cent of the victims of armed conflicts were civilians. Instead of being offered protection, civilians are assassinated, starved and displaced, caught in the crossfire of different opposing camps. The price paid by the victims over the last 20 years is truly intolerable. The nature of conflicts has fundamentally changed: internal conflicts have proliferated, and crises have become increasingly complex. There is an increase in 'extermination wars', such as the Rwanda genocide and ethnic cleansing in Bosnia-Herzegovina and Kosovo, which aim to eliminate or drive out one part of the population. Civilians have become a means of waging war, used by combatants in their strategies. They serve as human shields, and are starved to attract and requisition humanitarian aid, as in Somalia and Sudan.

While the international community has endowed itself with legal instruments to protect civilians, international humanitarian law is not respected. Many humanitarian organisations, including Médecins du Monde, have established from their presence in most of the conflicts of the last 20 years that there is an absence of protection for civilians, and less room for intervention by humanitarian organisations.

UN failures

The UN is the only international instrument to offer a framework for negotiations, or to implement instruments of constraint by recommendations, sanctions or intervention by its peacekeeping force. It has said its *mea culpas*: reports, backed by Secretary-General Kofi Annan, have cited examples of intervention being inappropriate, or coming too late. The powerlessness of the UN, combined with erroneous analysis, led to the reduction in the number of peacekeepers in Rwanda in the midst of genocide in 1994. The following year, the organisation could not prevent the massacre of Bosnian Muslims in Srebrenica.

In its special report to the Security Council on 8 September 1999, the UN noted the weaknesses in effective protection measures for civilian populations, and underlined the responsibility of the international community in this area. Now it is time to go beyond this report. We must find ways of allowing heads of state to assume their moral and political responsibilities towards civilians caught up in conflict.

And yet there does not exist an impartial, independent authority to assess the vulnerability of civilians. Sources of information are often unfocused, sometimes contradictory and, above all, are not universally recognised. Belligerents themselves often supply the numbers of victims, reports by NGOs are

suspected of being partial and journalists' articles are accused of being alarmist. In the words of a former French Prime Minister, this only produces background noise, which never obligated him 'to take a political risk for a faraway population'.

Creating a commission

The proposal to create a Humanitarian Commission was accepted at the end of the UN's Millennium Forum in May 2000, which was attended by 1,000 NGOs from all over the world. There is a clear need for such a commission within the UN, composed of independent experts given the responsibility for counting the victims, evaluating humanitarian needs and recommending effective protection measures for civilian populations. This authority could be created by the UN General Assembly, applying Article 22 of the Charter.

Why count? Because counting was a crucial issue in the argument over whether to intervene to protect Rwandan Hutu refugees in eastern Zaire in 1999.

Why evaluate humanitarian needs? Because today, it is Russia, and more particularly the Minister for Emergency Situations, who decides on the needs of civilians in Chechnya.

Why make recommendations? Because of the knowledge of what happened during the genocide in Rwanda in 1994 as a result of the decision to withdraw peacekeepers, leaving Rwandan civilians defenceless.

Why another authority?

A Humanitarian Commission is necessary because there is no other authority giving impartial humanitarian diagnoses. This Commission, of course, would not have an operational mandate. On the contrary, it would complete the system of existing authorities. It would not compete, either with the Office for the Coordination of Humanitarian Affairs, or with UN agencies with a specific role, such as the High Commission for Refugees, the UN Children's Fund or the World Food Programme. As for the International Humanitarian Fact-Finding Commission, whose competence is recognised by only 55 states, it has still received no mandate. Furthermore, it can only act at the request of states, and with the consent of the interested parties. Its conclusions cannot be made public without the consent of the parties to the conflict.

Making states more willing to protect civilians

Faced with the tragedies lived by civilian populations in numerous conflicts, it is not enough to call for the application of international humanitarian law. Of course it is legitimate to continue to do so, and this is

the role of the International Committee of the Red Cross and NGOs. The problem is often seen as a lack of political willingness by states to protect civilians. But nobody asks how this can be changed.

Faced with a new type of conflict, the international community's response is variable. Very violent situations are not taken into account, or dealt with in time, as for example in East Timor, where for the last 25 years the Indonesian army has been allowed to commit acts of violence with no intervention. However, action is sometimes taken. But when a political decision is made, it too often constitutes a response to particular political, strategic or economic interests. The interventions that follow are often ill-prepared, with mandates that are inappropriate to increasingly complex situations. The result is all too rarely of true benefit to the people. Moreover, the label 'humanitarian' attached to these interventions deprives them of any real effectiveness. Humanitarian aid is not a management method, nor a way of settling conflicts. In no cases can it be a substitute for political action. We all remember the disarray of the peacekeepers in Bosnia and the feeble protection they offered the people there. At no time did their presence prohibit the pillaging of Sarajevo and the 'security zones'. It did not prevent the fall of Srebrenica. The NATO airstrikes against the Federal Republic of Yugoslavia did not prevent the deportation of nearly a million people, nor did they protect the people who remained in Kosovo.

Creating a Humanitarian Commission within the UN would demonstrate willingness on the part of states to offer better protection to civilian populations in armed conflicts. Its recommendations would force states to shoulder their responsibilities, particularly since the reports issued by the Commission would be public, rather than confidential, as is so often the case today.

Ensuring independence

The Commission's independent experts could be elected by the General Assembly for a non-renewable

term. Even if they are proposed by states, experience shows that they rapidly become autonomous. Moreover, the international criminal tribunals have judges of different nationalities, and yet their integrity has never been questioned. It is common today to call on committees of experts in the UN official system, for example to assess diamond-trafficking in Sierra Leone. Furthermore, it is evident that the choice of experts will be made as much on the basis of their knowledge of the humanitarian field as on their moral integrity. It must be remembered that the experts are not UN officials and that they are not, therefore, destined to make a career there. Be that as it may, in relation to this Commission, NGOs will obviously retain their freedom of speech and action.

In any case, if there is not a consensus on this nomination mechanism, experts could also be designated directly by the Secretary-General himself. As regards its operation, the Humanitarian Commission could work at the request of the Secretary-General, or act on its own initiative, submitting its recommendations to the Secretary-General whenever it deems it necessary. The former could then, by applying Article 99 of the Charter, draw a matter to the attention of the Security Council. The experts on the Commission could work from reports by different UN official agencies and NGOs or, if necessary, they could themselves go to the field. Finally, the Commission could operate on voluntary contributions from states, or from private donations. Nevertheless, it is important to stress that cost issues should not hinder the setting up of such a Commission; improving the protection of civilians in war should carry no price-tag.

One may or may not agree with the proposed Humanitarian Commission. Nevertheless, it does offer the advantage of reconsidering the question of the protection of civilian populations in armed conflicts and, more generally, the issue of humanitarianism as an item on politicians' agendas. If solidarity is a matter for all citizens and their organisations, then essential political decisions belong to states. It is perhaps worth remembering this from time to time.

