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# PREFACE

Over the past decade, the scale of humanitarian crises has escalated dramatically. Natural disasters, war, famine or persecution have occurred in locations as diverse as the former

other emergencies have demonstrated the importance of humanitarian assistance given

rapidly changing world, must be planned, organised and implemented on a professional basis. Since the early 1990's, both international and non-governmental organisations have instigated programmes aimed at guaranteeing the professionalism in humanitarian aid, which is essential in ensuring that the victims benefit.

The Network On Humanitarian Assistance (NOHA) was launched in 1993 as a contribution to a new and unique concept of higher level education in humanitarian aid. The project was jointly initiated by the European Community Humanitarian Office (ECHO), which finances the world-wide humanitarian aid of the European Community, and the Directorate General XXII of the European Commission (Education, Training, Youth). With financial support from and under the auspices of the SOCRATES programme, the NOHA programme is currently being taught at seven European universities: Université Aix-Marseille III, Ruhr-Universität Bochum, Universidad Deusto-Bilbao, University College Dublin, Université Catholique de Louvain, University La Sapienza Roma and Uppsala University.

The NOHA programme starts with a ten day intensive programme at the beginning of the academic year in September. This programme brings together all students from the NOHA universities, the lecturers, and representatives of international and non-governmental organisations. In the second part of the academic year, students study at their home universities, while in the third part, they are offered courses at one of the partner universities in the network. Finally, the students complete a practical component as the fourth stage of the programme.

The programme uses a multidisciplinary approach with the aim of encouraging interdisciplinarity in lecturing and research. There are five main areas which are taught

*Blue Book*

- Volume 1: International Law in Humanitarian Assistance**
- Volume 2: Management in Humanitarian Assistance**
- Volume 3: Geopolitics in Humanitarian Assistance**
- Volume 4: Anthropology in Humanitarian Assistance**
- Volume 5: Medicine and Public Health in Humanitarian Assistance**

In addition to the second edition of the five basic modules, two new modules have been published:

- Volume 6: Geography in Humanitarian Assistance**
- Volume 7: Psychology in Humanitarian Assistance**

All modules have been written by NOHA network professors, teaching at either their home university or other network universities. All NOHA universities, both past and present, have substantially contributed to the development of the *Blue Book* series. For each module at least two network university professors worked together to ensure a certain homogeneity of the text, although each author was responsible for a specific part. The table of contents outlines the specific contributions.

Special thanks go to all the authors and in particular to *Dr. Horst Fischer* from the Institute for International Law of Peace and Armed Conflict (IFHV), Ruhr-Universität Bochum, who has undertaken the role of editor throughout the whole process of producing this second edition *Blue Book* series. His staff, and in particular, *Mr. Guido Hesterberg*, prepared the manuscripts and layout of the books.

Information on the NOHA network and the *Blue Book* series can be obtained by accessing the ECHO's internet homepage (<http://europa.eu.int/en/comm/echo/echo.html>) or the IFHV internet homepage (<http://www.ruhr-uni-bochum.de/ifhv>).

As the NOHA course seeks to bridge the gap between theory and practice, I hope that these reference books will help to improve the quality of work for those involved in humanitarian assistance, especially because efficiency in the field is measured not only in financial terms, but above all, in number of human lives saved.

**Alberto Navarro**  
Director of ECHO

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## Geopolitical Evaluation of Humanitarian Assistance in the 1990s: Introductory Remarks

emergency operations, humanitarian aid had become a major form of international relations,<sup>1</sup> while expressing the wish that this should not lead to standardisation that would overshadow its humanitarian principles.

Four years have gone by. In these four years there was a new, complex operation: Operation Turquoise in Rwanda. But despite this,<sup>2</sup> the non-assistance we denounced in April 1994 has paradoxically continued to characterise the attitude of the international community in 1996 and 1997, in the affair of the Great Lakes area and possibly even in the affairs of whole Equatorial Africa, after the problems reached the Atlantic.

Does the experience gained enable us to establish an evaluation, even though the nineties have not yet come to an end, even if there is the possibility of dramatic crisis<sup>3</sup> and also the potential for having to undertake heavy operations to assist victims of existing crises, which are at the moment being dealt with rather superficially.<sup>4</sup> Indeed, we feel we have already reached the peak in the quantitative growth of operations, and are in fact now at a stage of decline or at least of reorientation.

1991 and 1992 crowned a period that one could call the "glorious thirties" of humanitarian assistance (Chapter 1). Since 1993, however, and even more so during 1994, the quantitative progression that followed did not prevent the uncertainty (Chapter 2). This led in 1996-1997 to an abstention in humanitarian assistance which could be called inhumane or even "inhumanitarian" (Chapter 3). What is the future of humanitarian assistance (Chapter 4)? After this evaluation of humanitarian assistance in the 1990s, we shall have a global analysis (Chapters 5, 6), followed by the analysis of some specific problems (Chapters 7, 8, 9).

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<sup>1</sup> Even though in the preceding years and in a perspective that was much more one of development, the relation was largely a transnational one (beside a portion of public help).

<sup>2</sup> The small operation of Alba in Albania of spring 1997 will be examined later.

<sup>3</sup> For example in China.

<sup>4</sup> For example the affair in the Sudan.

# CHAPTER 1

## THE “GLORIOUS THIRTIES”: THE CROWNING ACHIEVEMENT OF HUMANITARIAN ASSISTANCE

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The years from the mid 60s to the mid 90s can be seen as analogous to the years between 1945 and 1975, known as the “glorious thirties” of economic growth. This expression has merit in that, not only were these years characteristic of a great rise in capacity, but also because they confirmed upcoming tendencies and determined the face of international humanitarian assistance.

### A. The Rise in Capacity

Humanitarian assistance did not begin due to the major crises in our contemporary world, but can be traced back to the Middle Ages.<sup>5</sup>

However it was about thirty years ago, at the end of the 60s that it became part of the international scene, during the Biafra crisis, for which, under international law, no substantive solution could be found.<sup>6</sup> Since then, numerous actors provided humanitarian assistance to the populations, the form of which became the “réduit biafraïse” (Biafran shed). Beyond that crisis, it was the great drought of the Sahel which gave emergency assistance a certain popularity.

It was at the turning point of the 1970s and 1980s that humanitarian assistance became a way of protesting against the superpowers, with the direct assistance of the “French Doctors”<sup>7</sup> to certain groups of Afghan Moujahiddins, and more indirectly with the assistance to the “boat people” in the Chinese Sea.<sup>8</sup>

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<sup>5</sup> See *J. C. Rufin* “L’aventure humanitaire”, Gallimard (ed.), 1996.

<sup>6</sup> Because it collided with a taboo, the intangibility of the borders inherited from colonisation, the independence movement of the Ibos in Nigeria could not receive any help from countries that had sympathy for these populations.

<sup>7</sup> “French Doctors” is a common denomination given to humanitarian rescuers by some Afghan groups and journalists, whichever organisation and country the physicians could belong to.

<sup>8</sup> Their escape from the Indochinese peninsula was due to several causes, but principally to the two phenomena that implicated an ally of the USSR

♦ the conquest of South Vietnam by the armies of the North



The actions of humanitarian operators developed under the circumstances of the last period of international bipolarity. Even if the Brezhnev doctrine had triumphed in Eastern Europe, even if the Final Act of Helsinki had been largely interpreted as giving the USSR the satisfaction of maintaining the *status quo* of the European borders, even if Marxist victories had multiplied in Africa (Somalia, Ethiopia, Angola Mozambique...<sup>9</sup>) and in Asia (Vietnam, Cambodia, Laos, Afghanistan),<sup>10</sup> the end of the 1970s still brought about the failure of Marxism. The invasion of Afghanistan alienated it in the Islamic world and in other parts of the Third World; the Vietnamese-Cambodian conflict brought to light the practices of *Pol Pot* and thereby underlined that the communist world was not necessarily the world of a fortunate future. Yet, it is precisely these crises that marked the ascension of the "French Doctors", even if the assistance to the "boat people" in the Chinese Sea was the detonator which determined the split between two groups, namely "Médecins sans Frontières" (MSF) and "Médecins du Monde" (MDM), and even if the two organisations acted in different areas of Afghanistan.<sup>11</sup> The adventure of the ship "Ile de lumière" and the trial of Doctor *Augoyard*, a rescuer charged with spying, turned these new humanitarian operators into heroes. In a world that had overcome ideologies, they seemed romantic by their vulnerability and were admired for their courage. It was at the same time, along the line of the "Nouveaux philosophes", disappointed by Marxism, that "Action Internationale Contre la Faim" (AICF), today "Action Contre la Faim", was born.

It was about 15 years ago that humanitarian assistance started to draw from private charity on a public scale. In 1983, just before Christmas, the BBC interrupted all its programmes to draw attention to the famine in Ethiopia. This soon attracted large sums, donated by the young public at the Concert for Ethiopia.

But private humanitarian assistance is not always as operational as it would like to be. It faces obstacles and access to victims is not always possible. The Red Cross movement had to admit its inability during the Iran-Iraq war. Some NGOs look for alternative methods, for example, "interference". United Nations humanitarian agencies, in particular the High Commissioner for Refugees (UNHCR), (whose activities increased during the big floods of "sea refugees" and Afghan refugees, but also during the conflicts in southern Africa), measure the limits of their material capacities.

Thus can be explained the appearance of the concept of "new international humanitarian order" in the environment of the United Nations, under the influence of Prince *Sadrudin Aga Khan* and of the hereditary prince of Jordan. It was not before the

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♦ the conquest of Cambodia by Vietnam.

<sup>9</sup> The Somalia of *Syad Baré*, in power since 1969 who had offered to the USSR its naval base of Berbera, Ethiopia had been the scene of a Marxist revolution in 1974, Angola and Mozambique had been decolonised by Portugal as a consequence of the "Revolution of the Carnations", and the former colonial power had encouraged the succession of Marxist regimes, even before the intervention of Cuba.

<sup>10</sup> In 1975, communist regimes had taken over the power almost simultaneously in South Vietnam (due to the victory of the North), in Cambodia and in Laos. In Afghanistan communists had been in power since 1973, in an exclusive manner since 1978: But they did not manage to implant Marxism in the society, which urged the USSR to intervene in 1979.

<sup>11</sup> The "Médecins sans Frontières" worked on the side of *Tadjik Massoud* in Panshir, "Médecins du Monde" had chosen *Hazara Amine Wardak*.

agony of the bipolarity that international humanitarian emergency help obtained other operational possibilities.

At the time of *Perestroika*, when the USSR accepted international help for Armenia in 1988, and later with the fall of the iron curtain and, in particular the tumults that accompanied it in Romania, a new field of action for humanitarian assistance was opened, which, at the time, was unexpected. This was the nutritional help for St Petersburg. But because of the lack of conflicts – Romania had not turned out to be the expected exception – the assistance given to Eastern Europe until 1989 was relatively easy to provide.

It was in fact in 1989 that, for the first time, the United Nations federated a big operation of humanitarian assistance bringing together a large number of actors, public and non-governmental, in the Lifeline Sudan Operation, which was at the same time the first official application of the concept of a humanitarian corridor, in this case, water-access corridors which came from Uganda.

Humanitarian assistance was practised for the first time under military protection in 1991: in the mountains of the Iraqi part of Kurdistan. It was followed by a number of military-humanitarian operations on a large scale, in Somalia, Yugoslavia, Rwanda and to a lesser degree Albania. These shaped international relations.

Each of these crises helped to shape the notion of humanitarian assistance and to define its new functions.

## B. The Enrichment of the Concept: Complex Humanitarian Operations

Since 1991, difficult local circumstances no longer stop international aid. Obstacles due to bipolarisation have disappeared, a new operational model, bringing together private, semiprivate (the ICRC) and public (States and International Organisations) operators, is being developed under the perspective of aid that incorporates multiple aspects and in the name of a supreme value: peace.

### I. The Diversification of Functions in Humanitarian Operations

Until the 1960s, the ICRC was the principal international humanitarian agent. It acted by providing protection rather than by providing assistance.<sup>12</sup> Nevertheless, it was the main protagonist in the few assistance operations after World War II.<sup>13</sup>

The Biafra affair represented in this respect a double contribution. It was General *de Gaulle* who asked the French Red Cross, until then unaccustomed to international action, to undertake action.

Even more so, the Biafran war played a major part in increasing the awareness of some French doctors – *Bernard Kouchner* in particular – who worked for the International Committee of the Red Cross (ICRC). Their institutional initiatives followed in the coming

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<sup>12</sup> The establishment of its operations department goes only back to 1977.

<sup>13</sup> For example in Hungary in 1956.

years.<sup>14</sup> The specificity of the role of private medical organisations was soon determined. The Afghanistan crisis allowed them to establish privileged links with groups of Resistance fighters, and in doing so they highlighted, on the one hand the breach with the idea of neutrality and on the other hand, the idea of clandestine humanitarian action by way of interference. A dividing line was established between two types of behaviour. The ‘French Doctors’<sup>15</sup> provided the medical service for groups of Resistance fighters, whereas the ICRC had to wait until 1986 to obtain, due to *Perestroika*, official access in terms of impartial action.

The Kurdish affair, marks the arrival of the great Western powers as vectors of two main actions. They appeared in two ways: through the Security Council which they dominate and through their own armed forces in the Provide Comfort Operation. In fact, the Kurdistan affair offers two major innovations:

- ◆ the recognition of the competence of the Security Council in matters of humanitarian assistance, by using the label ‘danger for peace’, employed in a broad meaning (resolution 688 of 5 April 1991);
- ◆ the set up of a large scale military operation (more than 25,000 soldiers for a territory of some 120 by 55 km), this second aspect was based largely on an interpretation of resolution 688 which appealed to the States to just ‘participate’ in the effort of humanitarian assistance and which had not defined this effort as using aid to assist their return. Neither the Security Council resolution – adopted with the vote of the USSR – nor *a fortiori* the operation of western armies – not at all criticised by the USSR – would have been possible during the preceding period.

The rise in capacity was followed by institutional innovations at the level of public actors. In 1992 ECHO and DHA (Department of Humanitarian Affairs of the United Nations) were created; the Kurdish crisis had revealed the necessity of other structures for large scale operations, which were becoming more and more frequent, because of the concern in assuring co-ordination mainly by financing, and furthermore in the field.

## II.

The rise in capacity was also followed on a conceptual level, in two ways: by the legal framework of the assistance and the very notion of humanitarian assistance.

### 1.

As far as the legal framework is concerned, two very different approaches, both inspired by the idea of nobility of humanitarian assistance, can be compared. On one hand the theme of ‘interference’ launched by *Bernard Kouchner*, which confirmed the idea that

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<sup>14</sup> After more or less informal starts on the occasion of an earthquake in central America the association of the ‘Médecins sans Frontières’ was funded in 1975.

<sup>15</sup> See footnote 7.

humanitarian assistance was more important than State sovereignty, that human life was of a higher value than the State. On the other hand the Security Council declared itself competent in the Kurdish crisis and joined the idea of peace and the idea of the protection of human life. The following year, in 1992, at the time of the Somalian and Bosnian<sup>16</sup> crises, the Council entrusted peace-keeping forces with a role in humanitarian assistance for the first time.

The Somalian operation, like the earlier Kurdish operation is rooted in the conviction that humanitarian assistance can better be provided in a climate of order and law enforcement. But, this time, it was the Security Council itself, on the basis of Chapter VII, that laid down the principle of an armed operation intended to create conditions of security, favourable for the distribution of humanitarian assistance. Primarily, a multilateral force, Operation "Restore Hope", was in charge of this task. Then the task was conferred to UNOSOM II, a peace-keeping operation perceived as being particularly forceful for a "Blue-Helmet" force.

As far as the Bosnian affair was concerned, the innovation was of another nature. It was less ambitious in matters of public order. In fact only UNPROFOR II, specific to Bosnia, was in charge of it. The aim was to maintain order locally (convoy escorts, opening of corridors, security areas).

2.

The concept of humanitarian aid itself was enriched. Since it has become a form of international relations and involves State machinery in its military form, humanitarian assistance comprises henceforth a dimension of security. Beyond the protection of humanitarian assistance, it includes a new service, at least from a theoretical point of view: security for affected populations.

The protection of humanitarian assistance is above all assured through the protection of convoys. Even if the media mainly reported the blockages in Bosnia-Herzegovina, there were still 2.7 million people who were supported for almost 3 1/2 years due to the provision of supplies and foodstuffs, to the point that there was no long-lasting lack of them in the most important areas. It is much easier to criticise the interruptions to the air bridge than to imagine what would have happened if no air bridge had existed.

Moreover, security can be seen as a humanitarian service. Since the Kurdish affair, humanitarian aid was broadened by a security dimension. In fact the fundamental needs were not limited to nutrition, care and shelter. Security is important enough for *Montesquieu* to have defined liberty as the "*peace of mind that comes from one's opinion of one's security*". It can be stressed that the essential services provided by humanitarian assistance are: the preservation of life, physical integrity, a minimum level of dignity and a minimum of peace of mind for the victims, at least as far as their immediate survival is concerned.

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<sup>16</sup> And not for the whole of ex-Yugoslavia. In fact, the force created during the Croatian affair had a classical role, and that of Macedonia, which was supposed to have a more preventive role, also did not have a mandate relative to humanitarian assistance.

**But it is true that this form of security is not supplied as automatically as needed. And the development of operations that have been set up in this sense has been accompanied by certain doubts.**

## CHAPTER 2

# THE PERIOD OF UNCERTAINTY

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A certain climate of crisis was established during complex operations, despite the technical success that was, as a whole, characteristic of them. These almost stereotyped criticisms were aimed at three “military-humanitarian” operations. Even if the criticisms were expressed in an *ad hoc* manner, crisis after crisis, they deserve to be largely disputed, and even if the criticisms which were globally formulated against humanitarian aid are shocking, the existence of a certain disorder cannot be denied.

### A. Crushing Caricatures

The operation that has most commonly been presented as a failure is the one in Somalia, because the military component had partially ceased to be protective and had become offensive. The operation in Bosnia has also been criticised, but for diametrically opposed reasons: in the view of its detractors, the armed force remained too passive and had not differentiated between the parties to the conflict quickly enough. Operation Turquoise in Rwanda has been criticised for the ulterior motives of the State that established it.

All these criticisms come from leaders of the parties to the concerned conflicts,<sup>17</sup> but they have soon been taken over by different sections of the public and even by some parts of the humanitarian world. Finally, large-scale humanitarian operations as a whole have been criticised because of the unforeseen effects of the injection of *manna* in these poor and torn societies.

#### I. A Humanitarian Operation Conducted against Humanitarian Principles?

The “*lost war of humanitarian work*” – as one journalist<sup>18</sup> described the Somalian affair – had been welcomed with enthusiasm. The humanitarian world asked the soldiers to open the road to the dying villages in the interior of the country<sup>19</sup> and international public opinion was disturbed by reports of the massive misappropriation of aid. Though it began with the landing of the “marines” filmed by CNN cameras in December 1992, it

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<sup>17</sup> See for example the statements of *Paul Kagamé*, in *Le Monde* of 8 November 1997.

<sup>18</sup> *Stephen Smith*, journalist at *Libération*.

<sup>19</sup> “*Soldiers, open the road to Bardera*” wrote the Director of “Action Internationale Contre la Faim”.

ended with the quiet withdrawal of UNOSOM in March 1995. Meantime Western public opinion had repudiated it.

It is however regrettable that this affair was overshadowed by media interpretation: sarcasm about the unloading of a bag of rice by a French minister,<sup>20</sup> the fuss about a poster of a French NGO...<sup>21</sup>

Anyway it is clear that its course was changed by the traumatic pictures of the mutilated dead bodies of Pakistani "Blue-Helmets" and American "marines". This had ruined the image of the safety mission. It was considered that the *Aidid*-Clan were responsible for calling for murder; but the American operations against its radio station led to the dramatic bombings of the house used as the headquarters of two NGOs and the killing of Somali children. Even if the latter had intentionally been placed in the front-line of a demonstration organised by the *Aidid*-Clan, the ideas of the "saver-killer" and of "humanitarian crime"<sup>22</sup> have dishonoured the operation in the public's mind. And the fact that it had been manipulated by "warlord" who was well-informed about Western sensitivity was not enough to clear the US army. The latter had been judged as technologically too advanced to be naive. Since then, the investigations conducted by different contingents have shown that in several troops, Western Blue Helmets have let themselves go in the violent environment and have committed reprehensible acts.<sup>23</sup>

Nevertheless, there were numerous positive aspects of the operation, and, above all, the access to the victims of the famine inland (Baidoa, Hoddour). The famine was overcome in three months. And, even if it is in the nature of a famine to stop when the weakest are dead, it is still true that hundreds of thousands of vulnerable people, mostly children, survived due to the rescue in their area. But public opinion, once activated did not want to stop criticising in the same way in which it had rejected the picture of *Leila*, perceived as too beautiful to be a victim.<sup>24</sup>

Public opinion did not take into account the fact that the US army was only responsible for a part of the military theatre. Nor did it consider the fact that the French army has made a good work in its own Area of Responsibility. Anyway, the evaluation was built on the American way of acting. Indeed, the US soldiers were in Mogadishu and the reporters too.

## II. An Alibi Operation

This is the most frequent criticism with regard to Bosnia. The critics of the Europeans<sup>25</sup> are numerous. Instead of being grateful to them for having distributed nearly half of the aid, they reproach them for not having settled the conflict. This reproach was certainly

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<sup>20</sup> *Bernard Kouchner.*

<sup>21</sup> The poster "Leila 100 f après" (Leila 100 FF. later) of "Action Internationale Contre la Faim" shows a young undernourished Somali woman and then a beaming face which seems to be of the same person, now saved from Hunger.

<sup>22</sup> According to the expression of *Rony Brauman.*

<sup>23</sup> The "affairs" concern the Canadian, Belgian and Italian contingents.

<sup>24</sup> See *supra* note 21.

<sup>25</sup> The European Union, the Community and their members.

that of the Bosnian government, which would have preferred to receive weapons instead of foodstuffs. But the same reproach has been made by many observers. The European Community, in fact, played a diplomatic role as well as a mediating one, a role as an initiator of sanctions and a humanitarian role. Taking into account the ambivalence, the political expectations of the observers outweighed their humanitarian expectations. It is the same for the United Nations, entrusted with a threefold role of mediation, sanction and humanitarian protection. They were present in the field with armed forces, and even worse, they assumed the responsibility for the collective security.

However, it would be excessive to use the term "alibi" which suggests intentional abstention from the substantial problems. The elaboration of plans – *Vance-Owen* and *Owen-Stoltenberg*, *Juppé-Kinnel*, the plan of the contact group – prove, if necessary, that the will to find a solution was real.<sup>26</sup> Was the complexity of the political problem not sufficient enough to explain the difficulties in finding a solution? Moreover it can be seen nowadays that the solution imposed by the United States has not made the realities disappear.

### III. A Rescue Operation Conducted by Accomplices to Genocide?

The link that the French State formed with the government of Rwanda in 1990 were seen in a negative light in 1994, with crimes being attributed to France.

From one outside point of view, it seems that in 1990 the Rwandan powers were opposed to guerrillas supported by a neighbouring country, whereas the President of the French Republic wanted to create a new African policy. Desirous at once to break with the preferences given by his predecessors to the former French colonies and to inspire a spirit of democracy in Africa, he accorded, on the grounds of a 1975 agreement, his help to the powers in Rwanda. The latter had solicited it just like many African governments, scared by subversion.<sup>27</sup> This government seemed to have a majority basis, at least in formal spoken democratic terms.

Surely a complete analysis of the situation would have revealed that the Rwandan population was being chronically shaken by dramatic unrest with the majority Hutus opposing the ultra-minority Tutsis. Those had been dominating the political scene until the "democratisation" inspired by the church at the end of the Belgian colonisation. The same analysis would have shown that the Northern guerrillas were led by the Tutsis, born or raised in exile in Uganda after the massacres of 1964, and that the tension had risen to a peak.

The United Nations for that matter were no more conscious than France of the nature of the crisis, since in 1993 they created a peace-keeping force named UNOMUR (Uganda-Rwanda) as if it was merely an ordinary border incident. Then, in August, when the crisis seemed to have been settled peacefully with the Arusha agreements,<sup>28</sup> the United Nations created a new peace-keeping force, UNAMIR.

<sup>26</sup> See *M. J. Domestici-Met*, "La Communauté et l'Union Européenne face au défi yougoslave", in: *Revue du Marché Commun et de l'Union Européenne*, March, April and May 1997.

<sup>27</sup> Which appears as a danger in the work of the OUA since its beginnings.

<sup>28</sup> After the name of the town in Tanzania in which they were concluded in 1993.



In April 1994, when the Hutu president was killed in his plane at the Kigali airport, and when massacres of Tutsis and moderate Hutus, that seemed to have been planned, spread all over the country, the international media opinion was too occupied with other things to become interested in the affair. Other themes monopolised it.<sup>29</sup> The United Nations adopted a resolution with the intention to assure the maintenance of peace, in reality only six weeks after the events that later would be identified as genocide. Because the member States hesitated in providing contingents to establish this force, France offered to set up a rescue operation which was authorised by Security Council resolution 929.

Operation Turquoise, which was welcomed with hope,<sup>30</sup> was set up in a rapid and effective way, carried out with bravery and faith. But it was authorised much too late, it had the misfortune of arriving on the field after most of the genocide had already been perpetrated. Moreover, it entered through the south-west into a country which was in the process of being subdued by the ex-guerrillas of the North, the FPR. Even worse, it had been given the mandate of saving the great mass of Tutsis and it also had the misfortune of arriving after their ethnic brothers had already entered as conquerors through the North. Entrusted with the rescue of human beings, it arrived on time to save the 10,000 Tutsis in the Nyarushishi camp... and also saved many Hutus, fleeing from the advancing FPR. It was therefore mostly Hutus that settled in the Humanitarian Security Zone.

Showing little interest in what these people could fear (deserved punishment, or revenge inspired by the idea of collective responsibility) one part of the international opinion adopted the thesis of the new Rwandan power – the Tutsis: France had come to accomplish the last part of the dirty job started in 1990. According to this thesis it had come to protect the murderers!

Following this, in the detractors' eyes little does, if the operation was in the field perfectly run. In the same way, little does if the French Government in power during the Turquoise operation was not the one who was in power in 1990, and if the ruling majority in the French Parliament had changed. And furthermore, little does if France gave strong support to the ethnic pluralism promoting Arusha agreements.

In fact, Operation Turquoise might have to bear the consequences of a much deeper phenomenon. A catastrophe to the extent of the one that had taken place in Rwanda in 1994 cannot be repaired by modern techniques of renutrition and the fight against cholera. The humanitarian world, and the entire international community failed due to the nature of the crisis itself. The most typical component of the aid, Operation Turquoise was the subject of this feeling of powerlessness.

In any case there is always something excessive in condemning the operations under consideration. With undifferentiated amplification, the corrosive criticism reaches humanitarian aid itself.

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<sup>29</sup> The ascension to power of *Nelson Mandela*, as a symbol of the defeat of Apartheid, and a period of heavy bombings of the Muslim city of Goražde in East Bosnia.

<sup>30</sup> See the campaign of Médecins sans Frontières in the days that preceded resolution 929.

#### IV. Humanitarian Aid, Food for the War?

Here, allusion is made to the resources that humanitarian aid injects into a situation and that can supply groups of combatants. There are diverse hypotheses.

In the first place, one must consider the misappropriation of humanitarian aid by a regime in power that uses it for war purposes. This was the case during the great Ethiopian famine in the middle of the 1980s. The powerful *Mengistu Hailé Mariam* knew how to turn the drought into a media event. Once on the spot, the aid was monopolised and orientated for two purposes: for army consumption and as bait for the gigantic shifting of populations. Almost starving, the latter walked hundreds of kilometres because they had been promised that further away they would find provisions. In this way, the “villagisation” wanted by the DERG<sup>31</sup> and the elimination of the politically undesirable population, by letting them starve, was achieved with the least amount of effort. It was this situation that Médecins sans Frontières and the ICRC refused to support.

But aid can also feed war when plundered and when it involuntarily enriches the traffic of the clans, who can directly use the humanitarian jeeps for their martial expeditions. Several situations can be mentioned, such as Somalia and more significantly, Liberia, where humanitarian aid, symbol of opulence in the middle of an unstructured country had provided a source of privileged supply for the “warlords”.

Even during the Cold War and in the “sanctuary” refugee camps that had been established in Pakistan and Thailand, guerrillas had become accustomed to relying on humanitarian aid and considering the refugees as a reserve for their troops.

The phenomenon became worse with the end of the Cold War. Deprived of the support of one bloc, the combatants had to create new war-time economies, to live off the country, its inhabitants, its natural resources (plantations of hevea in Liberia were exploited by the movement of *Charles Taylor*, germs were sold by the Red Khmers with the support of Thai businessmen...).<sup>32</sup> Under such circumstances, the humanitarian aid’s contribution was not negligible. Once appropriated, humanitarian aid, could become the sinews of war. Product of the *ius in bello*, it could support violation of the *ius contra bellum*. This is how certain measures, which were taken in Liberia by the people in charge of peace-keeping to prevent the input of humanitarian aid, can be explained. But the attitude of these people in charge brings into question whether, in this specific case, the maintenance of peace through ECOMOG<sup>33</sup> had not itself fed the war, much more than humanitarian aid.

#### V. Humanitarian Aid, Preserver of War?

The criticism, here, concerns the fact that by reducing the impact of the conflict upon civilians, one makes it more bearable, thus delaying the efforts for a political settlement. In its cold logic, this argument could appear partially founded.

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<sup>31</sup> The revolutionary council that was in power at the time.

<sup>32</sup> See for this point the work of *François Jean* on “Les économies de guerre”, 1997.

<sup>33</sup> Created by ECWAS.

However, this is not necessarily true. In fact, in an ethnically rooted conflict where the population is directly targeted, humanitarian aid may prevent the elimination of one camp.

Since humanitarian aid is sometimes attached to peace-keeping operations, it is interesting to further analyse it and to think of it in terms of collective security. Does it necessarily have to be perceived as a substitute for measures foreseen in the Charter? On the contrary, one could see them as complementary, as was underlined by the Security Council in resolution 767.<sup>34</sup> Functionally, couldn't measures of humanitarian aid and even more so, physical protection of the aid be analysed as conserving measures in the sense that they do not preserve war, but life.

Because of their systematic nature, these criticisms become unfair and seriously demobilising.

So, it is necessary, beyond each particular affair to look after the mechanisms which lead to a kind of "unique thought".<sup>35</sup> Whence do those common criticisms come? What are the real problems?

## B. Real Questions

They are diverse and result either from objective factors, or more subjectively, from certain approaches to humanitarian aid that can lead to disappointment or even dysfunction.

### I. The Objective Factors

The repetition of complex operations created the problem of relations between the actors that are, by their nature – and by their vocation – very different. The media attention given to emergency operations created ambiguity in their relations with development enterprise. And the new types of conflicts with increasing violence induce increasing security problems.

#### 1. The Difficult Co-ordination between Operators

Each operator has different perspectives. This is why difficulties can be classed according to three axes.

First of all one cannot refrain from noting the caution of the associative world towards public operators. Non-governmental organisations and individuals who act in a transnational manner do not work according to the same criteria as public operators since no limits of diplomatic order can stop them. The set up of complex operations of which they are only an element may seem an unnecessary weight to the most powerful amongst them. They seem to consider themselves as being dispossessed of their freedom

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<sup>34</sup> Which intervened with regard to the Somalia affair.

<sup>35</sup> According to *J. F. Kahn's* formula "La pensée unique", Ed. Fayard 1995.

of action by operations supervised by the United Nations and protected by the military of different nations. It is a remarkable phenomenon, that under these circumstances they put forward their neutrality,<sup>36</sup> in order to avoid working with the military. This would not be expected from organisations that have been constituted as a reaction against the principles of the Red Cross. It is just another indication of the disruption that the 1990s have brought to humanitarian aid.

The origin of the reticence of private humanitarian organisations in becoming a part of these complex structures possibly lies in the tendency of the public operators to lead the action of the NGOs. Donors allocate them precise tasks and they no longer feel free as they would like to be.

## 2. The Ambiguous Position of the Troops that Participate in Military-Humanitarian Operations

When “soldiers of peace” were sent by the United Nations to former Yugoslavia they had a double function. On the one hand they came from a world organisation and were charged with re-establishing peace, an endeavour which also includes economic sanctions. The UN distinguished between the “guilty” and the “innocent”. On the other hand, when responsible for the security of humanitarian aid delivery, UNPROFOR II<sup>37</sup> needed to be impartial. But some populations were affected by the embargo, even if an exception was made for humanitarian goods. So it was difficult for the Serbs to believe in this impartiality. On the opposite side, they did not understand why soldiers did not use their weapons to help them reverse the balance of power.

## 3. The Fear of Excessive Polarisation in Favour of Emergency

Does international humanitarian emergency aid compete with development aid? The question is necessary as long as humanitarian catastrophes frequently affect developing countries. This issue was greatly discussed in 1994-1996.

In fact a certain overlap has to be noted between the two forms of action: aid to developing countries comprises a dimension of humanitarian aid – nutritional supplies, creation of water points, primary health care –, but it develops over the long term and not in emergency situations. Therefore the procedural logic of the two kinds of action does not really coincide. According to some criticisms, development aid has the tendency to dynamise the socio-economic structures, whereas emergency aid is assistance – as officially termed by the Geneva Conventions – given to the most passive beneficiaries and which would, in addition, have a catastrophic effect on what is left of the local market. This is why the prolongation of humanitarian aid in this form can be seen as a risk because it could harm ulterior actions of development. Even the stage of rehabilitation, if it

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<sup>36</sup> See for example the hesitation of “Médecins du Monde” to work in the Turquoise Zone during the presence of French troops.

<sup>37</sup> The one for Bosnia, created in 1992.

was not only conceived as the reconditioning of sanitary installation, of roads and networks, would not achieve development.

Media interest in emergency operations has resulted in an increase in the budgets for humanitarian assistance to the detriment of development aid. Even if the latter has remained globally much more important, it has to be agreed that there is potential competition for financial contributions. Harsh criticisms have thus been made. Some authors regard emergency aid as ‘reward for failure’ underlining that very often it could be avoided by prevention, which could at its best be obtained by removing the vulnerability through development. In addition the critics add that the mass of supplies (food, medical and other) which are given to the assisted victims, for example in a refugee camp, could generate frustration in the surrounding underdeveloped population.

In fact it was certainly necessary to become aware of the problem, but it seems to be possible to insert emergency aid into the continuum of development. Today it is being increasingly emphasised that the solution lies in the strengthening of the bonds between emergency, rehabilitation and development. Emergency aid can and must be built with the view of maintaining orientation towards development aid, aimed at the post-emergency situation. This should occur at the time of the project being set up.

There are also other problems.

#### 4. Security Problems

They largely result from the fact that humanitarian aid represents a threefold stake.

##### a) An Economic Stake

This is the perception of the needy population in case of the introduction of goods that are disproportionate to the conditions of a ruined economy. These goods create an atmosphere of covetousness that does not only come from the most deprived. The policy of distribution undertaken to prevent anarchic and unequal character is not sufficient. In order to prevent pillage and to allow distribution, the warehouses must also be protected. The convoys have to be escorted, *a fortiori* if they pass through the most deprived regions, for example when refugee camps are being supplied, whereas the local population suffers from an embargo. The latter can develop a feeling of revolt. Moreover the humanitarian *manna* is a particularly precious form of economic support for the private guerrillas which in the past was offered by the Soviet ‘Big Brother’ or by ‘Uncle Sam’.

The economic stake becomes even clearer when abduction of humanitarian operators is used as a way of obtaining ransom money, as is more frequently the case in the Caucasus.

##### b) A Stake in Gaining Media Attention

In certain cases aggression towards humanitarian operators is not particularly used with a view to harming them, but much more constitutes a public relations operation. The

media are being targeted through the aid. An example for this is the hostage crisis involving of a group of "Médecins sans Frontières" in Somaliland in 1989. This had the advantage of being able to reveal the existence of an opposition movement in a country – Somalia – which, up to then, had never been number one in the news and seemed to be free from confrontation because of its ethnic homogeneity. And how should we view the aggression against an ambulance that cost the life of *Frédéric Maurice*, an ICRC delegate in Sarajevo, on May 18<sup>th</sup>, 1992? Was this supposed to draw attention to the situation in the Bosnian capital, which until then had only enjoyed little media attention?

### c) A Political Stake

Beneficiaries can also become targets through humanitarian aid. The list of aggressive acts committed against humanitarian aid, with the sole purpose of targeting the beneficiaries, is very extensive. This method exists in several degrees of virulence.

The hindrance of humanitarian aid convoys in Bosnia-Herzegovina seemed to come from the combination of several factors: the will to affirm a territorial legal competence, the will to attract the attention to other populations than the ones that were being rescued, and, of course, the economic necessity which explains the levy of a "tithe" which could reach impressive rates. The presence of a military-humanitarian protection operation did not allow discovery of which forms the targeting could have taken in the absence of the said operation.

On the contrary it can be stated that, in other crises, where the aid was less protected, there was an undoubted effort to affect particular beneficiaries by hindering the total aid operation. This hindrance can be violent: in Biafra, bombings of hospitals and bush-airfields where Red Cross planes were landing; in South-Sudan the destruction from the ground of a plane carrying "Médecins sans Frontières"; in Iraqi Kurdistan in 1994, attacks against humanitarian operators and on the car in which *Danielle Mitterrand* was travelling...