Evaluating the Humanitarian Response to Kosovo

HPN staff

The war between NATO and the Federal Republic of Yugoslavia (FRY) in March–June 1999 precipitated a major humanitarian emergency, involving the largest and fastest movement of people in Europe since the Second World War. In turn, the international response mobilised political, military and humanitarian assets on an unprecedented scale.

The Disasters Emergency Committee in the UK (DEC) launched its Kosovo appeal in April 1999. The appeal, the largest in the DEC's history, raised over £50m. Twelve DEC member agencies participated: the British Red Cross Society, CAFOD, CARE International UK, Children's Aid Direct, Christian

Aid, Concern Worldwide, Help the Aged/HelpAge International, Merlin, Oxfam GB, Save the Children, Tearfund and World Vision UK. The DEC agencies found themselves in the unique situation of working in a crisis in which the UK government was a leading player in the military conflict and also, as with other NATO governments, a major donor to, and participant in, the humanitarian response.

The evaluation

The DEC commissioned from the ODI an independent evaluation of Phases I and II of expenditure, covering the period between 6 April 1999 and 31 January 2000, and expenditure of £37m.

The three-volume report, published in August 2000, highlights the following features of the international response:

- there was a general lack of readiness among aid agencies;
- local NGOs and other organisations played a crucial role in assisting refugees in Albania, Macedonia and Serbia;
- the coordination of the international response, particularly during the refugee phase of the crisis, was weak; and
- the humanitarian response became politicised, serving agendas and strategies that were not purely humanitarian.

Despite these difficulties, international assistance did improve the conditions of the affected populations. In particular:

- The assistance given by the DEC agencies was broadly relevant and appropriate to people's needs.
- There was a lack of public advocacy by individual DEC member agencies on some key humanitarian issues, notably the plight of the one million people who remained in Kosovo during the NATO bombing campaign.
- DEC agencies avoided excessive alignment with NATO and governmental donors in their responses, but rarely had procedures to guide field staff in their relations with the military.
- DEC agencies resisted the over-concentration of assistance on refugees in the camps in Albania and Macedonia by also responding to the needs of refugees in host families and host families themselves.
- The major proportion of DEC funds was spent in Albania, Macedonia and Kosovo. However, an important strength of the DEC money was its availability for use throughout the region, and some DEC agencies were able to increase their response to growing needs in Serbia after the NATO bombing ended.

Lessons

Several lessons emerge from the humanitarian response to Kosovo's emergency. One is that, in complex political emergencies, effective preparedness and response plans depend on access to informed political analysis. The evaluation identifies a number of factors that contribute to strong preparedness capacity, such as in-house emergency staff available at short notice, well-defined expertise in a particular sector, efficient recruitment procedures and good logistics systems. An established presence within the

region and existing relationships with local partners were also important elements affecting an agency's preparedness and timely response.

Second, the general lack of assessments in the Kosovo crisis was a weakness. Gender analysis, for example, was weak in the assessments and programme designs of almost all DEC agencies. Monitoring mechanisms need to be strengthened so as to ensure that programmes are responding to needs in a balanced and impartial way. At a minimum, better monitoring of expenditure and delivery of aid resources to different population groups would help.

Third, the Kosovo crisis highlights how issues of protection can be just as important as the provision of material relief assistance in war-induced emergencies. More attention thus needs to be paid to protection in the design and implementation of humanitarian response.

Lastly, the evaluation recommends that DEC agencies support the Sphere humanitarian charter and minimum standards (see our articles in this issue), and make greater efforts to disseminate these documents. Awareness and application of Sphere and code-of-conduct principles was poor within most DEC agencies, their international networks and local partners.

Although international assistance undoubtedly improved the conditions of affected populations, several other factors served to mitigate a major catastrophe, including: the good pre-crisis health and nutritional status of the refugee population; the short duration of the emergency and quick return of the refugees; the fact that two-thirds of refugees stayed outside the camps and were supported by the local population; and the assets retained by refugees (savings and remittances) which enabled them to pay for food and accommodation.

A year after the refugee crisis, greatest progress has been made in meeting emergency needs inside Kosovo, but reconstruction requirements remain immense. The Serb, Roma and other people who fled Kosovo have little prospect of returning home and constitute a long-term problem. The political 'end-state' is also uncertain: no time-limit has been set for the UN Mission in Kosovo (UNMIK), and the legal status of the UN Administered Province of Kosovo remains undefined. Kosovo's future will depend upon the establishment of a credible governance structure that meets the aspirations of Kosovo's population, and that promotes sustainable recovery.

Independent Evaluation of Expenditure of DEC Kosovo Appeal Funds, 3 vols (London: Overseas Development Institute/Valid International, August 2000). For further information on the DEC and its member agencies, see: <www.dec.org.uk>. The DEC, 52 Great Portland St, London W1N 5AH. Tel +44 (0)20 7580 6550 Fax +44 (0)20 7580 2854.

Contingency Planning in the Balkans: From Lessons Learned to Emergency Readiness

Chris Sykes, CARE International Balkans Coordinator

In the wake of the Kosovo crisis, CARE International has taken several steps to improve its readiness capacity in the Balkans. This has not been an easy process, and a number of fundamental problems have been encountered. These have been both internal and external to CARE, and are probably shared by most organisations carrying out preparedness-planning exercises. How the humanitarian-assistance community deals with these difficulties could define how ready we are to respond to the next complex emergency.

Developing a regional strategy

The humanitarian response to the Kosovo crisis was made less effective by the lack of regional preparedness. As a federation consisting of many different members, CARE's first step was to create a Balkans Coordinator position at the Secretariat office in Brussels to coordinate the many actors within CARE in the Balkans. The Balkans Coordinator has improved communication between the different offices in the region, which has resulted in an increasingly harmonised approach. This has helped create a more coherent regional strategy.

As a second step, CARE retained the services of a Balkans analyst to provide in-depth analysis of events in the region, and their possible humanitarian implications. These steps have led to several regional contingency-planning meetings to discuss emerging trouble-spots, and CARE's probable response. As an example, following the rise in tensions along the eastern border of Kosovo and southern Serbia, representatives from several offices in the Balkans met in Skopje in early April. With facilitation by the Balkans Coordinator and background analysis from the Balkans analyst, the various offices came up with a plan for an orchestrated response to several potential scenarios.

Another output was the commissioning of a regional preparedness plan that anticipates the possible consequences of the most recent political events in the Balkans. During the planning process, the different country offices in the region evaluated their current response capacities in relation to some possible emergency scenarios. As a result, CARE has made a number of strategic decisions as to how it would respond in the event of another regional crisis. These decisions are based on a number of considerations:

- the type of humanitarian crisis;
- CARE's geographical presence;
- the presence and capacity of other international agencies;
- competing global priorities;
- available resources;

- current and future capacities of each mission;
- staff security; and
- donor relations specific to each office in the region.

Based on these criteria, a framework for responding to a crisis has been established. This has enabled the Balkans missions to identify both human and material resources that can be shared within the region, thereby enhancing overall readiness. The preparedness process is by no means complete, and will continue as long as the potential for another humanitarian crisis in the Balkans remains.

Obstacles to contingency planning

Despite the progress made in analysis and planning, CARE has encountered a number of obstacles to preparedness planning. These difficulties are by no means exclusive to CARE, and they need to be addressed by the broader humanitarian-assistance community if we are to become better prepared for complex emergencies.

Political sensitivity

A number of the lessons-learned reviews identified the sensitivity of local authorities to emergency preparations as a major deterrent to access, sharing of information and operational preparations. A number of agencies were reluctant to divulge the contents of their contingency plans, or even acknowledge the existence of a preparedness-planning process with other agencies, the concern being that, in many cases, local authorities are sensitive to any mention of the domestic and regional political instabilities which are at the root of many of the problems concerning aid agencies. However, a way must be found to enable agencies to coordinate their contingency planning without negative ramifications in terms of the local authorities.

Political sensitivities also impede attempts to survey the local population as to their options in the event of a crisis. Although one always has to be cautious not to raise alarm in potentially affected communities, gathering information on where families would move and the coping mechanisms at their disposal is vital to preparedness planning. The political climate in parts of the Balkans has prevented this sort of information-gathering, making it difficult to predict the choices at-risk populations will make. This makes inter-agency collaboration, in the form of coordinated planning, ever-more critical for piecing together potential emergency scenarios.

Resources

Thorough contingency and preparedness planning requires financial resources which are often difficult to find, particularly when agencies face a number of competing priorities. Resources are essential for

information-gathering, analysis, training, procurement and the pre-positioning of materials. Committing these resources is especially difficult when it comes to the pre-positioning of both human and material assets in anticipation of a potential crisis. Often the rationale for taking these steps is speculative in nature and based on imperfect information, which tries to predict the consequences of events that are not easy to forecast. This in turn makes it difficult to justify taking such steps to donors.

Once again, there is a need for greater information-sharing and joint preparedness in order to achieve efficient economies of scale. NGOs also need to advocate for greater donor commitment towards preparedness planning as a critical step to more timely and effective emergency response.

Competing global priorities

Humanitarian agencies are usually faced with a number of competing global priorities, and have to make difficult choices in terms of time and resource commitments. When deciding to carry out the contingency planning exercise for the Balkans, the question was asked: why the Balkans and not the

Horn of Africa, Indonesia or Sierra Leone? In an ideal world, the means would exist for comprehensive preparedness planning to address any number of emergency scenarios simultaneously. None of these areas was excluded from some level of planning, but ultimately CARE was faced with having to make practical strategic decisions based on factors such as donor support, regional presence and capacities. A confluence of these factors was present in the Balkans, which afforded CARE the opportunity to invest in a more comprehensive planning exercise (fortunately not at the financial expense of other regions, since the resources were identified in the region itself).

Conclusion

CARE is better prepared than it was before the Kosovo crisis to respond to a number of potential emergency scenarios in the Balkans. However, there are still improvements to be made. CARE's continuing capacity review will seek to better identify some of the internal impediments, and recommend structural changes in order to improve CARE's overall emergency-response capability. Lessons learned from the Kosovo crisis are making a valuable contribution to improving CARE's regional and global response capacities.

New Guidelines to Save Older People's Lives in Emergencies

Lesley-Anne Knight, Emergencies Manager, HelpAge International, London

Older people constitute a significant proportion of those at risk in humanitarian crises. They are often ignored, left behind or isolated in dangerous and life-threatening situations. While most aid agencies recognise them as a vulnerable group, they are rarely assigned the priority given, for example, to children. Humanitarian organisations frequently lack the expertise and capacity to address older people's needs, resulting in unnecessary hardship.

New guidelines published by HelpAge International suggest practical ways to meet older people's needs, and to recognise their potential in emergency situations. The guidelines cover basics like shelter and appropriate food, accessible services, including healthcare and psychosocial support, protection from abuse, and ways to consult older people and involve them in decisions about the kind of assistance they need.

The guidelines also address the structural problems that face older people in developing countries. Even before disaster strikes, many are poor and marginalised. Their numbers are growing; the number of older people in developing countries will more than double over the next 25 years, reaching 850m by 2025 – 12 per cent of the developing world's total population.

Concern for older people's frailty can obscure the fact that by no means all are passive and unable to look after themselves. HelpAge International's

guidelines thus urge that their responsibilities, and the knowledge and skills they bring, should be recognised and built upon. The guidelines encourage aid workers to use older people's knowledge of the community and local conditions to decide on the distribution of assistance. Elders' ability to pick up the pieces after an emergency stems from their past experience, and aid agencies can learn valuable lessons from them.

Older people's priorities

The guidelines developed by HelpAge International are based on research conducted during 1999 in the aftermath of emergencies in Bangladesh, Bosnia-Herzegovina (BiH), the Dominican Republic and Rwanda. They conclude that: 'If invisibility, exclusion and powerlessness are common themes emerging from the experience of older people, then consultation, inclusion and empowerment through partnership have emerged as the primary indicators for good practice. Older people have consistently asked:

- to be seen, heard and understood
- to have equal access to essential support services
- to have their potential and contributions recognised, valued and supported'.

The research revealed marked differences between the perceptions of older people interviewed about their experience of emergencies, and those of aid-agency workers. Older people assessed their most important problem in emergencies as lack of income,

followed by poor access to health services. Aid agencies considered food, nutrition and isolation as key, with income not included in the top six problems they identified. This difference in priorities seems to reflect older people's concern to re-establish coping mechanisms, whereas aid workers concentrate on the more immediate problems of relief.

Older people's needs

The guidelines insist that older people should have equal rights to support and protection in emergencies as other vulnerable groups. They do not call for separate services or facilities, but rather aim to ensure that access to services is available to all, while taking into account the particular needs of older people.

When regular healthcare facilities are disrupted, older people often have to rely on clinics located at a central point in the camp or service centre, and therefore hard to reach from outlying areas. The guidelines suggest home-visiting programmes to reach those who cannot get to medical facilities.

At clinics themselves, systems can be developed to prioritise the most vulnerable, including older people. Staff tend to focus on the very young and on acute cases, and clinics geared to emergencies do not necessarily stock medication for chronic disorders common among older people, or disorders that will become acute without regular treatment. The guidelines advocate that, where feasible, simple age-related clinics should be established to deal with issues such as joint pain, and that appropriate drugs should be available to deal with chronic disorders. Treating older people in a group in this way can reduce pressure on limited aid-agency resources.

Older people's restricted mobility is a key consideration in planning the delivery of services. Outreach services are particularly important in supporting those who are left isolated and vulnerable, in damaged homes and without basic services, when younger people have fled. In Eastern Slavonia, an area handed to Croatia after the Dayton Peace Accords of 1995, Serb families departed for the Federal Republic of Yugoslavia, in some cases leaving their elders behind to care for their property. Many had health needs that were not met due to their isolation and fear, and because of discrimination by service providers.