Humanitarian operators are increasingly becoming victims of attacks in the Caucasus. Amongst the major events, the execution of six representatives of the ICRC in Chechnya in December 1996 can be cited, as well as the hostage crisis involving six representatives of "Equilibre" which took place in Autumn 1997.

Faced with these problems, humanitarian operators have made important efforts of reflection. It was on one of the most difficult grounds for humanitarian aid – Liberia – that a new type of solution emerged. It happened through the co-ordination of the most involved NGOs<sup>38</sup> who started a "Joint Policy of Operations". This means that models of operation can be more accurately defined according to the risks and the estimated results. The motto is "minimum input, maximum output".

But other difficulties relate to more subjective aspects.

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<sup>38</sup> Including the Monrovia Steering Group and the Monrovia Advocacy Group (composed of Oxfam, CRS, SCF and ACF).

## II. The Problems Associated with Certain Approaches of Humanitarian Aid

Certain attitudes have led to actual misappropriation of the aid and do not deserve to be termed an approach. One single example will be given: The behaviour that causes humanitarian aid to become an instrument of power. But, unfortunately, even when aid is really being distributed and really benefits the victims, some operator can have misleading approaches. This is the case in the presence of a biased analysis of the situation, or when of several types of behaviour are brought together.

### 1. The Biased Analysis of a Situation

Certain Western humanitarian operators consider the situation they are confronted with through the prism of their own way of thinking.

So did they when they thought of some Afghan warlords during the Soviet period. The so-called Afghan resistance was in fact slightly coherent and slightly open to their rescuers' ideas. The 'French Doctors' had to be faced with two limitations: on the one hand, their allocation in an area that was being controlled by certain well determined Moudjahiddin, and on the other hand, the fact that their hosts would not allow them under any circumstances to treat women. The measures that were taken in 1997 by the Taliban, on the contrary, did not disappoint them, because they had not deluded themselves.

Maybe one should also mention the distorting prism with regard to the Bosnian society, arising out of the Ottoman mould, banalised in the Marxist model and which probably needed time to settle its internal problems before becoming a State. The Europeans had thought they were dealing with a plural society, whereas it was the result of a juxtaposition of homogenous communities politically organised on the basis of religion, then shaken by atheistic internationalism.

Such analyses can induce certain disillusionment or even certain confusion.

### 2. The Confusion between Justice and Humanitarian Aid

This confusion is more fundamental for a geopolitical analysis than services that call into question the principle of neutrality.<sup>39</sup>

The confusion between justice and humanitarian aid has appeared in two different contexts.

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<sup>39</sup> Humanitarian organisations that include, in their distribution of help, instruments of religious education are known for a long time. This form of service is not against the Geneva Conventions, but under the condition, to respond to a religious need of the assisted persons, and to not transform it into an instrument of propaganda. The ancient examples concern in particular Protestant organisations that distribute bibles.

Nowadays the streams of humanitarian aid are not necessarily North-South or North-West/South, some are streams from Arab petrol countries towards countries of the South that are not petrol-producers, or even South-North, in the case of Bosnia. Often conditional, subordinated for example to the carrying of the veil by the women, they are used as a way of Re-Islamisation.

The first was the Somalian affair. According to their revised mandate, the troops of the United Nations supported by American elite troops became *upholders of the law*. As a reaction to the crimes of *Aidid* squads, resolution 837 of the Security Council gave a mandate to arrest the latter. But this repressive mission and the American method of putting a price on the culprit's head overshadowed the first objective which was humanitarian... even if the outcome had its origin in the original mandate: creating a safe world for the humanitarian.<sup>40</sup>

But another confusion appeared again during the Rwandan catastrophe of 1994. The spontaneous feeling was to distinguish the "bad" ones and the "good" ones. The latter were at once victims<sup>41</sup> and ultimately conquerors, just like a Western. Nevertheless, the truth was much more complex. And this approach weakened at least humanitarian aid. The conditions for detained persons, accused of genocide, the bloody shutting down of the Kibeho camp in the former Safe Humanitarian Zone in April 1995 through the new Rwandan power, an obvious interference in Zairian affairs, undermined the credit of the "good ones". The brutal and hypocritical<sup>42</sup> closure of the Rwandan refugee camps in Benaco and Ngara in Tanzania added to the distress of the "bad ones". The image of Epinal was distorted; but it could not be reversed, because the "bad ones" continued to dominate: they held the camps of Zaire, Goma and Bukavu.

The Manichean approach, the will to identify at any price the "good" camp was not very successful, and could even be one source of the general bad feeling caused by the affair. This feeling has probably been the source of demoralisation in 1996.

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<sup>40</sup> Resolution 794.

<sup>41</sup> Even though only a few things unite, in fact, the Tutsi victims and the Tutsis coming from abroad.

<sup>42</sup> Under the control of the Tanzanian army, persons that thought that they were being taken to Kenya were transferred to Rwanda.



## **CHAPTER 3**

# **FROM “HUMANITARIAN INTERFERENCE” TO INHUMANITARIAN ABSTENTION**

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Even in 1992, sometimes regarded as the glorious year of humanitarian aid, assistance did not escape a certain imbalance in its handling of crises. In addition to some obvious deficiencies, some delays had irretrievable consequences. Both were followed by total abstinence in 1996-1997.

### **A. The Deficiency of Purely Symbolic Actions**

The most typical case concerns the South-Sudan, which was hit by natural catastrophes at the same time as experiencing violent attacks from the North. Humanitarian aid was not totally absent. In addition to the action of various private organisations, there was the presence of the United Nations with Operation Rainbow, an airlift which had rapidly been established in 1986, and Operation Lifeline Sudan (OLS), which had been in operation since 1989. But its obvious aim was to merely maintain contact with the persecuted population. The international efforts do not even prevent the worst to occur. There is no massive aid that would, for example, have a security component such as in Kurdistan, Somalia or in Bosnia. In 1992, a letter from an NGO addressed to the President of the French Republic only received a very vague answer, letting the NGO know that the affair was known to the French President.

### **B. An Irretrievable Delay**

It can be said that the international community has shown unbelievable contempt for the Rwandan disaster of April 1994, which was in total contrast with the particular attention given to the Bosnian affair. In its dramatic intensity, this parallel conforms to one of the rules of classic tragedy: the unity of time.

In Goražde, 15 months before the final fall of the town, the situation remained manageable. Within the intricacies of the UN-NATO co-operation and the agonies of the Russian-Western negotiations, the military-humanitarian strategy developed. At the price

of an ultimatum and the change of station of the French and Ukrainian troops of UNPROFOR, the stranglehold in which the town was caught was loosened.

At this time, in Kigali, where death was occurring at a high level, the French troops (which had not yet received the United Nations mandate) and the Belgian troops proceeded to evacuate foreigners and some Rwandan orphans; meanwhile the United Nations operation, UNAMIR, was withdrawing, and just like most humanitarian organisations, was not equipped to face such a danger.

The Gorazde three weeks of siege became the subject of major media interest. This was the result of heavy shelling which killed dozens of people, while in Kigali, 200,000 people died as a result of 20 days of less sophisticated confrontation – the deaths soon numbered at 500,000. This gruesome comparison would be unseemly – because every dead person is one too many. But it has to be underlined, in front of the alleged inefficiency of the military protection in Bosnia! Should aid for survival have been provided in Gorazde and non-existent in Kigali, even though both conflicts took place in the context of inter-community confrontation?

How can these disparities in treatment be interpreted? Through the preference of the ‘West’ for their immediate neighbours in South-East Europe? Through the ambition of the European Union to pacify the heirs of ex-Yugoslavia and make them partners or possibly even future members? Through European fatalism towards the often denounced African ‘tribalism’? Through the tempting perspectives of being able to reconstruct Bosnian towns that had achieved an advanced level of development before the war? Or through European – or maybe Western – will to maintain a status of multiethnicity and multiconfessionality even if this would only demonstrate the validity of such a construct, at a time when migratory flows bring colour to the face of the Western metropolis. Whatever the correct answer is, the difference in treatment is such that one can hardly put forward the hypothesis of a lack of reflection. Could this be due to the administrative inertia that could make International Community insist on pursuing the operation undertaken in Bosnia, but not to undertake another? Should one argue that global means were saturated?

Unfortunately the dissymmetry between Africa and the Balkans has persisted until now: in Spring 1997, Operation Alba, agreed on by the Security Council, permitted the reinforcement of security conditions in Albania.

## C. Inhumanitarian Inaction

Since the fall of the camps in Goma, Bukavu and Uvira in November 1996, no other efficient action has been undertaken to assist the hundreds of thousands of Rwandan refugees who have been plunged into the Zairian forest.

It seems that the 1994 Rwandan affair crushed a certain amount of enthusiasm, for two major reasons.

First of all, despite the extreme efforts and the sometimes heroic actions of the rescuers,<sup>43</sup> the major aspect of distress – the genocide – could not, by definition, be repaired.

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<sup>43</sup> In particular those that had to bury the corpses of the victims of the cholera in the camp of Goma.

This is exemplified in the expression “one cannot combat genocide with medicine”, which was used in the media campaign of “Médecins sans Frontières” [...] and the discomfort about the adequate character of humanitarian assistance operations [...] it was a humanitarian intervention that had been hoped for, without being given this title.<sup>44</sup>

The other cause for discomfort came from the fact that unfortunately this dramatic event was only one step in dramatic processes that had been going on for a long time and which had begun with other massacres and which had later formed a martial cycle. This martial cycle had three main phases which have, each in its own way, contributed to the devaluation of humanitarian action undertaken since June 1994.

The first was the creation of the FPR amongst the Tutsi refugees in Uganda, their offensive at the Rwandan-Ugandan border, the opposition of the Hutu government in Kigali. It put disgrace on the French government which nevertheless was in accordance with its African policies.<sup>45</sup> But the fact that it was later known that the Rwandan Government had probably planned the genocide cast suspicion on all those who may have supported them.

The second phase of this martial cycle, the presence of the ex-FAR, amongst whom were the perpetrators of the genocide, in the refugee camps in Goma, Bukavu and Uvira at the gateway to Rwanda, and the infiltration of Rwanda, partly discredited the help given to the refugees in Goma, who nevertheless were not all murderers. Finally, the third phase, the alliance of the new government of Rwanda with the movement of *Laurent-Désiré Kabila* against the refugee camps, and as an act of reciprocity against the regime *Mobutu*<sup>46</sup> inhibited the action that should have been undertaken to help the refugees who had been chased from the border camps and who were lost in the dense forest.

The suspicion of having supported a government which was planning genocide – even if one has to be cautious with such suspicions<sup>47</sup> – and the evidence of non-assistance, lead to a feeling of bitterness in the country that, with Operation Turquoise, surely had provided one of the best conceived military-humanitarian operations<sup>48</sup> and which was ready to set up a new operation in Kivu in 1996. The suppression of the French Secretariat of Humanitarian Aid<sup>49</sup> was a result of this bitterness.

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<sup>44</sup> Humanitarian intervention, in fashion in the 19th century, but still sometimes undertaken in the 20th century (Entebbe and Kolwezi affair), consisted in making disappear the reason of the distress and not in bringing relief. It is because of a misuse of language that it is sometimes being presented as a first stage of an operation of colonisation. If this could sometimes have been the case, it is not in the nature itself of humanitarian intervention. However, nowadays under the regime of the Charter of the United Nations its exercise by one State by itself is forbidden, since the Charter prohibits unilateral resort to force.

<sup>45</sup> I. e. the support of governments of the States with which France had agreements.

<sup>46</sup> The action of the Banyamulenge and of “Alliance de Forces Démocratiques” against the camps considered as being held by the ex FAR that were threatening Rwanda, balanced the action of the Rwandan army on behalf of the Alliance.

<sup>47</sup> The FPR thanked France for the Arusha agreements.

<sup>48</sup> Co-operation of the “bureau civil” with humanitarian bodies, effectiveness of the health service, 10,000 lives saved in one operation in Nyarushishi, a result that cannot be credited to any other military-humanitarian operation.

<sup>49</sup> Since May 1997 France has placed its Service of Humanitarian Action under the aegis of the State Secretariat for Co-operation.

But moreover, the evolution of the affair upset those who then put forward accusations with certainty, possibly too quickly because of the emotion that overwhelmed them when faced with the genocide. In Rwanda, the new power with Tutsi domination, imposed on those that were suspected of genocide, but also on at least as many innocents, a harsh treatment. They have been rotting for more than 4 years in terribly overcrowded prisons and gaols. This smashed one of the great motives of humanitarian action: the conviction to act in favour of victims without a flaw.

In the same way, in November 1997, after the serious flooding in Somalia, the international community did not get involved. The clan anarchy was still going on in the country and the humanitarian community did not want to get trapped again in a geopolitical inextricable situation.

## CHAPTER 4 AND TODAY?

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Will humanitarian aid recover from the disillusion of 1993-1994 and the abstention in 1996/97? From a humanitarian point of view, it should be obvious.

However, humanitarian assistance is no longer in its legendary era. And it is crucial that actors have the tenacious resolution to start again, trained by experience, for actions that are fitting, lucidly taking into consideration the geopolitical particularities, without seeing the world too positively or too negatively, whether in the matter of decisions about the accordance of humanitarian aid, the methods employed or the effectiveness of the aid.

### A. The Decision to Grant Humanitarian Aid

The lessons learned from these recent affairs are that, in grave crises and under existing conditions of insecurity, *the decisions about humanitarian action are never totally private*. In places where a big operation is not being established by the international community, where conditions of insecurity prevail, NGOs themselves can only intervene with difficulty. After all, the idea that State humanitarian action developed from 1991 on, is partly erroneous. It was only the last part of a process that made humanitarian assistance a form of international relations.<sup>50</sup>

In addition, financial aspects cause humanitarian operations to be of a public nature. Humanitarian organisations that are able to launch important operations with their own money are scarce. But even these – “Médecins sans Frontières”, the ICRC – are able to lead large-scale operations only with the financing of the European Union and/or the diplomacy of Western countries, or of Japan.<sup>51</sup> Here we will not make reference to the United Nations, who are themselves dependant on States, and whose main contributors in humanitarian matters are the above-mentioned States.

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<sup>50</sup> It was politicised earlier than one would think. Private humanitarian action in Biafra conducted with the sympathy of certain States, private and inter-governmental humanitarian action in Ethiopia supplied by the generosity of the public, which was alerted by different media, humanitarian action in the Sudan that combined private and public action... Many forms had been tried until 1991 when the last transformation emerged: humanitarian action conducted under the shield of armies and partly through the latter.

<sup>51</sup> It is nevertheless necessary to mention the role of Islamic countries. It only concerns well-targeted financing for the benefit of Muslim people and undertaken by Islamic NGOs.

Therefore, it can be said that decisions about humanitarian aid remain subject to strategic requirements, those of the States which we too easily refer to as the West, but which also belong to the North. Many observers try to find these requirements primarily out of economic and military stakes (in any case unacknowledged and unacknowledgable) of military-humanitarian operations-instigators. The situation is a little more complex, because there are other political considerations. Image-building could be one. But we will look in more detail at three specific parameters related to: the sympathy for the populations receiving assistance; the attitude towards the directly or indirectly concerned States and finally, the opinion of other States in the international community.

### I. The Degree of Sympathy for the Battle of Populations Receiving Assistance

Far from being an alibi for not helping them to win a battle, humanitarian aid is very often the only action in favour of populations, which escapes reproaches for interference. Where the diplomatic hard line would create a diplomatic incident, humanitarian emergency aid, especially if it is delivered only after a media campaign depicting the most atrocious aspects of the situation, could hardly be condemned. And it cannot be said that it won't have political repercussions: the affair will become more well known, it will create a trend of sympathy... This occurred with the aid given to *Armenia*, which was then Soviet, at the time of the earthquake of 1988. More than a one-off operation, it was the occasion where bonds with the Diaspora were intensified, it was the dawn of a new era. Also, an in-depth examination of the *Bosnian affair* shows that it is not a question of blind distribution of services without affecting the destiny of the population. On the contrary, it is a question of help devised in accordance with the particular type of conflict and with the type of distress endured. More precisely it is a question of maintenance *in situ*, directly formatted in reply to ethnic cleansing. The latter inflicts an eradication; it is as such a form suffering. But it is also a breach of the status, whether in the minority or the majority, of the population. Humanitarian aid was therefore in this case devised in order to end the movements of the populations, especially of Muslims. Other affairs can be interpreted in the same way. The aid to the *Kurds in Iraq* was the first step towards conquering a statute of autonomy, granted by Baghdad in 1992. The military operation that followed – not without audacity – the Security Council's resolution, resulted in the consolidation of the liberated zone with the help of the operation "Provide Comfort". Is this completely random? The exodus could have been the beginning of a long process towards recognition, if the internal fights amongst Kurds had not re-started. The aid to *Poland* under the state of war in 1991 was a way to help the opponents, or at least to let them know what kind of support they would receive.

In reality if humanitarian aid is sometimes used for other aims than those to which it is, by definition, assigned, it is much less for the purpose of covering up dark intentions and cowardly abandonment than for the purpose of temporarily taking over or for completing other actions in favour of the "endangered populations".

And when the endangered populations are deprived of aid, this can simply be because their case does not interest anybody, because they are the forgotten of history. This

was so for the Assyrian-Chaldeans, who passed unnoticed in the affair of northern Iraq in 1991, incorrectly termed the Kurdish affair.<sup>52</sup>

But other populations are deprived of aid in a more intentional way because they attract hostility which is quite general. For instance in 1991 the Western leaders' feeling of repulsion for the Iranian regime slowed down the establishment of humanitarian aid in the region of Bassorah where the Shiites dominate. Paradoxically it is the same logic that did not allow consideration of the Iraqi population who had been loyal to the government: the logic of opprobrium. Consciously or unconsciously, one conceives victims as just innocent. And humanitarian aid gives an impression of compensation to people who are victims. Therefore the consequences of the embargo against the 'guilty' people hardly disturb the general public. This is even more so when the 'bad' are guilty of bending humanitarian law – the use of human shields by *Saddam Hussein*, massive rape of Bosnian women by the Serb Bosnians, considered to be closely linked to Belgrade. Consequently, collecting money from the public is not an appropriate procedure for financing the aid which is intended for a population that is well-known to be as guilty as its leaders. *No humanitarian aid for the enemies of humanity?* The humanitarian machinery could, in this way, if the operators do not take care of that, become the producer of a new Manicheism that provides ideological support to situations of the following type: 'international community versus the enemy of humanity'. It would be suitable to take precautions against such a trend which would lead to inhumane results such as those already recognised and demonstrated by the medical data on the Iraqi population.

## II. The Attitude towards Those in Power in the Assistance Zone

"Those in power" are both the responsible territorial government and the neighbouring States possibly assigned to accept the victims. The decision-makers in matters of humanitarian aid may have repugnance when trying to make them interlocutors.