Where there is competition for food, fuel and water supplies at distribution points, younger and stronger people tend to take the lion's share. Aid workers need to ensure that queuing arrangements for distributing basic goods do not allow older people to be pushed aside. Another problem often ignored by aid agencies is the type of food provided as basic rations, which is often unsuitable for teeth and digestive systems compromised by age. In the February 2000 floods in Mozambique, for example, some older people reported that the food provided aggravated diarrhoea.



A Croatian couple return to their home

Neither age nor frailty is any protection against abuse, and safeguarding older people from robbery, intimidation, rape and violence is a necessity. In arranging shelter for refugees and displaced people, the guidelines suggest not mixing older women and men to make up the numbers for shelters without the informed permission of the women. In late 1999, the Organisation for Security and Cooperation in Europe (OSCE) reported 'a deplorable pattern of violence and harassment' against older people in Kosovo, both during the Serb attacks on the Albanian majority, and after the refugees returned. Vulnerable older Serbs face reprisals and harassment on the streets, at World Food Programme (WFP) distribution points and at medical centres. In coordination with other agencies, HelpAge International set up a home-visiting programme in Pristina to ensure that vulnerable older people from ethnic minorities receive warm clothing, meals and medical attention in their homes.

Older people and the family

It is a common misconception that older people in developing countries have their families to look after them. In some circumstances this is still the case, but societies are changing. Even where older people are still accorded respect and care, there are many pressures that drive families apart. In India, for example, over 75 per cent of older people remain in the countryside, while many of their younger relatives live in the cities. Chronic health problems, functional impairment and a 73 per cent illiteracy rate already put older people at a disadvantage. Older people, especially older widows, are among the worst affected because they rely on the informal economic sector and small-scale subsistence agriculture for their survival. An estimated 55 per cent of rural women in India over the age of 60 are widows, who are traditionally discriminated against.

In emergencies, older people are often separated from their families. In the Mozambique floods, HelpAge International staff reported that the young and the elderly were most frequently separated from more able adults, or abandoned in the rush for survival. Some older people still do not know where their family members are. They were the last group of people to reach the relief camps, and the last to know about the recession of waters and resettlement.

The guidelines emphasise the importance of providing psychosocial support to older people, and extending family-tracing services to include them.

When the immediate crisis is past, older people need to rebuild their livelihoods. In most developing countries, only a small minority have pensions of any kind. They therefore need to work in order to survive if their families cannot provide for them. In some cases, they have to support other family members. In the aftermath of the Rwandan genocide, for example, 70-year-old widow Joyce Mukankundiye is supporting her three grandchildren because her daughter has suffered from psychological trauma since

the war. The guidelines highlight the need to support older people by including them in skills training, access to credit and support for income generation. Older people caring for children also need longer-term help with costs such as school fees, and links with other carers for mutual support.

'Older People in Disasters and Humanitarian Crises: Guidelines for Best Practice' is available free of charge in English, French, Portuguese and Spanish. It is also available in English at <www.helpage.org>. For copies, or further information, contact Sarah Graham-Brown, Communications Department, HelpAge International, 67-74 Saffron Hill, London EC1N 8QX, UK. Tel: +44 020 7404 7201 Fax: +44 020 7404 7203 Email: <press@helpage.org>.

Professionalising Emergency Personnel

Bobby Lambert, Director, RedR, London

The third Emergency Personnel Seminar (EPS), in what has now become a series, was held in New York in April. The HPN has reported on these seminars before, and continues to support the process. The aim of the seminars is to improve the ability of participating organisations, both individually and as a community, to find, select, prepare and retain personnel for emergency operations.

Specific objectives of the process include:

- sharing and developing best practice;
- fostering professional development;
- facilitating individual collaborative opportunities;
- developing collaboration between agencies; and
- improving systems for the rapid recruitment and deployment of relief workers.

The EPS process complements other initiatives, notably that of People-in-Aid in the UK and Ireland, and the InterAction Protocol on Personnel Management in the US. It provides a unique opportunity for those concerned specifically with the rapid mobilisation of personnel for large-scale emergency response to network with each other and, at the EPS meetings, to come together to exchange experiences and develop solutions to what is a major strategic challenge in responding to emergencies.

Over the course of the seminars, progress has been made on concrete issues, notably on agreeing about the need for pre-deployment training and what such training should cover. At the last meeting in New York, however, there was frustration over the slow progress with regard to other matters. Despite this, the message that came through clearly was that those dealing with these difficult issues appreciate the opportunity to meet and exchange ideas and

experiences, and to develop or discover solutions to their problems.

A major area of discussion dealt with how agencies can improve their capacity to cope with the huge surges in demand for personnel that occur at times of emergency. Despite progress on developing registers of personnel and on increasing the linkages between such registers, there is still much to be done. At a basic technical level, a form of common language on the competencies required of personnel would help, and this is currently being developed.

Progress under the People-in-Aid initiative was noted, and several of the agencies piloting the code made presentations. Implementing the code takes time and can result in fairly significant changes in terms of how an organisation operates. It is too early to assess the impact on the effectiveness of relief and development programmes.

In recognition of the limitations of a series of one-off seminars and the need to maintain continuity between seminars, it was proposed that a network be set up – the Emergency Personnel Network – which would be managed by representatives of several of the agencies attending. The nature and institutional basis of this network would depend on an evaluation of the impact of the series of seminars held thus far.

A full report on the seminar is available at <www.redr.org/epn>.

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RedR – Engineers for Disaster Relief – relieves suffering in disasters by selecting, training and providing competent and effective personnel to humanitarian relief agencies worldwide.

Strategy 2010: All Change at the Fed?

Stephen Davey, Under-Secretary General, IFRC, Geneva

The Federation General Assembly of 1999 – bringing together the 176 member National Societies – took some big decisions: a new constitution with greater authority for the governing board; a new strategy setting new directions for the National Societies working together as part of the Federation; and a new Secretary-General to lead the implementation of these changes. In addition, governments at the twenty-seventh International Conference of the Red Cross and Red Crescent in October–November 1999 agreed a Plan of Action complementing many of the ideas of Strategy 2010.

In building Strategy 2010, a massive effort has gone into analysing the past, consulting the constituency, and agreeing a vision for the future. The first months of 2000 saw the beginnings of major change at the Federation as the new Secretary-General, former banker Didier Cherpitel, set about implementing Strategy 2010 with the support of the governing board.

Strategy 2010 in a nutshell

Strategy 2010 defines a new mission for the Federation: ‘to improve the lives of vulnerable people by mobilising the power of humanity’. It describes three strategic directions to guide the Federation: National Society programmes responsive to local needs; well-functioning National Societies with effective governance and strong implementing capacity; and working together effectively through programme cooperation, sharing of knowledge and resources and more active involvement in advocacy.

To respond to the increasingly diverse services that the Red Cross/Red Crescent is providing, Strategy 2010 calls for a focus by all National Societies on four core areas: promoting humanitarian values; disaster preparedness; disaster response; and health and care in the community.

Not business as usual

For the new Secretary-General, and for the organisation as a whole, 2000 has been about change to achieve implementation. The process started with a look at the operating environment. Governments are expecting more of the voluntary sector, but there is less government money going into development assistance, and there are more and more players. The possibility, therefore, for donors to ask for more – in terms of effectiveness, accountability and visibility – is great. In business terms, a donor-driven market.

For the Federation, this meant that its big National Societies were no longer interested in simply providing resources to multilateral operations in case of major disaster. They needed to be directly involved in delivering services in order to be able to provide direct feedback to their own publics. Their requirements of the Federation had changed more than the Secretariat had realised. For large sudden-onset disasters, the requirement for the Secretariat has become strategic

coordination of programmes managed by the different donor National Societies, rather than operational management of a traditional multilateral type.

In addition to the imperatives of disaster response, the Federation has an opportunity that it has not fully realised, namely to capitalise on its special characteristic of being a network of nationally based and nationally integrated organisations. With governments pulling back from direct service delivery, the scope for service provision by the National Societies network is growing. Building local capacity in this network is critical. But to do this, the Federation needs to redesign itself so as to become more effective in sharing the knowledge and resources of the National Societies in responding to day-to-day needs.

Redesigning the Federation Secretariat

A critical challenge for the Federation Secretariat has always been to clearly define its own role. The 176 National Societies, each with different priorities, will always generate far more demands than the Secretariat can manage. Over the years, the Secretariat has moved back and forth between being a strong ‘leading and operating’ entity, and being more of a ‘post box’ – facilitating communications between National Societies. In an attempt to reconcile these dilemmas, the new mission of the Secretariat is to be the Federation’s ‘serving leader’. Almost a contradiction in terms? Not so, says Didier Cherpitel. The Secretariat must always remember that it is there to serve its members – the National Societies. But if it only serves the individual National Societies, it adds only a part of the value it can to the Federation. The Secretariat must also work with the Federation governance to lead and inspire the Federation, setting directions for the whole Federation, establishing and monitoring the implementation of policies and standards, and representing the National Societies internationally. The new structure is built around these ideas and, beyond the structure, there are new ideas of how the Secretariat should work. These include developing a matrix organisation, emphasising teamwork, identifying best practice and building a performance culture.

But the change process is not only about the Secretariat. It also poses tough challenges for the Federation as a whole. How can it deal with issues of performance by its individual members if these are outside agreed policies or below standards? Can it get better at capturing and sharing information about best practice in different fields? And can it more assertively advocate in health and disaster areas where it has global expertise? Time will tell. This is a process of change which aims to harness the capacities of National Societies working together in new ways within an evolving Federation.

For more on Strategy 2010, see the IFRC website: <www.ifrc.org/who/strategy.asp>.

Security-Sector Reform: A Work in Progress

Dylan Hendrickson, Research Fellow, Centre for Defence Studies, King's College London

An increasing number of development agencies are becoming operationally involved with security-sector reform (SSR). Spearheading this new 'sector' of assistance is the UK Department for International Development (DFID). Its policy statement, 'Poverty and the Security Sector' published in March 1999, reflects government-wide consensus on the rationale of SSR as a development issue, and Whitehall-wide coordination in implementing this policy.

Recent donor experiences in Cambodia and Sierra Leone suggest that providing security-sector assistance presents unique and difficult challenges. In particular, the haste with which the new agenda has been operationalised has not allowed for adequate consideration of its many complex policy dilemmas. Unless donor assistance is provided within a coherent policy framework, there is a risk that the new agenda will end up being little more than a 'crisis-management' response to deep-seated security-sector problems.

That development actors have until recently largely steered clear of direct involvement with the security sector is an indication of the immense political (and legal) barriers they face; the conviction among many that this is not a legitimate area for development assistance; and a corresponding reluctance to develop the requisite capacity. However, it is precisely these factors, coupled with the urgency of SSR as a development issue, that suggest the need for a more constructive and open debate.

Policy debates and dilemmas

The security sector comprises those bodies – both civil and military – responsible for protecting the state, and communities within it. SSR seeks to address how the security sector is structured, managed and resourced, and the obstacles governments face in bringing security institutions to account. Underpinning the SSR agenda (and also providing the rationale for aid agencies to work in this domain) is the principle that achieving effective security-sector governance is both a civilian and a military responsibility.

The SSR agenda represents a move away from the rather simplistic and mechanistic focus on military expenditure that has characterised past interventions in the security sector by international financial institutions (IFIs) and certain bilateral donors. A narrow focus on reducing security spending is not always consistent with the need to enhance security, or to create conditions conducive to poverty reduction. Reconciling competing demands on public resources between the social sectors and the security sector is therefore a central policy dilemma.

While officials in developing countries have generally welcomed donor interest in SSR, the views expressed at recent international conferences highlight concern about the lack of clarity regarding donor motives, and the policy assumptions underpinning the new agenda. This was, for example, the general message that emerged from a DFID-sponsored symposium on security-sector reform and military expenditure in February 2000. There are concerns that SSR may be a back-door to donor conditionality aimed at down-sizing, rather than 'right-sizing', the security sector.

Security-sector reform also raises fundamental questions about the role of the state in providing security. While the SSR agenda is predicated upon regarding states as the primary actors in providing security, this is clearly at odds with the current situation in some developing countries, and there is a risk that the question of who will provide security and protect human rights in the absence of effective state capacity will be overlooked. The privatisation of security services in many countries does not bode well for the welfare of the poorest segments of their populations.

In Africa in particular, citizens have long sought solutions to the problem of personal security outside of the state arena. This is not simply due to the fact that state capacity has been undermined, but also because politics is organised along very different lines than in the West. This has important, but poorly understood, implications for security-sector reform. Even if a society decides to emulate a Western security model, there is a huge gap between the kinds of reforms being proposed by donors, the capacity of governments to undertake and sustain them, and the levels and quality of international assistance being provided to fill this gap. Without resources to pay the salaries of security personnel and fund institutional reforms, human-rights training – to give one example – is unlikely to increase professionalism.

Operational challenges

In Sierra Leone, the UK-supported SSR programme, which was temporarily halted when fighting resumed in May 2000, has attempted to address some of these issues by complementing military-training assistance with help in reforming the police, restructuring the Ministry of Defence, strengthening mechanisms of civil oversight and elaborating a new national security policy.

While the ideal 'pre-conditions' for reforms rarely exist in any country, the Sierra Leone case suggests that consolidating peace agreements and restoring political stability are pre-requisites for the structural

reform of the security sector. Other concerns relate to the appropriate balance between external and local visions for reform, the role of civil society and the pace of reforms in the context of the state's overall institutional fragility. A recent report suggests that, in the haste to initiate the reform process, some of these dilemmas may have received inadequate attention.