It is said that the economic repercussions of the surge in services are diverse and contrasting. The same can be said for the political aspect. On the one hand the powers have to concede, at least *de facto* and implicitly, a certain autonomy to the operators. Their presence mediates more or less between the powers and the people, and authorises a certain possibility of supervision by humanitarian actors. But meanwhile, on the other hand, a regime can be strengthened by the fact that its territory becomes a hub. The economic infrastructures will for sure be strengthened and a certain prosperity that generates the satisfaction of the people can be induced. But also, the fact that visas and

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<sup>52</sup> The exodus in 1991 at the Iraqi-Turkish and Iraqi-Iranian borders did not only concern the Kurds. Among the fugitives that were climbing the mountains, figured also members of one of the most ancient peoples of the Antiquity, that has survived 4 thousand years of history, the Assyrian-Chaldeans that deplore themselves, still today, in their folk songs on the fall of Ninive and Babylon, more than 2,500 years ago. If the Kurds have lead an unsuccessful combat for three quarters of a century, the Assyrian-Chaldeans, have lost their State-structures 25 centuries ago. But the situation of distress of the individuals is for all that not very different. But due to the lack of information about them, and consequently due to the lack of media emotion for them, they have never been mentioned. And even if they could benefit from certain concrete services at the same time as the Kurds, no help arrangements have ever been devised for them.

diverse authorisations have to be given, prevents them being blacklisted or being kept on a tight rein. This is what happened in 1994 with the *Mobutu Sese Seko* regime.

The local impact of humanitarian aid can be taken into account before taking the decision about whether or not to react. This can induce hesitation between the granting of humanitarian aid or refusing it for reasons that take into account other strategies. The case of the former Zaire is still particularly topical in this matter. The striking abstention of humanitarian operations in Kivu in November 1996, was partly due to the personality of General *Mobutu*. The military-humanitarian operation proposed by France, even if it did not have sympathy from the United States was accepted by the Security Council and, according to military experts, possible without US logistics. But it could also have the side effect of stabilising the Zairian regime. And this was another reason why it was abandoned and not immediately unanimously regretted. At least until *Kabila* refused to let the Commission in charge of investigating the violations of human rights carry out its work. Then arose the general but discreet recognition of mistakes that had been made. The interests of the United States have worked under the cover of a strategy of democratisation.

But the absence of *interference between the strategy of democratisation and the humanitarian strategy* would have meant an avoidance of the painful scandal of non-assistance. The democratisation of this country is a long and exacting task, started in 1990, and none of the events of 1997 have led to its progress. Humanitarian aid, itself, could not wait. Next time in similar circumstances it would be desirable to choose another approach.

### III. The Admissibility of Aid in the Eyes of the International Community

The latter is seen as a whole, but it has many components, whose opinion has to be taken into account. At the forefront of these parameters, the State that thought it was the pole of the "New World Order" can be cited. It has already been said that the hostility of the United States and the desire not to act without them was among the considerations that led France to renounce the operation of Kivu in November 1996. One day we will probably come to know exactly what interests the United States had in Africa and what role they played in the regional thrust of the Tutsis.<sup>53</sup>

But perhaps it is a surprise to see the States of the South mentioned as parameters as well. Since the disappearance of the East, the West seems to be free from the threat of total war and of permanent competition. But it is not totally free. The West cannot organise humanitarian operations regardless of the opinion of what was once called the Third World. It has to benefit from the favourable opinion of the former Third World, whose member States remain strongly attached to the respect for sovereignty. The consent of the States of the South was partially obtained for Kurdistan in Iraq, at the end of the war which was undertaken in the name of Kuwait and its right to the inviolability of its borders. It seemed to have been the case in two other affairs where it seemed that no local power was in a position to provide the necessary relief: Somalia and Rwanda.<sup>54</sup> The

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<sup>53</sup> Precious stones and metals, presence on the Equator, with regard to a geostationary orbit.

<sup>54</sup> For the latter at least, at the time when the decision to intervene was taken, i. e. before the FPR's victory.



States of the Third World could hardly identify their situation with those prevailing in these two countries.

A third parameter is the shadow that falls on the regimes which are in a position of prosecuting their victims. Does the International Community really want to stigmatise them? It is known that no massive operations have been undertaken either for South Sudan or for the Iranian Kurds (even though they are being more poorly treated by the government of their territorial State than the Iraqi Kurds). These two affairs lead to the same conclusion: the International Community, or – in fact – the Western countries, do not intend to openly oppose to Islamic governments.

## B. The Mode of the Aid

Geopolitics is also of relevance here, since humanitarian action can have an impact on the balance of a conflict in a country and on the political situation of a country.

### I. The Impact on the Balance of Forces in a Conflict

It can be direct. Constructing access roads, lengthening airport landing strips can facilitate the actions of combatants.

It can also be indirect. In the present context, where the conflicts are more frequently against the populations, the simple distribution of help can have an impact. In the presence of populations which are surrounded by violent adversary movements, should humanitarian action adopt an attitude that takes them into account as a political force, rather than just as victims? A decision to divide aid into two halves between opponents could be perceived as a mathematical expression of equality, in which the compared elements are the political-military blocs. A decision to attach aid to the desire for peace would also be a purely political decision, in the spirit of collective security. A decision to bind aid dependent on the respect for international humanitarian law or for law in general would seem more moral, but it would depend on distributive morals which is not in the spirit of humanitarian aid. It would not have a lesser impact on the conflict.

### II. The Impact of the Aid on the Political Situation of a Country

A partnership is not only established between the donors and humanitarian operators, or between the various intervening parties in the field, but also between humanitarian operators and the territorial authorities. Whether these are national or local, most of the time they have to give their approval for diverse authorisations to import material, to hire local personnel or to send for expatriates, to use the existing structures, or to transform them. Whether these authorities are *de iure* or *de facto*, their decisions in the matters of public order, curfew, conditions of circulation... cannot be ignored.

However, the range of situations is extremely wide. There are States in the process of decay, a situation in which the chiefs of gangs are the only interlocutors for the humanitarian personnel, and there are authoritative States which take advantage of hu-

humanitarian aid to release themselves from the obligation to maintain a social sector and to dedicate more resources to the army – such as Burundi in its actual campaign of “villagisation”.

On the whole however, an emergency action gives more freedom to humanitarian operators *vis-à-vis* the national authorities, than aid to development, the latter being obliged to abide by national plans which reflect the sovereign choice of the State. The idea of calling NGOs in several African countries “SGOs” – Self Governmental Organisations – is not without sense. An emergency often creates an interlude in normal authoritative relations.

The impact of humanitarian aid can in this way, in certain circumstances, e. g. when its agents have been given the power to choose their interlocutors, become a real component of local geopolitics.

### C. The Effectiveness of Aid

The disastrous example of Autumn 1996 shows a Security Council resolution that was adopted but not carried out. Officially, it was firstly because of the pseudo disappearance of victims, and also in the name of the impossibility to interfere in a delicate affair.

It is imperative to go deeper in this matter, since a strange meaning was then given to “interference”. In Kivu in 1996, the rescue operation was abandoned even though the authorities of the territorial State – Zaire – were still in office and consented to the operation. However non-interference was put forward. For whose benefit? Those that did not want the refugees in the forest to be rescued: an opposition movement and a neighbouring State. Both entities could individually not put forward a legal claim of competence in the territory of the concerned State. The application of the Geneva Conventions, reputed for being too cautious in the theme of right to access to the victims could, in the event, have been more favourable to the victims.<sup>55</sup>

In fact, we have seen that the abstention of 1996 was at least partly attributed to the desire to avoid anything that could reinforce the power of *Mobutu Sese Seko*. Therefore, the motive does not need to be elucidated. But the case can help *a contrario* to demonstrate what would have been the geopolitical significance of the concept of interference, even duly criticised.

First, let us recall the philosophy of interference. In fact, it is the one of humanitarian assistance itself, and thereby it highlights a latent ambiguity in international law. International law is designed to rule over the peoples, and in the last analysis human beings; but only States are legally bound by it. These abstract entities are supposed to have a sovereign equality, to settle their conflicts peacefully and to get collective security from institutional mechanisms. On the contrary, humanitarian aid is aimed at concrete individuals, usually on the occasion of open conflicts that collective security was unable to control. Can a failure to help these individuals be tolerated in the name of the funda-

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<sup>55</sup> Article 18 of Protocol II which was applicable in this case (in so far as one could talk of a civil war between the Zairian armed forces and the alliance) gives priority to the agreement of the “High Contracting Party” (thus the Zairian State).

mental balance of international law? This is what the concept of interference wanted to avoid, in extreme cases, where the territorial State had done nothing, in view of the prevention of the massive endangerment of life.

It is because missions of humanitarian aid collided with deliberate impediments by States strictly sticking to their territorial competence, that a certain number of persons issued from the "French Doctors" movement launched the concept of interference. This had remarkable success in the opinion after the first "Colloque de Droit et Morale humanitaire" (Colloquium on Humanitarian Law and Morals).<sup>56</sup> This reunion had remarkable repercussions,<sup>57</sup> even though the debate on the topic had been made unintelligible by the word itself. "Interference" sounds like a provocation, since it is synonymous with a breach of international law. But its originators take the credit for having asked an essential question. Behind the word "interference" - useful because it is eloquent, a fertile idea is hidden.

And this could have been based on a precise *legal mechanism*: the one relating to the hierarchy of norms which exists in numerous legal orders and was introduced in international law by different instruments of the last decades.<sup>58</sup> To introduce into positive international law, if not the term "interference", at least its translation in terms of hierarchy of norms, is possible. It would mean accepting that some of the most well-established norms - exclusiveness of territorial competence, the prohibition of interference in the affairs of others, even the prohibition of resorting to force - could be momentarily put aside, when needs for humanitarian aid are compelling. The legal mechanism is intellectually available.

But the acceptance of such a hierarchy by the "International Community of States as a whole"<sup>59</sup> would signify the *promotion of the right to live to the rank of a norm higher than the rights of the State*, which would be of *heavy geopolitical significance*. We have seen the circle in which the concept was forwarded: that of the "French Doctors". This introduction would involve the promotion to the rank of an imperative norm of international law of which originally was a typically Western conception. "Interference" is rooted on a Western concept since the West holds a more individualistic conception than other civilisations, for which the individual identifies itself by the group.<sup>60</sup>

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<sup>56</sup> Organised in Paris by Bernard Kouchner and Mario Bettati, with the participation of some of the highest national authorities: The President of the French Republic François Mitterand and the then French Prime Minister Jacques Chirac.

<sup>57</sup> Introduction of the expression "Right to interference" in the political vocabulary; - France deposited a draft resolution at the General Assembly of the United Nations and ever since the concept had a French connotation; adoption of resolution 43/131 in December 1988 by the General Assembly which was an innovation in matters of access to victims and which was followed by several other resolutions, including Res. 45/100 which is important if not even revolutionary.

<sup>58</sup> In particular the Vienna Convention on the Law of Treaties of 1969 and several court decisions. There is a small core of imperative norms in international law, amongst which figure some aspects of international humanitarian law, but also the prohibition for the States to resort to force, the principle of racial non-discrimination, the right of the peoples to self-determination, in the sense of a right to decolonisation.

<sup>59</sup> According to the expression of the Vienna Convention on the Law of Treaties of 1969 relative to the determination of the rules of "ius cogens".

<sup>60</sup> Whatever the universal success of the concept of human rights is, the examination of the specific conventions, of the control systems, and of the number of ratification show a certain geography of human rights.

In fact, many examples of norms being accepted as universal norms were born in a narrower geopolitical context and appear differently. It is the acceptance of norms which were championed by the Third World.<sup>61</sup>

The last outstanding events, in 1994 and 1996, far from being in favour of the existence of a right of a third party to interfere in a situation of internal massacre, points out the disinterest of the powers in human distress which lasted for too long. Henceforth we know that abstention is, in humanitarian terms, to be feared more than interference, no matter what the legal weakness.

The 1990s were a true experience laboratory for humanitarian aid.

After the euphoria, came the calling into question. When faced with the shock of abstention, today, criticisms tend to change into a giant effort for a new humanitarian aid. Tied much more to the normal process of development, and more clearly connected with geopolitical data it might have overcome the period of doubts...

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<sup>61</sup> Non-intervention, the right of the peoples to decolonisation.

# CHAPTER 5

## HUMANITARIAN ACTION AND THE CONTEMPORARY INTERNATIONAL SYSTEM

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### A. The Contemporary International System

One hardly needs to recall that the Berlin wall's collapse on November 9<sup>th</sup>, 1989 brought an abrupt end to the international order initiated by World War II, more precisely by the Yalta conference with which it is usually linked. The 1989 euphoria did not last very long. The Cold War had finally reached its end, yet history continued its unpredictable and inexorable unfolding, rather contrary to what some had predicted: the end of the Cold War and some kind of end point. One moved rapidly from a rational order – reassuring in many respects – to a new configuration of international relations whose features are still not so clear, in which all the actors are still not perfectly identified, and whose functioning mechanisms still lack flexibility.

#### I. Old Order and New Order

In order to have an international order or “system”, the system must comprise a set of actors, established in a given framework. Such a system consists of multiple internal and external constraints whose influence is endured by the actors, but on which these actors also act. These actors are placed in a particular configuration of powers which is the expression of the rules of the game. They also engage in a number of interactions, i. e. an adaptation and correction process of the system's stabilisation mechanisms. Whatever the divergence between its partners, an international order is always based on common goals whose minimum is expressed by the balance required by the actors' shared rationality. The international order is basically of a political nature. Whatever its influence – rather important – on our society, the current economicisation of international relations (which is now presented as determinant) does not endanger the political foundation of this international order whose primary goal still remains security, by means of political, diplomatic and military instruments.

The Vienna equilibrium, as established by the dispositions adopted in 1815, has remained operational as long as a minimum level of collective interest could subsist. This

equilibrium, which was defined in a strictly realistic perspective, was shaken when it became confronted with the liberal and national demands of societies and actors which the 1815 Vienna congress members did not take into account. The political 'ideal' on which the system was based was therefore questioned, as the rationality of the State interests could neither accommodate public opinion, nor the creation of a new action range (the economic and social field) which was extrinsic to the preoccupations and to all the States' usual intervention mechanisms.

After the inter-war parenthesis, the opposition between the United States and the Soviet Union or, to be more precise, the resources of their opposition, became the source of a new equilibrium. The latter was primarily defined in terms of negative collective interest (i. e. what one should not do for the sake of one's own interests) in order to preserve security, whereas the creation of the United Nations opened a way towards positive security through co-operation of the superpowers. The main interpretation of this post-World War II order is of an ideological-strategic nature. Indeed, one must reckon that ideology did shape the image and ensured the legitimacy of both of the two superpowers. The East and the West were ideological concepts around which each of the blocs is organised and solidified. The ideology pervades and commands any activity, be it intellectual, cultural, political or commercial. Any discourse, inwards or outwards-oriented, reflects this. To sum up: ideology becomes the explanatory reference *par excellence*. But does this ideological packaging of the international order really reflect reality? Was ideology the true foundation of the international order?

A more rigorous scrutiny of that particular period provides us with complementary explanations. If one was lead to engage in a logic of rupture and retreat within the Western block in 1947, this was due to the military threat – and to the fear it induced. From then on, a strategic rationality constituted itself in the East-West relationship, a logic which prevented the ideological conflict from producing its effects: one simply cannot allow oneself to draw all the consequences which a strict and radical implementation of its foundations would dictate. While the military dimension (mainly nuclear) did contribute to the articulation of East-West relationships – linked with ideological rivalries –, it did not provoke the end of the Cold War. Indeed, it contributed to it, as the USSR lost a portion of its credibility through the exhaustion caused by the arms race it was compelled to join, but it did not provide the key to this new order. The above-mentioned definition inevitably brings us back to the political arena. This is where the Washington-Moscow relationship finds a decisive outlet. Europe's future, and more particularly Germany's future, is the cornerstone of this political issue. The Yalta order was inaugurated with the German question; the Berlin Wall's collapse and the ensuing reunification have terminated it.

This break with the old order, which is expressed by the Berlin Wall's collapse, despite the importance of this phenomenon, took place without any particular tension. A fundamental change occurred without any conflict and lead towards a transitory situation in which the features of the world to come remained uncertain and unclear. However, this situation did not hinder the development of reflection and analysis.

Following the realistic perspective, some authors argue that conflicts between national interests are bound to increase, as the post-1989 situation implies the disappearance of East-West control, restraint, and as the strength of these national interests feed

on diverse sources: military of course, but also economic and cultural. According to this perspective, the quest for power and the reaffirmation of identity bring about conflicts and wars, be they local – in the framework of a multipolar world and of a system rather similar to that of 1815 – or at a higher level, if they carry an economic dimension across the three large poles (Europe, North America, Japan and its Asian sphere of influence), or supervised by a hegemonic power in a unipolar structure (as some have argued since the Gulf War).

One of the most disputed analyses in this respect has assuredly been that of *Samuel Huntington*, the renowned Harvard University professor, who published an article in 1993 with the title “The Clash of Civilizations?”. Some observers have compared this contribution with *George Kennan’s* 1947 article (signed under the name “X”) also published in the *Foreign Affairs* journal. According to *Huntington*, the post-Cold War period corresponds to the following evolution: international politics leaves its Western phase and becomes the heart of the interactions between Western and non-Western civilisations, and within non-Western civilisations. Today’s world, he argues, is divided in terms of cultures and civilisations rather than on the basis of political and economic systems, as the civilisation corresponds to the broadest identification level to which the various peoples can feel committed. Hence, the new international equilibrium would be built on the basis of interactions between civilisations. The clash between civilisations takes place at two levels. On the one hand, it develops along on fracture lines between civilisations, as groups engage in conflicts for supremacy or territorial motives; on the other hand, different States belonging to different civilisations clash on military and economic terrains, in order to gain control over international organisations and to promote their respective political, cultural and religious values.

*Huntington* places one of these main fracture lines between the Western world and Islam. He argues that this centuries-old conflict will not ebb away. According to *Huntington*, the Gulf War was a symptom of this cultural clash, which can only be expected to be reinforced as a result of the Islamist phenomenon and the migration movement towards Western Europe. The Western attitude with respect to the Bosnian situation, as well as the close links with Israel, reinforce the conviction that Westerners play a double game.

More broadly speaking, *Huntington* contends that the main axis of international politics could very well be structured along the opposition between the Western world and “the rest of the world”. Among other things, he evokes the development of a Confucian-Islamist convergence which ensures weapon and technology transfer which could lead to the formation of new powers which could resist – or even defy – the Western world. International relations are hence no longer restricted to the sole intra-Western relationships: other poles, other civilisations acquire an ever increasing autonomy and action potential. From these observations, *Huntington* concludes that conflicts between groups belonging to different civilisations are bound to increase in an international system where the main axis revolves around the Western world–rest of the world relationship. From a Western perspective, this implies that Northern Americans and Western Europeans should collaborate and find more convergence in their viewpoints. It also implies that Westerners should try to incorporate Eastern European and Latin American societies which stand closer to them in cultural terms, to maintain and promote good relations with Russia and Japan, to prevent local conflicts from escalating, to hinder the

military potential of Confucian and Islamist States, and to ensure Western military superiority in the Middle-East and in Asia.