In Sierra Leone, the prevailing security threat provided justification for direct British support to bolster military capacity. In Cambodia, however, most donors have taken a 'deficit-reduction' approach in order to avoid direct engagement with the military. For the first time since the 1960s, a Cambodian government does not face a significant internal or external military threat. This, combined with the surge in crime since the peace agreement of 1991, suggests that there is a need and an opportunity to reorient military spending (currently 30–40 per cent of the national budget) towards internal security functions and the social sectors.

The IFIs are currently placing heavy pressure on Cambodia to cut military spending rapidly. Reducing the size of the army has been identified as the best way to achieve this, but the demobilisation programme has been delayed by a lack of government capacity and commitment, and general donor reluctance to fund its reintegration component. Demobilisation has not been closely linked to the Australian-supported defence review, and no real promises of assistance to reform the army have been forthcoming from donors. Such pledges would have provided the best incentive for the military – which enjoys significant autonomy – to support the down-sizing process.

Mainstreaming SSR in development policy

There are no easy answers to the dilemmas raised by security-sector reform, particularly when it involves security forces in countries with a culture of impunity. Nonetheless, development agencies cannot avoid engaging with these issues. This view is consistent with the vision for security-sector reform laid out by Clare Short, UK Secretary of State for International Development, when she launched DFID's policy statement in March 1999. But if the promise is to be fulfilled, SSR will not only need to be mainstreamed in development policy, but also incorporated into the overall foreign policy of donor countries. This was the key message of a report prepared in July for the Organisation for Economic Co-operation and Development – Development Assistance Committee,

whose members are engaged in a consultation process intended to culminate in a new policy note on security-sector reform.

Due to the immense institutional and political barriers to mainstreaming SSR in development policy, the onus is on those promoting the agenda to demonstrate how it can benefit normal development activities. DFID has asked the Centre for Defence Studies at King's College to produce a set of 'security-sector assistance guidelines' identifying practical ways in which development assistance can help countries strengthen security-sector governance. Such guidelines should also help to identify ways in which DFID, the Foreign and Commonwealth Office and the Ministry of Defence can work more effectively together on the ground in support of SSR, as well as contributing to a more informed debate.

Perhaps the greatest challenge development agencies face is striking an appropriate balance between reflection and action. There is a tension between the need to invest in the internal capacity required to analyse and develop appropriate policy to address security-sector problems, and the need to become operational as rapidly as possible. SSR is new terrain for development agencies, and it is through their experimentation on the ground that they will learn the most. But SSR is also a vastly ambitious and politically-sensitive agenda. This underlines the need for development agencies to learn from their mistakes – for mistakes there will be – and consult closely with countries receiving assistance.

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Resources

Nicole Ball, *Spreading Good Practices in Security Sector Reform: Policy Options for the British Government* (London: Saferworld, 1998), <www.saferworld.co.uk>.

Malcolm Chalmers, *Security Sector Reform in Developing Countries: An EU Perspective* (London and Ebenhausen: Saferworld/Stiftung Wissenschaft und Politik, 2000).

'Poverty and the Security Sector', DFID Policy Statement, <www.dfid.gov.uk>, 1999.

Security Sector Reform and the Management of Defence Expenditure, DFID Discussion Paper No. 1, <www.dfid.gov.uk>, 2000.

Supporting Security Sector Reform: Review of the Role of External Actors, DFID Discussion Paper No. 2, <www.dfid.gov.uk>, 2000.

Coexistence Resource Centre at <www.coexistence.net/resource_centre>

The Coexistence Resource Centre (CRC) is an on-line resource centre developed by The Coexistence Initiative to support the diverse field of coexistence. Its purpose is to aid the practitioner, academic, policy maker or activist to identify relevant coexistence resources, information or expertise. Built in a straightforward and searchable manner, it is both a gateway and collection of practical resources on coexistence.

For further information, check out The Coexistence Initiative's website at <www.coexistence.net> or email: <info@coexistence.net>.

US Arrears to the UN

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In late 1999, the US Congress passed legislation to clear nearly US\$1bn in arrears owed to the UN. The craftsmen of the deal were an unlikely trio: conservative Republican senator Jessie Helms, moderate Democratic senator Joseph Biden, and the field-tested diplomat Richard Holbrooke, US Ambassador to the UN.

The legislation came hard on the heels of a US General Accounting Office (GAO) report warning that the US faced the possibility of losing its vote in the UN General Assembly (UNGA). By 1 January 2000, estimated US arrears would have stood at around \$1.43bn, with prior two-year assessed contributions at an estimated \$1.28bn. The shortfall – of \$153m – would have resulted in the UN invoking Article 19 of its Charter, under which any country with more than two years' back dues loses its vote in the UNGA.

In 1998, UN Secretary-General Kofi Annan had warned of the dangers of US intransigence, declaring in *The New York Times* that the only winners were 'the aggressors of the world whose designs we seek to foil [and] the violators of human rights abuses we endeavor to curtail'. Annan defended the progress of his reforms, noting that by 1998 1,000 posts had been cut, the UN's budget had fallen to \$2.53bn, and administrative expenditures had been cut from 38 per cent of the budget to 25 per cent – all measures that Helms in particular had been demanding.¹

Domestic factors

Within Congress, however, concerns about the UN's potentially compromised ability to respond to destabilising conflicts or to meet pressing humanitarian needs were absent from the debate. Instead, the key issue was the possibility that the US stood to lose influence. Congressional arguments were couched in the language of US interests, and deliberations related to domestic constituencies, or to the concerns of individual legislators.

These concerns included the pro-choice activities of US NGOs abroad; fiscal reform in the UN; the security of US military personnel working in UN-related peacekeeping assignments; Israel's status within the Security Council; and the impact on the US budget surplus. Funding for peacekeeping operations was sensitive among conservative members of the US Congress, who felt that the UN had not adequately credited the US for military assets that had been extensively used in earlier peacekeeping operations. There was a feeling among some in Congress that the US had already paid its dues.²

Congressional concerns were in sharp contrast to US public-opinion polls that, in late 1999, gave the UN its highest approval rating since 1959. By three to one,

respondents favoured the US paying its dues, and overwhelmingly rejected linking the issue of UN dues to the national debate about abortion rights.³

Nonetheless, the passage of the legislation authorising the payment of arrears was conditional on UN reform, while the Clinton administration was forced to accept language barring family-planning groups from using US funds to lobby for changes in overseas abortion laws. The compromise legislation authorised the payment of arrears over three years, beginning with \$100m in 1999. The second and third instalments (of \$475m and \$244m respectively) are conditional on the UNGA voting to reduce the regular US budget assessment from 25 per cent to 22 per cent (in comparison, the combined regular assessed contributions of the European Union countries is 36 per cent, and 20 per cent for Japan), and on a reduction in contributions to peacekeeping, from 30 per cent to 25 per cent.