This hypothesis, which tends to valorise the West's position, is debatable in many respects. To start with, it provides a strictly adversarial vision of international relations, in which the West is portrayed as having a stronghold, grasping its own privileges which it does not intend to share. Moreover, it is a deterministic vision: civilisations are supposed to remain almost eternally unchanged, with their own characteristics, unable to transform themselves, no matter what changes their political regimes could bring in their goals and in their world vision and their relationships with others. And yet, *Huntington* does point out a reality which one should bear in mind: the growing dissent towards the West is rooted in a redefinition, by regional actors, of their own references, on the basis of a new return to their culture, to their values, which helps them to forge their identity. The result of this trend is a clear opposition between a Western world which is identified with its arms sales, its audio-visual products, its intense materialism, and a Third World in which religions put the emphasis on, e. g., spirituality, poverty and the sense of others.

In contrast to this realistic analysis, others put more emphasis on interdependence, which allows the construction of a global world organised by the economy and which is insensitive to fractures and national divisions. Within this framework, reflections on the American decline, such as those of *P. Kennedy* in "Birth and Decline of Superpowers" or *J. Nye* in "Bound to Lead", have lead one to consider that a single power can no longer claim the exclusivity of international leadership. This interdependence does not only have an economic dimension: it is also rather clear in the strategic, societal and ethical fields. World issues develop – or are increasingly perceived as such –, such as environment, development, [...]. Transnational actors intervene in the international scene, aside from the States, at the fringe of the latter's actions. The political, cultural and economic dimensions are now situated at world level.

As this worldly preoccupation becomes increasingly clearer, another analytical current stresses the relevance of space, i. e. the spaces in which each actor – and particularly each new actor – strives to define their own identity. The Cold War placed international relations in abstract space, e. g. in the strategic field, whereas one now encounters multiple concrete situations whose co-ordination and control become increasingly difficult. This terrain is not only universal; it is localised, multiple, diverse. The relationships between the actors are intertwined and become entangled, which makes the whole system particularly unstable.

All these analyses register change, and hence provide clues for tomorrow's world. They do not, however, remove all sources of alarm for the future.

The post-Yalta world did produce some challenges (let us just mention de-alignment), but it has now been completely shattered. Its founding rationality has been shattered. The barriers it erected have disappeared; the global space has opened up. The blocs which used to guide and incarnate it have now been replaced by a multitude of States inspired by their own national interests and no longer by strategy or ideology. The past uniformisation at world level has now left room for the assertion of diverse identities and demands.

This is where the challenge for tomorrow's international order stands: in the new type of harmonisation which must be achieved between the contradictory demands of



universal stability and local particularities which are indicators of a growing heterogeneity. At the same time, another challenge lies in resisting the actors' loss of legitimacy: the weakening of State power and the emergence of a whole series of other powers from within sub-nationalisms or in the shape of defensive groups with diverse interests necessitate the definition of new legitimate political actors. These actors should be able to take on the challenge of the planet's new issues by implementing adequate and efficient methods and mechanisms.

## II. The Actors

Although interpretations of the current international system are divergent, most analysts agree on one point: the actors who contribute to the shaping of international society and who determine the structure of the order are diverse. These are not only States as was the case in the 19<sup>th</sup> century: international organisations, transnational powers, peoples and individuals actively take part in it with ever-increasing determination.

States remain fundamental elements of the international structure, as any elementary observation of daily international relations clearly demonstrates. They constitute its primary, basic unit. They strongly contribute to the setting up of the framework in which all actors engage in their actions. The State is not a one-dimensional reality. As a territorial reality, it corresponds to a limited space whose appropriation and defence can become important issues. Geopolitics clearly takes this into account in their materiality as well as in the representations which underlie them. As a human reality, it consists of a population whose right to self-determination provides legitimacy in terms of power in the quest for its sovereignty and independence, way beyond national feelings of belonging whose shapes and effects are difficult to grasp and are unpredictable. As a political reality, it is embodied in a cabinet, i. e. a political-administrative entity whose task is to manage the whole body which is constituted through the carrying out of the functions which are traditionally granted to it: power identifies the State; it ensures its defence; it organises it through the fulfilment of its legislative, executive, jurisdictional, [...] functions.

These States constitute the interstate side of international society. They shape its framework, in respect (or disrespect) of the rules they establish. Each one of them can count on sovereignty and independence, but the discrepancies between them are numerous. Only a few of them belong to the nuclear power club and can hence rely on superior means of security. The development cleavage introduces an increasingly insurmountable gap between those who have access to growth and those to whom it remains inaccessible. Until the dismantling of the Soviet Union, an ideological-political dividing line used to act as an equilibrium axis for the international system: the Western bloc, the socialist bloc, and the whole of the Third World, most of whom were part of the non-aligned group.

Caught between global collective security preoccupations and the eagerness for individual well-being, the nation-State now has to face major dissent, a paramount questioning: there where it has reached its most elaborate form (i. e. in the West), it must now surpass itself, or even renounce some of its central attributes in order to face the new

transnational challenges: cultural uniformisation, economic globalisation, international migration, ecological disruptions, [...] On the other hand, there where it has failed to achieve development or individual liberation goals (e. g. in the former Soviet empire and in Africa), the State has to now re-build itself on the basis of new foundations, in order to fulfil its role as advocate for the individual's dignity.

Apart from the State, the traditional and main actor in international relations, the international, intergovernmental and non-governmental organisations now occupy a position which is reinforced and justified by the increasing interdependence and the magnitude of new challenges. The international organisations, which stem from agreements reached between States, mostly act as *loci* for their meetings. At best, they are an instrument which bolsters the co-operation between States. They do not represent anything more than their constituting members. This being said, the end of the Cold War and the various related events have stirred up interest in such organisations, especially the main one, i. e. the UN. One is still far from a kind of world cabinet – but would such an institution be useful? Who would control it? Where would it find its legitimacy? However, contemporary crises (such as the Gulf war, Somalia, Yugoslavia, [...]) have demonstrated the responsibility of the “international community” with regards to the management of universal security. Although the UN is still far from this ideal, it has nonetheless become the *locus* or the forum in which the main rules for a safer world are designed. This world would be managed by a combination of actors (UN – regional organisations – States) whose quest for security would constitute the key source of harmony.

In the context of the current transformation of international relations, neither the redefinition of the UN's tasks, nor the new type of relationships which develop between the States and the intergovernmental organisations, suffice to correctly reflect the state of the world scene as far as its actors are concerned.

Indeed, other forces play an increasingly important role. They express economic interests, political, ideological or cultural beliefs, social or spiritual preoccupations on which the State's hold is extremely minor, as their transnational dimension runs contrary to the logic of national sovereignties.

In the late twentieth century, the NGOs (non-governmental organisations) have gained significant status in the international scene, in which they largely contribute to the expression and transformation of opinions. One of the most representative examples is that of humanitarian aid: the positions and interventions of e. g. the *Médecins sans Frontières* (MSF) or Amnesty International are significant elements in the diplomatic-media game which structure the post-World War II major international crises. Still, these associations do not hold any political “power”. They have not become subjects of international law, and their influence is still by and large haphazard, as it still largely depends on the goodwill of the conflicting actors. That being said, they do have an influence on public opinion – linked with the solidarity they are able to develop – which the various powers cannot ignore.

The transnational powers, based on economic goals, exert a much more important influence. This is largely due to the kinds of interests they represent. Relying on their resources, they are able to use the whole planet as a market. They do not act within the framework of a national policy, hence they can easily dispose of country borders. They are able to position themselves as strong interlocutors in the face of the States with whom

they possibly negotiate. The ensuing conflict of interest can only be solved through appropriate frameworks, i. e. multilateral ones such as the OECD. In this case, the co-ordination of attitudes seems to be imperative if one wants to maintain (or re-establish) a minimum level of control *vis-à-vis* these predominant powers who easily become sources of dependence for some weaker States.

Public opinion also influences international relations, although this is of an imprecise and informal nature. The most frequent types of expression are: national public opinion which directly influences a government and its foreign policy on a particular theme, or a convergence of national public opinions towards a form of solidarity (spontaneous or co-ordinated), which produces expression of a transnational public opinion. The recent campaign against the resumption of French nuclear tests (1995-1996) is an excellent illustration of the latter type. This type of opinion, as an emanation of the masses, can, if it is the indicator of a durable conviction, be efficient and become a genuine power which is able to modify government policy. The free circulation of information, accepted in a document such as the Helsinki final act, evidently favours the constitution of such powers whose role becomes increasingly relevant as increasing media exposure (with its inherent risks) develops. In its diverse forms, this form of international opinion gradually – with hesitations and weaknesses – builds up a moral reference point, an ethical ensemble which judges behaviour and policies. By its very nature, it cannot become an actor, at least in formal terms. If it manages to avoid manipulation, it will surely be able to influence international relations and bring about significant positive changes.

Within a more formalised structure, within a different framework and with different goals, peoples have also held a significant position in the international scene, particularly since 1945. Indeed, they are mentioned in several documents (e. g. UN Charter, Declaration on the Granting of Independence to Colonial Peoples, etc.). In addition, their actions have been determinant in the de-colonisation process and in various similar situations, through their right to self-determination. In spite of this activity, they haven't reached the status of subjects. The reason for this paradox lies in the difficulty of definition and in the fact that they often engage in conflicts with States with which they do not always identify. In the cases where the State follows democratic rules of conflict settlement, the people vs. State debate can be resolved in harmony. In authoritarian areas, the confusion between the State and national interest arises, and hence the people do not possess the capacity to exert its right to self-determination.

To sum up, the current international scene differs very much to that of the 19<sup>th</sup> century or even that of 1945.

## B. Humanitarian Aid in the Contemporary International System

### I. Humanitarian Aid in Its Political and Sociological Environment

Several factors account for the ever increasing importance of humanitarian action in the new international environment: the permanence and the transformation of the nature of

conflict, the new development of the UN's role, the media's increasing role and the emergence of new values in developed countries.

### 1. The Permanence and the Transformation of the Nature of Conflict

One could have thought that after the Berlin Wall's and the Soviet empire's collapse, a period of peace – or at least a substantial decrease of conflicts on earth – would settle for quite a while. Even if the threat of nuclear war did subside, such pacification of conflicts surely did not take place.

These high hopes were, in fact, short-lived. After a decrease in the number of conflicts in 1991 as compared with 1990, the number of conflicts started to increase again. Figure 1, based on computations by *d'Aoust* and *Artero*,<sup>62</sup> depicts the evolution of the number of conflicts world-wide from 1990 to 1994).

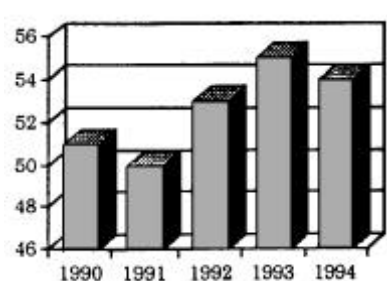


Figure 1: The evolution of the number of conflicts world-wide

It is quite clear that the number of conflicts increased sharply in 1992 and 1993, and then decreased slightly in 1994. However, closer scrutiny shows it is mainly low-intensity conflicts which decreased in 1993, while in 1994 high-intensity conflicts increased, as Figure 2 clearly demonstrates.

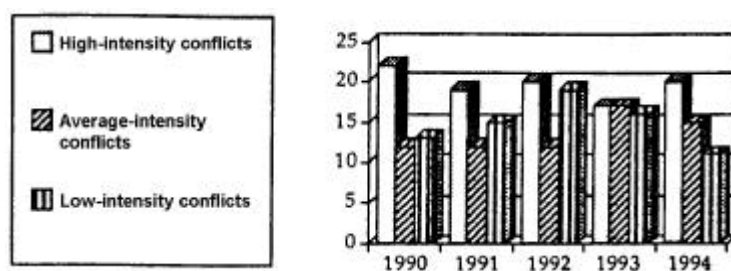


Figure 2: The intensity of conflicts<sup>63</sup>

In the period examined, high-intensity conflicts are especially numerous in Africa and Asia.<sup>64</sup>

According to *d'Aoust* and *Artero*, the majority (60 %) of post-Cold War conflicts arise from various forms of demands towards self-determination: minority conflicts, secessionist struggles, national liberation struggles, or territorial disputes regarding territories

<sup>62</sup> *D'Aoust/Artero*, *Droit international et politique au service de la paix*, CRED, UCL, 1994, p. 3.

<sup>63</sup> *Ibid.*, p. 12.

<sup>64</sup> *Ibid.*, p. 12.

which are occupied by national minorities settled outside their native countries.<sup>65</sup> These conflicts are directly linked with the termination of the "lead screen" which was imposed by bloc politics on autonomist demands. In this respect, one may argue that, since the collapse of the blocs, identity conflicts have replaced ideological struggles.

Situations of human distress, however, did not recede. Furthermore, recent conflicts are characterised by ever-increasing numbers of civilian casualties. During World War I, the proportion of civilian casualties amounted to 10%. It rose to 50% during World War II. In Bosnia, the estimated figure ranges from 90% to 96%, which quite clearly represents an increase in the number of civilians who need assistance.<sup>66</sup>

However, these observations do not explain the rapid development of humanitarian aid which has been observed recently. Specific political and sociological factors have also played an important role.

## 2. The Development of the UN's Role

Political factors are linked to the new role of international organisations, especially the UN.

Bloc politics hindered international organisations' actions, as each superpower could easily obstruct the other superpower's initiatives, mainly by exerting their veto right in the Security Council. The current situation is much more open, so that the UN is able to intervene in conflicts which are likely to severely breach the Charter's principles (i. e. no resort to force and respect for human rights).

Under these circumstances, the UN has launched more peacekeeping operations in the last 5 years than in the first 40 years of its existence.<sup>67</sup>

Figure 3 illustrates the increase in armed forces interventions within the framework of UN policy.

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<sup>65</sup> *Ibid.*, p. 6.

<sup>66</sup> Cf. the Geopolitics module of the NOHA network, European Commission's official publications office, p. 23.

<sup>67</sup> *D'Aoust/Artero*, p. 57.

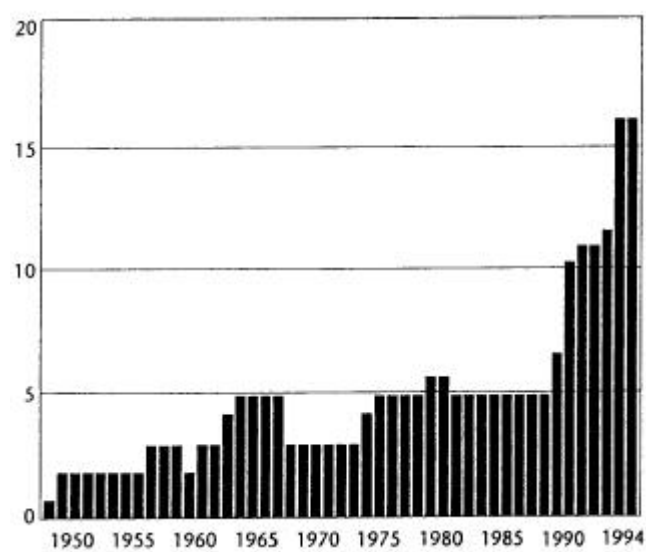


Figure 3: Increase in peacekeeping operations (1950-1994)<sup>68</sup>

This growth of UN missions also correlates with a sharp increase in humanitarian aid, also linked with peacekeeping operations. This has also meant that armed forces involved in such missions received an additional role.

### 3. Mass-Media and Value Change

Political factors alone do not account for the rise of humanitarian aid to the forefront of the news. Profound technological change in modern society, as well as value changes, have also played an important role.

The media constitutes one of the key mechanisms in modern societies, especially in developed countries. Its role in terms of information but also in terms of increasing public awareness is well known. Indeed, media exposure of the horror of conflict throughout the world makes it difficult for the governments of the more developed countries to simply wash their hands of what's going on, especially when the affected areas are geographically or culturally close.<sup>69</sup> However, this effect might not be general, as this "show" can also produce a "repulsive" effect (i. e. the refusal to see horrible events) or a fear effect if it could threaten individuals close by, e. g. personnel in armed forces who might have to intervene. This being said, the internationalisation of communication has surely played a considerable role by encouraging people to become active in the numerous humanitarian NGOs.

This calling has also developed in the wake of the so-called "post-materialist" values, named after societies also portrayed as post-materialist, and particularly values centred on peace and development. It can also be interpreted as an alternative politicisation

<sup>68</sup> V. Fisas, *Blue geopolitics, The United Nations reform and the future of the Blue Helmets*, London, Pluto, 1994, p. 91.

<sup>69</sup> O. Russbach speaks of "the media denunciation, a pretext to the states' judiciary inertia", in: *ONU contre ONU: Le droit international confisqué*, Paris, La Découverte, 1994, p. 47.

process for those who reject political action through political parties and who favour direct action on location.<sup>70</sup>

## II. The Mutations of Humanitarian Aid

### 1. The Three Stages of Humanitarian Aid

In the older international order, humanitarian aid was basically centred around Red Cross interventions. Founded by *Henri Dunant* in 1862 after the Crimean war, the Red Cross mainly aimed at assisting those who lay wounded on the battlefield.

*Dunant's* genius was to “conceive a private organisation whose moral authority would ensure its impartiality”<sup>71</sup> and which could be considered as neutral and hence accepted on the battlefield by all States, as *Lanotte* underlines. In order to make its intervention acceptable to rigid sovereignties, the Red Cross founding fathers understood that the most suitable strategy was to rely on a feeling of compassion, instead of attacking (without any chance of success) the untouchable sovereignty of the States. This founding rule is still the cornerstone of the current ICRC action.<sup>72</sup>

As *R. Tonglet* rightly puts it,

*“These principles are complementary: acknowledgement by the States of the victims’ neutrality, exchanged against the acknowledgement by the humanitarian movement of the States’ sovereignty. In the name of charity, a breach in the prerogatives of the States is opened; in the name of the Law, this breach is immediately shut back. Charity supported by Law: this is the sign of the victory of reality versus principles [...] A large part of the Red Cross’s success very probably stems from this founding ambiguity.”*<sup>73</sup>

This logic was particularly well suited to an international system which was dominated by the States. This system was extended into the bloc system, which was also based on the intangibility of some borders, i. e. the border which separated two camps.

The gradual development of an “international community” – even during the blocs era, but which became more and more substantial as the Cold War receded – as well as the assertion of values linked with human rights at world level, considerably modified the shape of humanitarian action. The credit for this innovation must be given to the NGOs, and particularly the “Médecins sans Frontières”, after the Biafra tragedy and as a reaction to the failure of the Red Cross’ intervention. Humanitarian aid has now become a trans-border matter. The sacred principle of the States’ sovereignty must no longer be adhered to when it comes to treating a wounded person on the other side of the border. This is the origin of MSF’s creation in 1975, and of a large number of other NGOs.

Humanitarian aid remains basically of private or mixed nature (ICRC), but it no longer respects the States’ sovereignty as it used to, and it has become truly international. The ICRC and MSF also incarnate two concepts of humanitarian aid: a traditional one,

<sup>70</sup> On this issue, cf. *R. Inglehart*, and especially *Culture Shift*, Princeton University Press, Princeton, 1990.

<sup>71</sup> *A. Destexhe*, *L’humanitaire impossible*, Paris, A. Colin, 1993, p. 31.

<sup>72</sup> *O. Lanotte*, *L’assistance humanitaire, nouvel enjeu des relations internationales*, document de travail, UCL, 1996, p. 17.

<sup>73</sup> *R. Tonglet*, *Les ambiguïtés de l’aide humanitaire*, Louvain Med., 114, 1995, pp. 614-620.

which centres solely on relief to victims and refrains from publicly denouncing human rights' violations, and another concept which refers to values and intends to denounce violations on location while also offering relief.

The third development stage of humanitarian aid is of an institutional and public nature, regardless of whether on the international or State level. Public actors now join the humanitarian aid sphere. Such actors did exist before, but they have undergone a reform process, chosen more effective organisational forms and become more active on location.

At the international level, humanitarian aid has become an important factor in the policies of international organisations, especially the UN. As early as 1945, the UN created the United Nations Relief and Rehabilitation Administration (UNRRA), whose task was to administer humanitarian aid. Shortly thereafter, it was divided into several organisations, each one in charge of a particular dimension of humanitarian aid: the UNHCR, the UNICEF, the WHO and the FAO.

In 1991, as humanitarian action rapidly developed, the "Department of Human Affairs" (DHA) was created. Its task was to centralise and co-ordinate the UN's humanitarian action. The DHA's action nevertheless remained limited, as the whole UN organisation was still not fully synchronised in order to correctly incorporate it.<sup>74</sup> It was granted a US \$ 50 million fund, and an adjunct secretary general for humanitarian affairs was also forecasted.

This evolution also applies to the EU. In 1992, the "Office Humanitaire de la Communauté Européenne" (ECHO) was – in the same way as the DHA – to co-ordinate European humanitarian aid. It works on a partnership basis (cadre agreements with NGOs, UN agencies, [...]). Its strategy now seems to be evolving towards conflict prevention actions.<sup>75</sup> Its budget amounted to 760 million ECU in 1995.

More and more national States are also engaging in humanitarian aid. In the OECD countries, the humanitarian aid budget has experienced a strong increase from US \$ 787.7 million in 1988 to US \$ 2,918.28 million in 1992. The French case is particularly interesting in this respect, and one can even speak – as *Marisol Touraine* does – of "state humanitarian intervention".<sup>76</sup>

The different stages through which humanitarian action has evolved have produced a superposition of the different actors, which results in a rather complex system. Figure 4 provides a picture of the international aid system as it was in 1996.

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<sup>74</sup> *D'Aoust/Artero, op. cit.*, pp. 71-72.

<sup>75</sup> *Ibid.*, p. 75; ECHO-News, March 1995, No. 6, p. 4.

<sup>76</sup> *Le bouleversement du monde: Géopolitique du 21<sup>ème</sup> siècle*, Paris, Seuil, 1995, p. 267.



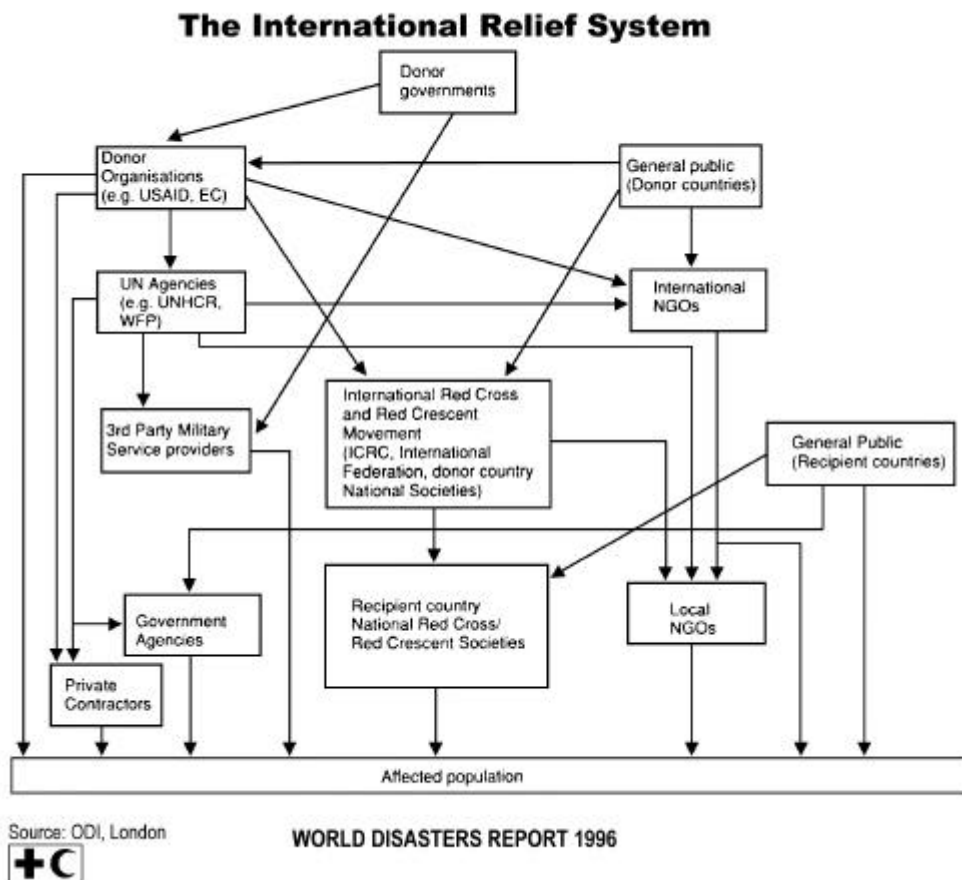


Figure 4: The international system of humanitarian aid<sup>77</sup>

## 2. Interference and Role of the Armed Forces

The new forms of humanitarian action are connected to the notions of ‘obligation of interference’ and ‘right of interference’. The former stems from NGOs’ actions – particularly MSF – i. e. trespassing borders despite governments forbidding them to do so. It is on this basis that France tried to introduce the concept of ‘right of interference’ at the UN; this was indeed acknowledged in the 43/131 resolution.

This resolution deals with ‘natural catastrophes and similar emergency situations’. The text’s originality lies in the fact that it enacts

*“the principle of subsidiarity with a humanitarian finality: in theory, the recipient state must take on the initiative in order to ensure the implementation of humanitarian aid; in case of deficiency from its part, however, the ‘international community’ (UN) may substitute itself to it”.*<sup>78</sup>

<sup>77</sup> International Federation of Red Cross and Red Crescent Societies, World Disaster Report 1996, Oxford, Oxford University Press, 1996, p. 59.

<sup>78</sup> Le bouleversement du monde: Géopolitique du 21<sup>ème</sup> siècle, Paris, Seuil, 1995, p. 268.

The notion of “interference” is probably the cornerstone of this new type of humanitarian action. This notion has been defined in many different ways and is also highly ambiguous. Besides, it is not a “right” in jurisdictional terms, neither is it a truly new notion.<sup>79</sup> *Marisol Touraine* tried to identify its main dimensions as far as the UN are concerned.

<i>Dénomination de l'ingérence</i>	<i>INGERENCE HUMANITAIRE</i>	<i>INGERENCE DEMOCRATIQUE</i>
<i>Nature de l'action menée</i>		
Humanitaire	<p><i>Cas: catastrophes naturelles</i></p> <p><i>Droit: R<sup>80</sup> 43/131 AG ONU</i></p> <p><i>Exemple: tremblement de terre en Arménie</i></p>	<p><i>Cas: situation politique provoquant une pénurie alimentaire ou médicale</i></p> <p><i>Droit: R 688, 706, 794</i></p> <p><i>Exemple: Somalie, ex-Yougoslavie</i></p>
Politique	<p><i>Cas: hostilité Etat récipiendaire</i></p> <p><i>Droit: R 45/100 AG ONU</i></p> <p><i>Exemple: Provide comfort (Irak)</i></p>	<p><i>Cas: objectif politique</i></p> <p><i>Droit: R 706</i></p> <p><i>Exemple: un seul: gestion directe des intérêts économiques irakiens</i></p>

Figure 5: Types of interference<sup>81</sup>

*Touraine* defines humanitarian interference as assisting those who suffer in situations of extreme emergency. It can be devoid of political meaning e. g. in the case of natural disasters; conversely, it can dictate assistance to a State, e. g. the delimitation of humanitarian corridors, and hence acquire a political – and military – dimension.

The democratic interference is the one which is justified by the international community's intervention in cases in which the UN's Charter's principles (resort to force and human rights) are violated. It may also have a humanitarian dimension whenever the political situation brings about food or medical shortage. It may also be purely political, such as in the direct management of Iraqi economic interests, but we are not talking about humanitarian aid anymore; this being said, in the latter case, the funds used to help the Kurds were taken from Iraq's financial resources.

In both configurations of interference, military interference was required. However, military intervention raises numerous problems. Besides the problems which arise

<sup>79</sup> *O. Russbach, op. cit., pp. 44-47.*

<sup>80</sup> R: Résolution, AG: Assemblée Générale.

<sup>81</sup> *Le bouleversement du monde: Géopolitique du 21<sup>ème</sup> siècle, Paris, Seuil, 1995, p. 270.*

from the sometimes difficult relationships with the NGOs, recent experiences allow one to draw general conclusions.<sup>82</sup>

The positive aspects of armed forces' intervention in humanitarian assistance are as follows:

- ◆ imposing security;
- ◆ ensuring logistics and communication;
- ◆ self-sufficiency of the military on location;
- ◆ swift setting up of health centres, laboratories, relief actions such as vaccinations, water supply, [...].

On the other hand, one must consider the negative aspects:

- ◆ the medical help which can be supplied by the army is mainly oriented towards wounded soldiers on the battlefield and not specifically towards humanitarian distress situations, such as medical treatment of displaced persons or refugees;
- ◆ the emphasis on re-development is absent;
- ◆ the army food supply is inadequate (e. g. rations may include pork meat for Muslims, high-calorie and salty food for dehydrated and malnourished individuals);
- ◆ the officers and military medics do not receive humanitarian training.

### 3. Humanitarian Aid and Development

In connection with this evolution of humanitarian aid, one must stress the evolution of the link between humanitarian aid and development. The classical humanitarian viewpoint had nothing to do with developmental preoccupations. Hence, the boom of humanitarian aid was a boom in financial terms, to the detriment of development aid. The increase of the State and international organisations' budgets has therefore had a negative impact on development aid.<sup>83</sup> This situation is indeed regretful, as development problems themselves generate humanitarian problems in the medium term.

Figures 6 and 7 display the divergent evolutions of humanitarian budgets and the budgets directed towards development.

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<sup>82</sup> W. Sharp *et al.*, US military forces and emergency international humanitarian assistance, *JAMA*, vol. 272, 1994, pp. 386-390.

<sup>83</sup> ICVA, EUROSTEP, ACTIONAID, *The reality of AID '94, an independent review of international aid*, 1994, p. 153.

**Humanitarian spending:  
Is the bubble fit for bursting?**

*Funding flowing into international humanitarian response rocketed in the early 1990s as the constraints of the Cold War were lifted. 1994 was a record year for cash flows, but initial estimates for 1995 and forecasts for the future are less bright. The humanitarian boom may well be over, requiring agencies to focus on increases in efficiency and market share rather than simple growth.*

Source: DAC/OECD, Paris

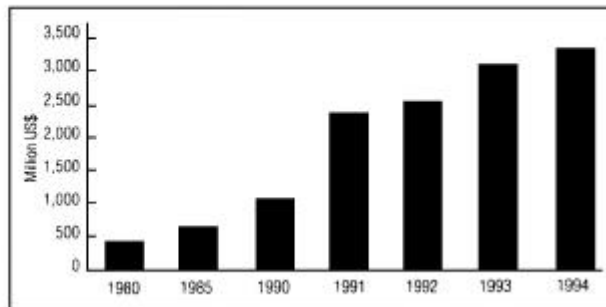
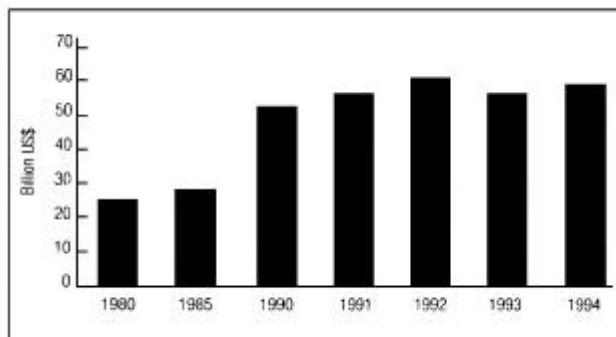


Figure 6: Evolution of humanitarian budgets<sup>84</sup>



**Development assistance:  
Zero growth in  
total development  
assistance**

*Total development assistance from the OECD Development Assistance Committee members to developing countries has not increased substantially in this decade, yet during this time many developing countries have undergone radical change and a rapid downturn in their ability to care for the most vulnerable citizens.*

Source: DAC/OECD, Paris

Figure 7: Evolution of development budgets<sup>85</sup>

As one can clearly see, development budgets have stagnated since 1991, whereas humanitarian budgets have soared.

Before the fall of the Iron Curtain, humanitarian problems were regarded as mere accidents in a linear development process based on a classical economy shielded by liberal democracy. Hence, considering humanitarian aid and development conjointly was senseless. Today, one simply has to face the fact that conflicts and the consequent situations of distress are endemic, and one cannot continue to separate these two realities. Otherwise,

*“the more one takes advantage of emergency situations to carry out development efforts, the more one runs the risk of tackling the long term with conceptions, reflexes, a mentality and means which are adapted to emergency but which are not adapted to the requirements of development activities”.*<sup>86</sup>

<sup>84</sup> International Federation of Red Cross and Red Crescent Societies, *op. cit.*, p. 61.

<sup>85</sup> *Ibid.*, p. 60.

<sup>86</sup> D. Grodos, L'aide médicale d'urgence et l'enjeu des soins de santé primaire, in: *Annuaire de la société belge de médecine tropicale*, 68, 1988, pp. 5-9.

Tonglet adds:

*“One of these requirements is the population’s participation. How could such participation be encouraged and obtained when one puts the emphasis on technical rationality, logistics and financing, all of which open up ground for suspicion and are dependence instruments?”<sup>87</sup>*

The new consciousness of these necessary links between assistance and development now leads one to think in terms of an “assistance-development continuum” and to implement “transition” actions between the two. Consideration in this respect demonstrates that this link must be contemplated from the very beginning of humanitarian intervention, as

*“the decisions which are made by the humanitarian organisations during the first week in an emergency situation set up the parameters which will, on the one hand, condition the duration of this situation and, on the other hand, influence – or even determine – the way in which the local population will eventually come out of the crisis.”<sup>88</sup>*

So far, this requirement has not been vigorously enough translated in institutional terms, be it at the UN or the EU level.<sup>89</sup> However, the situation is currently changing: for instance, the EU and USAID have begun to allocate budgets towards special post-conflict rehabilitation funds.

#### 4. Suspicions

In addition to its difficult relationships with development, the increasing importance of humanitarian aid in international relations has, of course, been criticised in many ways.

Some analysts, such as *O. Russbach*, fear that the development of humanitarian aid will be detrimental to international law. Through the opening of “humanitarian corridors”, one runs the risk of allowing full latitude to commit all kinds of horrendous acts outside these corridors.<sup>90</sup>

The ever-growing importance of public actors, and more particularly of the armed forces, in humanitarian aid has also lead some critics to argue that assistance is used to promote the particular interests of a group of countries (basically the Western countries) or certain individual countries, in particular the USA and France.

*Fisas* sums up these criticisms as follows:

*“[T]he suspicion exists that the United Nations is a cover for power-seeking on the part of the old and new powers who want to establish forms of influence in areas not allocated during the Cold War, and that its instrumentalisation in recent conflicts, especially during the Gulf War, has started a trend towards the privatisation of some of its functions, which are coming under the control of the United States or, in some cases, of NATO as a kind of armed wing of the United Nations.”<sup>91</sup>*

<sup>87</sup> *Tonglet, op. Cit.*, p. 618.

<sup>88</sup> *G. Izquierdo / M. Walkup*, *Module de gestion et logistique*, Office des publications officielles des Communautés européennes, 1994, p. 29.

<sup>89</sup> In this respect, cf. *d'Aoust/Artero, op. cit.*, p. 82.

<sup>90</sup> *Op. cit.*, notes in Chapter. I.

<sup>91</sup> *Op. cit.*, p. 53.

One must note that the quest for national interest does not necessarily stem from the most powerful States. Some Third World States who substantially contribute to the sending of Blue Helmets can also seek more acknowledgement on the international sphere and within the UN spheres.<sup>92</sup>

Almost conversely, humanitarian assistance has also been criticised as a kind of “policy substitute”. Stemming from this, expressions such as “zero-degree politics” are used. “*Humanitarian action, this zero-degree policy, has become the foreign policy wherever and whenever one hears the sound of the guns and of hatred*”.<sup>93</sup> In this case, humanitarian aid is accused of favouring immediate relief action instead of the quest for durable solutions.

Of course, the failures of humanitarian aid have also been cited. Putting aside the numerous technical problems, a relevant criticism in terms of international politics, it has been said that it has prolonged conflicts by maintaining a kind of *status quo* in the positions of the conflicting parties, hence hindering decisive military moves. In other words, humanitarian aid facilitates the pursuance of combats, either because it eventually becomes instrumentalised by the stronger party, or because it helps the weaker party to “repair” the damage it has suffered and hence be ready to resume combat. The clearest case in this respect is that of Bosnia-Herzegovina.

Apart from the necessary link between assistance and development, this last point also illustrates the importance of the link between humanitarian action and politics. Humanitarian action can only earn a fully favourable status in current international politics if it intervenes in parallel with solid attempts to solve conflicts in-depth and in the long term. This long-term perspective will enable it to take into account – wherever necessary – the development and preparation of populations for their post-conflict future.

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<sup>92</sup> *Fisas, op. cit.*, p. 104.

<sup>93</sup> *Destexhe, op. cit.*, pp. 7-8.

## CHAPTER 6

# CONFLICT AND HUMANITARIAN EMERGENCY

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### A. Nature, Society and Disaster

It is a truism to say that armed conflicts may cause disaster situations. In the 1990s, almost all on-going major armed conflicts were internal. For instance, out of 27 such conflicts in 1996, 26 were internal, only one was between two States. Internal armed conflicts are more likely than inter-State conflicts to produce widespread civil suffering, far beyond what could be described as direct consequences of warfare.