Further conditions included calls for increased audit functions for the International Labour Organisation, the World Health Organisation and the Food and Agriculture Organisation; a ban on using US funds for UN global conferences; and detailed oversight and accounting requirements, including reimbursement for the use of US military assets in future peacekeeping operations.⁴

The implications for the UN

The assessed contributions that are at the heart of the controversy differ from voluntary contributions, the mechanism through which most UN agencies' emergency operations are funded. Nevertheless, the debt repayment, and the conditions imposed on it, have implications for the UN's humanitarian activities, particularly peacekeeping. The bulk of US arrears have accumulated not from the regular budget assessment, but from the peacekeeping bill. During the early 1990s, these bills mounted rapidly, prompting Congress to pass legislation in 1994 unilaterally capping the US contribution at 25 per cent. The gap between what the UN bills and what the US pays has contributed to mounting arrears ever since.

As a consequence, the UN has been unable to reimburse troop-contributing nations in recent peacekeeping operations, in particular the UN Protection Force in the former Yugoslavia. Despite agreeing to pay these arrears, the US Congress continues to pare down Clinton's requests for peacekeeping funding. Currently, there is a bid in Congress to rescind up to \$212m of the \$498m approved for peacekeeping operations in the 2000 financial year (FY). In addition, the Senate and the House of Representatives have cut Clinton's request for \$739m for UN peacekeeping operations in FY 2001 by about \$239m, to \$500m.

A solution – of sorts

Congress has manufactured a resolution of sorts to the UN's US-induced fiscal crisis. In doing so, however, it missed an opportunity to focus on important questions of UN reform. The strings attached are provincial in character, and reflect America's interest in UN accountability to US concerns, at the cost of UN accountability in terms of the world body's performance globally. Once again, an invaluable chance was lost to address pervasive problems of interagency coordination, to clarify mandates for internally displaced populations and to strengthen the UN specialised agencies' commitments and obligations for their roles in emergencies.

The website of the Feinstein International Famine Center is at: <famine.tufts.edu>.

¹ Kofi Annan, 'The Unpaid Bill That's Crippling the UN', *New York Times*, 9 March 1998.

² Cliff Kincaid, *The United Nations Debt: Who Owes Whom?*, Cato Policy Analysis No. 304, 23 April 1998, <www.cato.org/pubs/pas/pa-304.html>.

³ *Americans Give UN Highest Approval Ratings Since 1959: Say Issue Affects Their Vote*, UNA-USA Press Release, 17 September 1999.

⁴ *Senate Committee Report Details Requirements for the UN*, UNA-USA Washington Report, 6 May 1999, <www.unausa.org/dc/info/sreport10643.html>.

Anthony McDermott, *The New Politics of Financing the UN* (New York: St Martin's Press, 2000), 213pp

This is a well-informed study of the labyrinth of UN finances. It shows both the importance of the peacekeeping budget to maintaining the current-account balance, and the slow but persistent deterioration of the UN's financial position as peacekeeping operations shrink. There is also an in-depth discussion of the question of assessed contributions, arrears in US payments and calls in the US for a lower contribution to the UN.

The UN Millennium Summit and Assembly

HPN staff

In what was billed as the largest-ever gathering of heads of state and government, more than 180 members of the UN come together in New York for the Millennium Summit on 6–8 September 2000. The summit's broad agenda covered issues as diverse as globalisation and governance; issues of poverty and income inequality, both within and between nations; internal conflict; sustainable development; and a reformed, stronger UN. Whether the large powers find the collective will to turn rhetoric into action is, of course, another matter.

The summit closed with the adoption of a wide-ranging 'Millennium Declaration' setting out the challenges facing the UN in the twenty-first century. The declaration put forward a series of detailed commitments.

Among the steps aimed at development and eradicating poverty, the declaration pledged that, by 2015:

- the proportion of people with incomes of less than one dollar a day would be halved;
- that access to all levels of education would be equal, both for girls and boys;
- that primary schooling would be available for all children everywhere;
- that maternal mortality would be cut by three-quarters; and
- that the spread of HIV/AIDS, malaria and other major diseases would be halted, if not reversed.

By 2020, the declaration committed UN members to achieving a 'significant improvement' in the lives of at least 100m slum dwellers.

In terms of peace and security – subject of a special Security Council summit – the declaration resolved

to strengthen the rule of law and ensure compliance with decisions of the International Court of Justice; to provide the UN with the resources it needs for conflict prevention and resolution; and to take action against drug-trafficking and terrorism. UN members also pledged to minimise the adverse effects of economic sanctions, and to review sanction regimes regularly.

Africa was given special attention; here, UN members undertook to support the consolidation of democracy, and pledged to help African states in their attempts to reduce poverty, move towards sustainable development and 'bring Africa into the mainstream of the world economy'. Specific measures included a restatement of the pledge to cancel debt, as well as greater official development assistance and investment.

Alongside these ambitious objectives, the declaration also called for a stronger, better financed and more effective and better-equipped UN. The document pledged 'comprehensive' reform (that is, expansion) of the Security Council – an objective put forward particularly strongly by South African President Thabo Mbeki – and a stronger International Court of Justice. It also called on members to make their contributions more predictable and more timely, and acknowledged the need for the more efficient use of these resources by the UN itself.

The declaration ends with a 'solemn' reaffirmation of the UN's position as the 'indispensable common house of the entire human family'. But how far the rhetoric becomes reality remains dependent on the political will of the organisation's members.

For details of the Millennium Summit and Assembly, see: <www.un.org/millennium/index.html>.

UN General Assembly Adopts Child Soldiers Protocol

HPN staff

The UN General Assembly's adoption of the 'Optional Protocol on the Involvement of Children in Armed Conflict' on 25 May 2000, six years after negotiations began, reflects growing international concern over the use of minors in conflicts around the world. By the end of June, seven states had signed the protocol: Argentina, Canada, Cambodia, Monaco, Norway, San Marino and Sweden. The protocol's adoption is a step in the right direction, but significant work remains to be done.

Under the protocol, state signatories are obliged to:

- take 'all feasible measures' to ensure that members of their armed forces below 18 years of age do not take part in hostilities;
- ensure that no one under 18 is subject to compulsory recruitment, and that existing conscripts below that age are demobilised; and
- raise the minimum age for voluntary recruitment, currently set at 15 years by the protocol's parent Convention on the Rights of the Child (CRC).

For non-state armed groups, the minimum age for recruitment – either voluntary or forced – is set at 18 years.

Child-rights groups welcomed the protocol's adoption as a major advance after six years of stalemate. However, there was disappointment that the threshold for *voluntary* recruitment into state armed forces was not fixed at 18 years. Failure to bring voluntary and compulsory recruitment into line (the so-called 'straight-18' ban) stems largely from vigorous lobbying, chiefly by the US, UK and Australia. In Canada, the first country to ratify the protocol, voluntary recruitment is permissible from 17 years of age, as also in the US. America is the only UN member save Somalia not to have ratified the CRC. Despite this, the US will be permitted to sign the optional protocol.

The extent of the problem of child soldiers is not in doubt. According to Save the Children, between 1985 and 1995 two million children died in conflict; one million were separated from their families; and between four and five million were disabled or maimed. An estimated 10m children around the world have been left with serious psychological problems stemming from their exposure to combat. There are at least 300,000 child soldiers in the world today, fighting in state and non-state forces in over 30 conflicts. Lack of information makes these figures necessarily provisional, and the actual involvement of children in combat is likely to be still higher.

Governments using children in their armed forces include Myanmar, Colombia and Peru. Non-state groups doing so include the Kurdish Workers' Party (PKK) in Turkey, the Revolutionary United Front

(RUF) in Sierra Leone and the Liberation Tigers of Tamil Eelam (LTTE) in Sri Lanka. While levels of involvement and combat exposure vary, children are reportedly engaged in all-out warfare in countries such as Afghanistan and Sri Lanka, and in Chechnya. The problem is especially acute in Africa, where more than 100,000 children are fighting across the continent. Countries most affected include Angola, the DRC, Sudan and Sierra Leone. In Angola in the 1980s, every third child had been militarily involved in the civil war.

Rädda Barnen – Save the Children Sweden – has been a vocal advocate of children's rights in conflict, and played an important role in the lengthy negotiations leading to the protocol. In common with other NGOs, it gave a cautious welcome to the protocol, but has already pressed for firmer action. In particular, the agency has called for governments to:

- ratify the protocol and monitor compliance with it;
- deposit the strongest possible declaration upon ratification, setting forth the minimum age at which voluntary recruitment will take place;
- where necessary, pass the protocol into domestic legislation;
- ratify the International Labour Organisation (ILO)'s Convention 182, which calls for a ban on 'hazardous and exploitative work' by children;
- become party to the Statute of the International Criminal Court (ICC); and
- ensure that they do not deploy troops in UN peacekeeping operations who are under 18 years of age, and preferably not under 21.

Its shortfalls notwithstanding, the protocol's commitments to stop the conscription of under-18s and to halt their use in combat constitute an advance in establishing normative legal principles governing the use of minors in armed forces. But a question-mark remains as to whether governments can summon the political will to press ahead with further measures to tackle the problem. Moreover, it is doubtful that documents drawn up in New York will seriously affect the conduct of non-state armed groups, for whom children are, and will remain, an important manpower source. While institutional measures to limit children's exposure to combat are welcome, their involvement in some of the world's most brutal conflicts will not be easily curtailed.

Resources

Rädda Barnen's website is at <www.rb.se>. The text of the optional protocol is at <www.un.org/special-rep/children-armed-conflict/fUnDocs.htm>. Material from the International Conference on War Affected Children, held in Winnipeg, Canada, on 10–13 September 2000, is at the Child Rights Information Network, <www.crin.org/news/winnipeg.htm>. Other resources include <www.savethechildren.net> and WARChild at <www.warchild.org>.

Aid Policy, Politics and Principles: Recent Publications from the Humanitarian Policy Group

What do 'humanitarian principles' mean to aid agencies? What difference does their adoption make to agencies' decision-making and behaviour? And how does humanitarian aid fit into the wider political economy of war, and form part of international relations? These are the key questions addressed by recent publications from the Humanitarian Policy Group (HPG) as part of its new integrated programme, Aid Policy, Politics and Principles (APPP). Recent reports are listed below; for further information, see the HPG website at <www.odi.org.uk/hpg/index.html>.

HPG Report 8 Joanna Macrae and Nicholas Leader, *Shifting Sands: The Search for Coherence between Political and Humanitarian Action*, August 2000

This report examines the origins and evolution of the concept of policy coherence and its implications in practice. It details the findings of a six-month study on the politics of coherence. It is particularly concerned to understand the precise character of the new relationship proposed between aid and politics in the post-Cold War era.

HPG Report 7 Susanne Jaspars, *Solidarity and Soup Kitchens: A Review of Principles and Practice for Food Distribution in Conflict*, August 2000

In financial terms, food assistance represents the most important response of the international community to emergencies. This report reviews current principles and practice for food distribution in conflict. The objective is to assist humanitarian agencies in developing a more principled approach to food distribution.

HPG Report 6 Joanna Macrae and Nicholas Leader (eds), *Terms of Engagement: Conditions and Conditionality in Humanitarian Action*, July 2000

This report covers a conference organised by the ODI and the Henry Dunant Centre for Humanitarian Dialogue in Geneva in May 2000 to discuss different views on the 'terms of engagement' between humanitarian and political actors. It provides an overview of the debates, and indicates areas of consensus, and of disagreement.

HPG Report 5 Kate Mackintosh, *The Principles of Humanitarian Action in International Humanitarian Law*, Study 4 in 'The Politics of Principles: The Principles of Humanitarian Action in Practice', March 2000

This paper is primarily concerned with the principles of humanitarian action. It examines the status and content of key terms such as 'impartiality' and 'neutrality', and their implications for relief agencies; assesses whether the legal content of these terms can determine the legitimacy of human-rights 'conditionality'; and asks whether international law requires that humanitarian assistance be given with the consent of the relevant parties to the conflicts in question.

HPG Report 4 Mark Bradbury, Nicholas Leader and Kate Mackintosh, *The Agreement on Ground Rules in South Sudan*, Study 3 in 'The Politics of Principles: The Principles of Humanitarian Action in Practice', March 2000

This case study offers an independent analysis of the 'Ground Rules' agreed between the UN's Operation Lifeline Sudan and SPLM/A leader John Garang in July 1995. It argues that the influence of the Ground Rules is evident in five areas: in the regulation and coordination of the humanitarian programme in southern Sudan; in the system of security; in the management of assistance; in protection activities; and in capacity-building and good governance.

HPG Report 3 Philippa Atkinson and Nicholas Leader, *Protocols of Humanitarian Action in Liberia*, Study 2 in 'The Politics of Principles: The Principles of Humanitarian Action in Practice', March 2000

The humanitarian community's development of operating principles in Liberia from mid-1995 took place amid extreme disrespect for the rights of the civilian population, and under extremely difficult working conditions. This paper analyses two mechanisms – the Joint Policy of Operation and the Principles and Protocols of Humanitarian Operation – in relation to their impact on the humanitarian agencies in Liberia.

HPG Report 2 Nicholas Leader, *The Politics of Principle: The Principles of Humanitarian Action in Practice*, March 2000

This report synthesises some of the key findings of the ODI's study of humanitarian principles. It analyses their evolution, the nature of conflict and the international system's response to it.

HPG Report 1 Philippe Le Billon, *The Political Economy of War: An Annotated Bibliography*, March 2000

This key resource is a companion volume to Network Paper 33, *The Political Economy of War*, published in July this year. It is also available at the HPG website: <www.odi.org.uk/hpg/warecons>. Email: <publications@odi.org.uk>

Humanitarian Practice Network

Formerly the Relief and Rehabilitation Network

The **Humanitarian Practice Network (HPN)** is the new name for the Relief and Rehabilitation Network (RRN). It 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

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