But also the opposite is possible: disaster situations may provoke conflict. Drought, flooding, or bad harvest may cause people to change areas of living in order to find areas for pasture, cultivation or settlement. However, the areas approached may be occupied, conflict situations are often the consequence of such relocation.

Three concepts – nature, society and disaster – form a nucleus around which this chapter revolves, exemplified by conflict processes, environmental aspects, and migration. Each of the three may show one of two possible positions – as indicated in Figure 8 below. It is not obvious what is “manipulated” and “genuine”, “peaceful” and “conflictive”, etc. for the three concepts. Still, if one of the two positions dominates a concept, it makes a great difference in the way influences from the two other are managed. Influences are possible in all directions. This basically heuristic figure will help the reader understand the relationships under study.

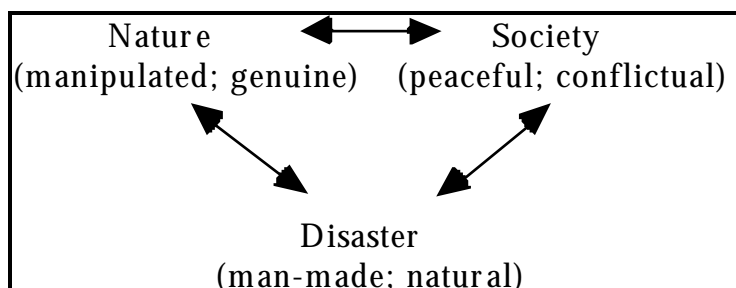


Figure 8. A structural relationship between society, nature and disaster

## B. What Is a Humanitarian Emergency?

Not all situations of great need, social conflict, or lack of basic resources are ‘humanitarian emergencies’. The ‘emergency dimension’ in the concept indicates that the situation should be alarming in some sense. This, in turn, often relates to a rapid and unexpected change in the situation. Thus a humanitarian *emergency* situation may appear, or not appear, in the midst of armed conflict, poverty, health problems, undernourishment and migration.

Let us look further into what characterises humanitarian emergency situations by reflecting about a definition of such situations. A situation of *humanitarian emergency of international concern* is characterised by

- ◆ rapid and unexpected/unpredictable social change, into a situation of
- ◆ indiscriminate threat,
- ◆ to life/basic life conditions, for
- ◆ a collective/group of people or a State
- ◆ that lacks internal resources to manage the situation.

The criterion of ‘rapid and unexpected/unpredictable’ change into a situation of concern is necessary to distinguish the situation from protracted situations of social underdevelopment, constant lack of basic resources like food, health and security, so common in many countries. This criterion sets a limit to situations where development assistance is considered proper international action. Also when considering protracted armed conflict, the application of this criterion is necessary. The requirement of ‘indiscriminate threat’ singles out the conscious selection of targeted individuals, for instance in the threats by many paramilitary groups against union and social group leaders, causing great fear and local unrest but still being part of a defined social conflict. The threat should be to ‘life/basic life conditions’, such as water (for instance: dramatic increase in pollution levels, accident causing unpotability). A ‘collective’ should be threatened; this is due to the fact that those types of actions according to the existing understanding of a humanitarian emergency are large-scale international efforts to alleviate and rescue people from threatening social situations. Similar actions can, however, be taken by local organisations when and if there were individual cases stricken by similar events. Finally, if the situation should be of international concern, then there should be a ‘lack of internal resources’ to carry out the emergency assistance work.

The origin of situations that cause humanitarian emergencies are difficult to describe in a simple way – if they are known at all. One way of approaching this is to organise analysis and action from a basic scheme of relationships. Figure 9 is an attempt to describe such a scheme.



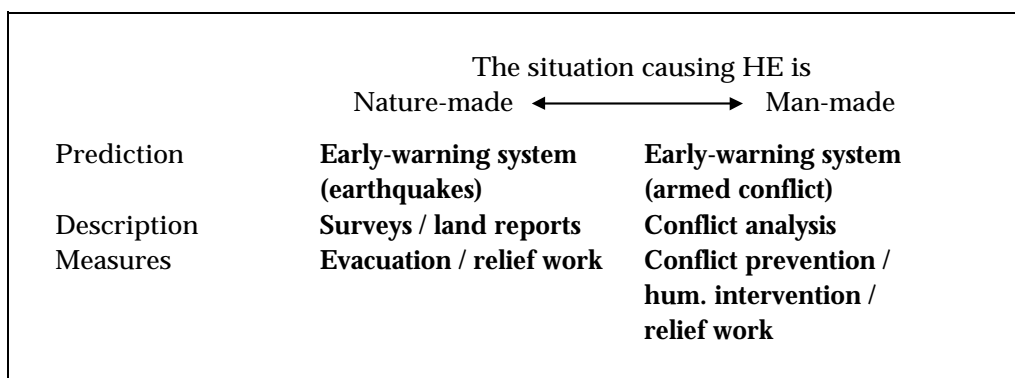


Figure 9. Possible organisation of analysis of humanitarian emergencies (HE)

There is no strict line between man-made and nature-made emergencies, and even if purely ‘natural’ catastrophes can be identified or at least theoretically considered – such as a major meteorite hitting against earth surface – there is in most cases of humanitarian emergency a human factor involved. Thus, a line of gradual reciprocity between man and nature is appropriate, and specific cases can be placed along this line. Some internal armed conflicts, civil wars for government in a State, can be placed at the extreme right end. They cause humanitarian emergencies but have their roots in other aspects than those caused by changes or in the physical environment.

Prediction has been a field of study for a long time (earthquake). Prediction possibilities are also being increasingly studied and developed within the social sciences. ‘Early warning’ systems for the identification of social processes that are more likely than others to lead to unrest, mobilisation and group armament are here the focus.

Irrespective of the possibilities of predicting certain developments, there has to be a proper and multi-faceted description and analysis of an emerging emergency, as well as of its characteristics while ongoing. As many fields of study as possible should contribute to this, of course with due consideration to the main factors in the situation.

On the basis of early warning signs, various studies and political developments/signals, a set of actions – each one appropriate for a specific level of humanitarian emergency – should be developed. The conditions for alerting these measures need particular consideration, especially the problem of influencing a situation simply by having and eventually activating these measures.

# CHAPTER 7

## ARMED CONFLICT AND HUMANITARIAN EMERGENCIES: EXPLORING A RELATIONSHIP<sup>94</sup>

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### A. Introduction

At the end of the Cold War, a new concept became politically and morally relevant: humanitarian crisis, with the associated expressions humanitarian emergencies and humanitarian intervention. The General Assembly resolution of 1991 marked the change,<sup>95</sup> the forming of the Department of Humanitarian Affairs in the United Nations created an international instrument, and the ensuing crises of Somalia, Mozambique, Bosnia-Herzegovina and Rwanda showed the complexities. The puzzling experiences were indeed many, but the goal was clear. Human beings were directly and brutally hit by political developments and wars, much of which was without their making or consent. The breakdown of infrastructures, medical services, and social support for the marginalised, gave rise to solidarity in the outside world. Something had to be done to ameliorate the impact of narrow political decision-making.

The era after the Cold War, paradoxically, has become an era of humanitarian concern. During the Cold War, the simple dichotomies of left-right, pro-Soviet vs. pro-West, democracy-dictatorship, communism-imperialism, had often not included the image of real people. The opponents were portrayed in machine-like terms, and the human suffering involved in the conflagrations of the Cold War-divide, be it Central Europe, Middle East, Southern Africa, Central America, or East Asia, was hidden behind political labels, slogans and categories. The end of the Cold War brought out the people. The television cameras showed the suffering humans, not the well-dressed and protected leaders. The pictures described the consequences of the wars, rather than the military strategies and the political plans. Thus, the human beings entered into "high politics" in a way not seen during most of the Cold War.<sup>96</sup>

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<sup>94</sup> This chapter is part of an ongoing project, financed by WIDER, Helsinki.

<sup>95</sup> A/RES/46/182, 19 December 1991.

<sup>96</sup> There were exceptions, however. The refugee convention was formulated in reaction to human impact of the Iron Curtain. The Berlin Wall displayed strongly the inhuman nature of the so-called socialist societies of East Europe. The exodus from East Pakistan into India in 1971 was a reason for India's

Many of the examples of what we might label “human emergencies” took place in the midst of wars. The link between such emergencies and war becomes a key issue. In his definition, *Väyrynen* integrates the two into one concept. *Väyrynen* describes a humanitarian emergency as

*“a profound social crisis in which a large number of people die and suffer from war, disease, hunger and displacement owing to man-made and natural disasters, while some others may benefit from it.”*

Here, the connection between human suffering and war is explicitly made. Of course, a notion such as “profound social crisis” may be of a protracted nature, whereas the observation that people “die and suffer” is a more acute phenomenon. The definition is empirically useful and in the application made by *Väyrynen* it does provide a way to initiate an empirical analysis.<sup>97</sup> At the same time, it is not difficult to find examples where the coupling of humanitarian disasters and wars are less obvious. There are “profound social crises”, even of an acute nature, taking place without war: earthquakes, floods and droughts continue to plague many countries. There are also examples of wars without severe breakdowns in national services, e. g. regional wars in India. Inter-State wars testify to the fact that wars may go on and the State apparatus still remains intact. This was true for several countries even during the Second World War. The General Assembly resolution mentions that *“humanitarian assistance is of cardinal importance to the victims of natural disasters and other emergencies”*. This resolution includes a larger set of situations, without specifically making the connection to wars. The interconnection needs to be analysed more carefully. It is not reasonable to assume that armed conflict always leads to human emergencies, or that all human emergencies stem from wars. The task of the present study is to explore this relationship, empirically and theoretically. In doing so, the emphasis is on the new developments following the end of the Cold War. What has been the connection between armed conflict and humanitarian emergencies in this period, we ask, without suggesting that we will be able to give the full answer. Exploration is a term that most aptly covers the present undertaking.

In this effort concepts are important. This includes both “war” and “armed conflict”, but here are scholarly conventions for defining these terms. More novel is the concept of “humanitarian emergency”. A broad definition, proposed by *Väyrynen*, has already been cited. Clues for a further understanding of this concept can be gained from its two constituent words. The expression “humanitarian” suggests that the concept has to do with people, on a larger scale. “Emergency” means that it relates to an occurrence that is sudden, unpredictable, acutely threatening and outside the control of those affected. Combining these two aspects, we would arrive at the following narrow definition: a sudden (unpredicted, uncontrolled) inflicted displacement of large groups of people. Such a narrow definition would make the concept operative and comparative.<sup>98</sup> It draws

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intervention in the Pakistani conflict. The plight of the boat refugees from Vietnam in the late 1970s created political sympathy and humanitarian efforts.

<sup>97</sup> *Väyrynen's* list is reproduced in Table 1. Its empirical application does not make use of the element that “some may benefit”.

<sup>98</sup> Here we refer to unpublished work by *Kjell-Åke Nordquist* where he has expanded on this concept, in connection with the EU-network on Humanitarian Assistance, NOHA.

attention to the reluctance of the population to leave, at the same time as some factors (be it a foreign army, a flood, etc.) make a move necessary. It also points to the time-frame: things do happen quickly and on a large scale, exposing the recipient areas to unexpected pressure. The broad as well as the narrow definition make sense also empirically. For instance, to study the link between war and humanitarian emergencies means studying a phenomenon that varies rather quickly. For this, the narrow definition may be more appropriate. Its focus on the displacement of people, i. e. the refugees, points to a most visible and immediate impact of a war, in human terms. Civilians have to get out of the way of armies. There is likely to be an important connection between war activities and the displacement of people (whether within or beyond existing borders is not the issue at this time). Thus, focusing on sudden displacement of population groups covers one important aspect of a general understanding of a humanitarian emergency. It also has the simplicity of making it possible to discuss war as a cause, as it avoids circularity. However, the debate on humanitarian emergencies also has some broader concerns. This is where the broader definition becomes important. Often standardised death rates or the births of underweight children are used to describe a humanitarian emergency. It means that the term is also made applicable in situations of either very protracted conflicts or to situations occurring before or after wars.<sup>99</sup>

From the standpoint of the social engineer, the purpose of an analysis of the relationship between war and emergencies is to find indicators for early warning of humanitarian crisis. It is clear from the above that it would largely mean searching for indicators of risks of war. Intellectually, we are then not only into the study of the causes of humanitarian emergencies but also into the causes of inter-State and intra-State war. However, if humanitarian emergencies do not easily link themselves to conflicts, we would be working towards a set of early warning indicators for one particular kind of human misery, in which war may play some role. Either way, this means that our interest here is in the causal direction leading *from war to humanitarian emergencies*.

It is necessary also to point out that there might be a reverse causation. *Humanitarian emergencies might lead to war*. This can be understood from two different perspectives when we examine the narrow definition of humanitarian emergencies. One is to say that refugees, pushed out of their countries and unable to return within a short period of time, become the source of renewed struggle. The millions of Palestinians forced out of Palestine in 1948-1949 and again, in smaller numbers, after 1967 formed the recruiting ground for Palestinian identity, resistance and action. The time between such population displacement and war might be great, as this case suggests, where the Palestinian identity was fully developed as an experience distinct from the rest of the Arab world after some twenty years.<sup>100</sup> Also, some Rwandese, fleeing into Uganda in 1960, organised and invaded Rwanda in 1990, thirty years later. This is to suggest, not only that displacement of large populations in the long run will strike back at the perpetrator, but also that factors other than the refugee status will determine the likelihood of a return to war.

Another connection is the following one: drought or natural disasters affecting a population will result in rebellion, but again later on. A classic example is the Irish fam-

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<sup>99</sup> Väyrynen (1996).

<sup>100</sup> Lindholm-Schulz (1995).

ine of 1847 which became part of Irish resistance culture against Britain, but the resistance did not begin until in the 1870s. Time perspectives need to be greater in order to raise the issue of the connections, particularly for the reverse question. It does, however, highlight an important aspect of the problem. This line of inquiry is not pursued further at this juncture.

## B. Humanitarian Emergencies of the 1990s

Below an empirical application is made with respect to the experience of humanitarian emergencies in the first part of the 1990s. The data are presented in Table 1 below. First, we can observe that most humanitarian emergencies have occurred in predominantly agricultural societies in which demographic and environmental pressure on land are high. Indeed, the complex humanitarian emergencies have taken place in some of the world's poorest countries, and they were among the poorest even before they became humanitarian emergencies.<sup>101</sup> Thus, the resource base was narrow and limited and the condition of scarcity was present. This statement needs to be qualified, however. There are a few cases of humanitarian emergencies in countries with abundant natural resources (e. g. minerals, arable lands amenable to intensive agricultural practices). In these countries, the issue is likely to be how resources are distributed among a growing population. In some other countries (e. g. Afghanistan) there are only marginal natural resources and land is not adaptable to modern, high-yielding agriculture. Whether the scarcity is real, or primarily rooted in uneven distribution, large numbers of people find themselves in precarious situations, even in times without war or societal breakdown.

A second characteristic of the countries with humanitarian emergencies is that they are made up of multiple communities. All of the countries in Table 1 are heterogeneous: they consist of peoples speaking different languages and/or representing different cultural identities. Sometimes, they also represent different religions or religious factions. These countries are also (or at least have been until recently) segmented in the sense that they are (or have been) made up of several relatively autonomous communities. These two aspects, we assume, are important for the development of conflict and for the way in which governments are willing or able to handle them.

In line with the theoretical arguments, the availability of resources, history of previous conflict among groups within the country, and perhaps also the heterogeneity of the population at the outset, may, at least in some cases, impose severe limitations on the manageability of the process.<sup>102</sup> Thus, the 27 humanitarian emergencies constitute a set of cases, where some of our theoretical propositions can be applied.

The first proposition deals with the question of protraction and its effect on conflicts and humanitarian emergencies. The longer a conflict has gone on, the more likely a humanitarian emergency develops. The argument basically says that any war drains resources, and under conditions of severe scarcity, the society is moved towards societal breakdown. The second proposition deals with the ability of governments to

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<sup>101</sup> Väyrynen, (1996), p. 37.

<sup>102</sup> Regarding some of the consequences of previous conflict see *Licklider* (1993), pp. 313-314.

handle the conflict. This is, in some way, related to the question of protraction. However, here a special test is made with respect to the issue of contention. The argument is made that governments are less able to handle certain types of issues, which thus could be more closely related to emergencies. A proposition is formulated with this in mind. The question of political system enters here. It would be reasonable to assume that a democratic society is more able to react to the grievances than other forms of governance. Finally, the two aspects are brought together, in an analysis of the geographical location of the emergencies.

### C. Protracted Conflict and Humanitarian Emergencies

From theoretical grounds we suggest that the higher the level of conflict the more protracted the conflict, as well as the more protracted the conflict the more extensive the societal and economic breakdown will become. Thus we need to scrutinise humanitarian emergencies from these perspectives. Table 1 contains important basic information.

Complex Humanitarian Emergencies				
Afghanistan	war	disease	hunger	displacement
Mozambique	war	disease	hunger	displacement
Angola	war	disease	hunger	displacement
Somalia	war	disease	hunger	displacement
Rwanda	war	disease	hunger	displacement
Liberia	war	disease		displacement
Burundi	war	disease		displacement
Sri Lanka	war	disease		displacement
Sierra Leone	war	disease		displacement
Sudan	war		hunger	displacement
Ethiopia		disease	hunger	displacement
Eritrea		disease	hunger	displacement
Myanmar/Burma		disease	hunger	displacement

*(continued)*

Partial Humanitarian Emergencies			
Bosnia	war		displacement
Croatia	war		displacement
Tajikistan	war		displacement
Colombia	war		displacement
Azerbaijan	war		displacement
Armenia	war		displacement
Georgia	war		displacement
Iraq	war		displacement
Niger		disease	hunger
Nigeria		disease	hunger
Bangladesh		disease	hunger
Laos		disease	hunger
Central African Republic		disease	hunger
India	war		hunger

Table 1. Humanitarian Emergencies, 1993-1995

Source: Väyrynen 1996, tables 6 and 7

In Table 1, 27 humanitarian emergencies are presented. War was a feature of 19 of these, displacement of populations occurred in 21. Disease was found to be an important aspect in 17 and hunger in 15. Wars and refugees are thus particular features of humanitarian emergencies. It is furthermore easy to observe, in line with our arguments of chapter 2, section A., that refugees are particularly closely associated with wars: All the emergencies described as wars have generated refugees, with the exception of India. Of the 21 refugee situations, war was going on at the same time in 18 (the three exceptions were Ethiopia, Eritrea and Myanmar/Burma). Thus, we might argue that this constitutes evidence for a sequence of importance: war is likely to be closely followed by refugee flow, whereas disease and hunger will occur at a later stage and under particular circumstances. Indeed, as Table 1 makes clear, disease and hunger can occur also without war, but it might then be related to other societal developments. As suggested from Table 1, this is a less common phenomenon. Again this illustrates our theoretical reasoning. Wars constitute a particular strain on society. This is even more obvious if we compare complex and partial humanitarian emergencies, as the distinction is made in Table 1, with respect to war experience. For instance, it is apparent that some of the complex humanitarian emergencies were related to previous wars (Ethiopia, Eritrea and Myanmar/Burma were all the scene of war that had raged for more than two decades). If we include all countries which experienced war in the 1991-1995 span, i. e. two years before or after 1993, it would also capture countries with the strains of a recently ended war, or countries with strong internal pressures at the beginning of the period. Of interest then is how long this war experience has been, as of 1993. Table 2 emerges.

War in 1993				
	No war, or up to 9 years	10-19 years	20 years or more	Total
Complex	5	6	2	13
Partial	13	1	0	14
Total	18	7	2	27

Table 2. Length of war experience as of 1993 ("war age") and humanitarian emergencies

Source: *Väyrynen 1996; Sollenberg 1996*

The complex emergencies have a consistently longer history of war experience than partial emergencies. Differently stated: some of the partial emergencies which had less war age in 1993 (less than nine years or no wars) might have the potential of developing into complex emergencies. Many of them had refugees in 1993 (eight of 14). With a war breaking out or continuing, they would be likely to face a societal breakdown sooner or later, leading to disease and hunger.

It is, in fact, instructive to review the partial emergencies and they are thus listed in Table 3.

Partial emergencies with war and displacement, but not societal breakdown (i. e. no hunger and/or disease)	Partial emergencies without war and displacement but with hunger and disease
Bosnia	Niger
Croatia	Nigeria
Tajikistan	Bangladesh
Colombia	Laos
Azerbaijan	Central African Republic
Armenia	
Georgia	
Iraq	

Table 3. Partial Humanitarian Emergencies: Some Characteristics

Source: Table 1 and *Väyrynen 1996*

With the exception of Colombia and Iraq, all the countries in the left hand column of Table 3 had relatively short war experiences. These cases were all closely connected with the end of the Cold War and the dissolution of two Communist unions (Yugoslavia and USSR). Some of them also received considerable international support. In particular, humanitarian assistance was forthcoming to Bosnia, a country which otherwise might have been plagued by disease and hunger. It seems clear that the international effort



served to prevent Bosnia from becoming a complex emergency.<sup>103</sup> Countries less fortunate, but with equally comparable short war experiences were Sierra Leone, Liberia, Rwanda and Somalia. In these four countries, wars escalated at approximately the same time as in the former Communist countries. The breakdowns were more complete requiring a closer comparison of the complex and partial emergencies. However, it is also important to observe the remaining cases in the left-hand column: Colombia and Iraq had war experiences, but of different kinds. In Colombia, guerrilla movements (as well as drug cartels and Indian resistance) were a phenomenon of considerable age. In Iraq, the country had repeated war experiences in the years previous to 1993 (here the cut-off date for determining war age), against Iran, Kurds, Shiites, Kuwait, and the Kuwait coalition. In neither of these two cases did the country face a societal breakdown comparable to complex emergency. This appears to be related to the resilience of the State, and perhaps its ability to raise resources for continued warfare. The economic level of development in Colombia and the oil resources in the case of Iraq might be important explanations.

The link between societal breakdown and the two measures, hunger and disease, is challenged by the cases listed in the right-hand column. In these five cases, the conflict experience was limited, not being defined as "war" by *Värynen*. There were, however, some previous war experiences which might be relevant and also some lower level violence, e. g. in Niger, Bangladesh.<sup>104</sup> In these cases, the partial humanitarian emergencies might have less to do with societal breakdown in an acute sense, but more with a chronic inability to deliver resources so as to avoid hunger and disease. The conflict experience, in other words, might be a less constitutive factor in these cases.

There is also a case in Table 1 which shows a different pattern: India. It is defined as a partial humanitarian emergency. It has two of the typical features of emergency, but they differ from the typical pattern. There is an experience of war (e. g. in Kashmir and Punjab), and there is a hunger factor. However, this is not related to societal breakdown: there is less of disease and little of population displacement. The position of India is thus an anomaly. Only the size and the resources available to the country can explain this special feature.

## D. Conflict Incompatibility and Humanitarian Emergencies

It is reasonable to assume that the issue in the conflict will also be important for war strategies as well as for the humanitarian effects. Here we take the point of view that the issue is of particular importance to the way governments handle the conflict, but at the same time the opponents are also likely to be influenced by the "war aims". Conflicts where the issue concerns a certain territory, a defined region, for instance, are likely to

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<sup>103</sup> This is shown convincingly in *Heading et al.* (1995) and by the Center for Disease Control and Prevention (1994). Additional support for this as well as the impact of protracted warfare were the observations made early in the Bosnian conflict that weight reduction and disease was more common during the winter period, when emergency deliveries had difficulties in reaching affected communities, than during summer months, *Toole* (1993).

<sup>104</sup> Listed as minor armed conflicts in *Sollenberg* (1996).

be less comprehensive in their negative consequences for the society as a whole. For government as well as armed opposition it is important to convey the message that the conflict concerns a particular area, and thus warfare will be restricted to that area. Also, as this is likely to be the basis of operation for the opposition, this is where it can mobilise resources as well as where the government will find targets. This means, in essence, that conflicts which concern territory are more likely to result in partial humanitarian emergencies. Conflicts that concern government, on the other hand, are more likely to result in complex humanitarian emergencies. In this case, the control over the entire country is at issue. The government will be less prone to compromise, more anxious to escalate, and as a consequence, the conflict will be handled in a zero-sum-game. Warfare might also be more likely in the capital, thus having an impact throughout the country. The societal consequences will, in these circumstances, be particularly strong. With these considerations in mind, data on the relationship between conflict incompatibility and humanitarian emergencies are presented.

The 27 emergencies reported by *Väyrynen* together with data on conflict incompatibility as presented in the Uppsala conflict data project are summarised in Table 4.

Humanitarian Emergency	Incompatibility over		No conflict	Total
	Government	Territory		
Complex	8	3	2	13
Partial	3	6	5	14
Total	11	9	7	27

Table 4. Incompatibilities in armed conflicts and humanitarian emergencies, 1993

Source: *Väyrynen* 1996; *Sollenberg* 1996

Table 4 shows that most of the complex emergencies occurred in situations where the conflict was over government (8 out of 13 emergencies, 8 out of the 11 emergencies where there was conflict over government), whereas the partial emergencies were related to conflicts over territory (6 of 14 emergencies, or 6 of 9 territorial conflicts). Also we see the close link between complex emergencies and conflict (only two cases had no ongoing conflict in 1993), whereas 5 of 14 partial emergencies had no conflict in 1993.

We have suggested that complex humanitarian emergencies have to do with societal breakdown and we have now established a close link between this and the type of conflict that takes place. Conflicts over government are more likely to result in complex humanitarian emergencies, other types of issues tend to result in more limited societal breakdown. It may still involve hardship for the populations, but the complete failure of operation of the State is less likely.

Thus, we now find that the issue is important for conflict development. We also argued that the political system might be important. Particularly, we highlighted that democracy could play a role. However, Table 1 does not provide any conclusive evidence. There are only two functioning democracies on the list: Sri Lanka and India. They each fall into one category. However, none of them have suffered a societal break-

down of the type discussed. Whether this is attributable to the form of political system is not clear.

If we now combine the two aspects for which some important correlation has been established, i. e. the war age and the incompatibility, some interesting features appear.

Type of Humanitarian Emergency	Incompatibility				<i>Total</i>
	<i>Government</i>		<i>Territory</i>		
	War age:		War age:		
	More	Less	More	Less	
	10 years of age		10 years of age		
<i>Complex</i>	3	5	3	0	11
<i>Partial</i>	1	1	0	5	7
<i>Total</i>	4	6	3	5	18

Table 5. War age, incompatibility and type of humanitarian emergency. Total number is 18, excluding those cases which had no conflict in 1993

Source: Väyrynen 1996; Sollenberg 1996

Table 5 shows that government incompatibilities, whether older or relatively new, often result in complex emergencies, whereas territorial conflict produce such results only when they have lasted ten years or more. This seems to confirm the basic proposition. Societal breakdown is a matter of either disputes over government or protracted localised conflicts. When the warfare concerns the control over central government, government functions may be paralysed very early on. When the issue is regional in scope, it will have such a breakdown effect only after the war has continued for a considerable period of time. In this case, we postulate that the emergency becomes a result of the gradual exhaustion of the capabilities of the central government.

These observations have important implications for the international community and for policy-making. If found valid, it would say that in conflicts of regional disputes, there is time to act, but the government's often over-confident attitude should be cautioned. In disputes over central government, actions need to be taken early on, in order to prevent the total dislocation of society. In both cases, these prescriptions are difficult to implement, as they may appear as intervening into internal affairs on the side of one of the parties. The problem then becomes, how to keep society in operation, without making this of advantage to the incumbent government?

## E. Location and Humanitarian Emergencies

We observed in chapter 2, section A. that there were some distinct regional differences in the refugee pattern. Studying the 27 identified humanitarian emergencies, similar but not identical patterns occur again. Table 6 gives the results.

Type of Emergency	Region Africa	Rest of the World	Total
Complex	10	3	13
Partial	3	11	14
<i>Total</i>	<i>13</i>	<i>14</i>	<i>27</i>

Table 6. Regions and humanitarian emergencies

Source: Väyrynen 1996; Sollenberg 1996

Table 6 shows that the complex humanitarian emergencies of 1993-1995 occurred particularly in Africa. The emergencies outside Africa were all located in Asia (Afghanistan, Sri Lanka and Myanmar, i. e. no particular regional concentration within Asia). The partial humanitarian emergencies were mostly located in Europe and the Middle East. If it is true, as we have argued previously, that the conflict variables most contributing to emergencies are war age and war aim, we can see that these two aspects combine in particular in Africa. The conflicts have either been very old, often relating to anti-colonial struggles or anti-apartheid questions, or very new, and then relating to government control. Other parts of the world have not had the same combinations. The conflicts in Europe were, as we indicated above, younger (relating to the fall of the Communist regimes) and relating to territorial issues. Thus, their effects would result in the same societal breakdown as could be expected in the conflicts in Africa. In addition it is obvious that there is a difference in resources. The European region is wealthy and able to extend support to governments so as to be able to maintain societal services. Africa as a whole is poorer and thus does not have the same potential for extending support. This is underscored by the fact that the resource-rich countries in the continent, such as Nigeria, Zaire and South Africa, found themselves under severe strain at this time. The resource-rich States in Europe might have been in some economic crisis in the early 1990s, but still had little economic problem in handling aid or refugee flows from scenes of battle. Complex humanitarian emergencies, in other words, do not only stem from the local conditions, but are also related to conditions in the contemporary global system.

## F. Summary of the Empirical Application

We have found support for our basic proposition in the analysis of 27 humanitarian emergencies of the early 1990s. The more protracted the conflict, the more likely is a societal breakdown and a complex humanitarian emergency. Furthermore, the issue in conflict was found to be relevant. Issues of government control were more sensitive to the incumbent government, and appeared to have resulted in more escalation. They also threatened the societal underpinnings. Thus, we found that such issues were particularly likely to lead to societal breakdown, often within a rather short period of time. If in addition, such conflicts occurred in regions of little resource, as is the case in Africa, the threat of societal breakdown was even stronger.

## G. Conclusions and Implications

There are many aspects that we have not developed in this presentation. We have focused on the possible links, globally and specifically, between humanitarian emergencies of the 1990s, and the phenomenon of armed conflict. The field is urgent and researchable. In a case analysis we might pursue the questions of how armed conflict could exacerbate or cause humanitarian emergencies also with respect to matters such as:

- ◆ the impact of war on loss of life among both combatants and non-combatants; the indirect effects of mines and unexploded ordnance on loss of life long after the fighting has come to an end;
- ◆ the destruction of infrastructure (e. g. farmland, communications, distribution networks etc.); the loss of skills needed to sustain a society (e. g. farming skills, medical skills, etc.) thereby indirectly contributing to diseases, starvation, refugee flight;
- ◆ the shift in the demographic composition of a society; effects of distrust, fear and hatred generated by the use of armed force which may all but prevent the repatriation of refugees after the cessation of hostilities thereby exacerbating and prolonging humanitarian emergencies both at home and abroad.

In the extreme case, a particular humanitarian emergency might even contribute to the eruption of conflict elsewhere, as with the influx of Palestinian refugees to Lebanon and of Muhajirs into southern Pakistan. This list of possible effects is not exhaustive. Other effects include disruption or even prevention of relief efforts; the eruption of epidemics and the spread of diseases through the destruction of sanitary and medical infrastructures, as well as through the creation of large numbers of refugees over short periods of time. All in all, the wars impact on societies by consuming or tying up large shares of a country's human and non-human resources.

What we have now suggested is that there is a close link between humanitarian emergencies, particularly in segmented societies of scarcity, and weak performance of the governments. Such societies are found all over the world. However, we have observed that there are more humanitarian emergencies attended to in Europe, Middle East and Africa, although there are also severe conditions in many Asian countries. Refugee flows are indicators of imminent societal breakdown, and should thus be considered as late early-warning signals to the international community. They will, in many instances, be followed by societal breakdown, if nothing is done from the outside. Remarkably, the Bosnian situation was reacted to earlier than comparable events unfolding at the same time, such as in Liberia, Rwanda and Somalia. If this is to say that the international community can only handle one disaster efficiently at a time, it then leads to the conclusion that the strengthening of international organisations is most urgent.

In summary, we have argued that the government has a special role in creating and avoiding humanitarian emergencies. Its ability to respond constructively when facing specific grievances before the onset of violence affects the likelihood of a dispute escalating into armed conflict and war. Furthermore, the higher the intensity of a dispute with respect to both psychological and behavioural aspects, the more likely it is that the conflict becomes protracted. The issue of a conflict affects the conflict dynamics: conflicts

over government are more likely to have a larger scope and higher intensity than conflicts over territory. This, in addition, means that the larger the scope, the higher the intensity, and the more protracted a conflict, the more likely it is that the situation will lead to a societal breakdown, producing refugees, as well as higher levels of disease and hunger.

Against this background, the relationship between protraction and conflict issue, and the complexity of humanitarian emergencies was tested on data available for the early 1990s. Both relationships, by themselves and in combination, were found to be supported by the empirical material.

We have also suggested some explanations for the uneven attention given to humanitarian emergencies around the world. This may be related to the availability of resources in the afflicted country and the amount of resources forthcoming in the form of humanitarian relief. Reports on the relief efforts in Bosnia support this suggestion. The levels of weight loss and disease varied over time with the amount of relief reaching the population. The relatively low levels of hunger and disease in Bosnia, as compared to other civil wars, is in these reports explained by the relief effort and the human and non-human resources available at the outset of the conflict.

## CHAPTER 8

# ENVIRONMENTAL DISASTER AND ENVIRONMENTAL CONFLICT

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### A. The Traditional Approach

Conventionally, the environmental disaster is investigated as the repercussion of conflict or conflict-induced migration. Large volumes of research works, particularly after the Second World War, have explored this aspect of the causal linkage.<sup>105</sup> The huge devastation of nature in both World Wars brought the environmentally destructive acts of the modern war machinery to public notice and also to the research agenda. There is no question that warfare can be seriously disruptive to the environment. A substantial fraction of such environmental disruption is ancillary and incidental, but some of it is intentional. When the conflict is not even active, the military preparedness significantly contributes to the degradation of natural resources and devastates the environment. The military preparedness can and usually does deplete scarce resources and damage the physical environment and the flora and fauna (including humans) that live in that environment. Besides the wars and military preparations, internal civil wars also contribute heavily towards the global environmental destruction. Refugees are direct products of these conflicts. The pressure created by the presence of refugees in receiving areas can be considerable. Aside from their potential threat to the social, economic and political fabric of the host society, they can also be a major source of environmental disaster in the areas of their resettlement. Three types of wide-spread environmental problems are generally associated with the refugee settlement: deforestation, land degradation and water pollution.<sup>106</sup> Thus conflicts can directly and also through refugee movements bring about environmental disaster. These conflict-induced environmental changes can threaten the life and jobs of the people in the affected areas which may pave the way for situations of humanitarian emergencies.

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<sup>105</sup> *Holdgate, M. / Kassas, M. / White, G. (eds.) (1982), The World Environment 1972-1982, Tycooly for UNEP, Dublin.*

<sup>106</sup> *Jacobsen, K. (1994), The Impact of Refugees on the Environment: A Review of the Evidence, Refugee Policy Group, Washington, D. C.*

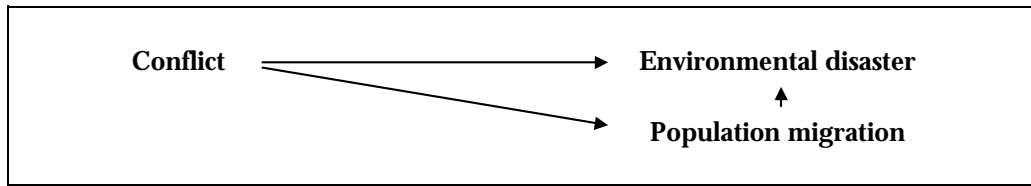


Figure 10. Conflict causing environmental disaster

## B. A Theoretical Challenge

A number of research works have recently focused their attention on establishing the other side of the link between environment and conflict. The hypothesis is that environmental disaster may become the cause of conflict itself. Conflicts may arise directly due to scarcity of resources caused by environmental devastation, and also, it can be the possible consequence of environmentally-forced population displacement. These new models for understanding the relationship between environmental disaster and social conflicts necessarily have to be very complex. The traditional approach was largely descriptive and could point to the remnants of armed conflicts in a concrete way. The cause and effect relationships were unproblematic, and to a large extent evident. However, in the new approach, the questions are posed in a different way, and the linkages are seen in a different light. They relate to the entire field of explaining the causes of war, violence and conflict behaviour.

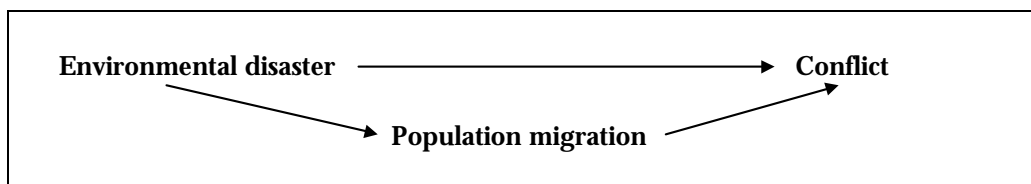


Figure 11. Environmental disaster causing conflict

The environmental disasters caused by nature, e. g., drought, cyclone, tidal waves etc., are not new phenomena. For centuries, all living things on this planet have occasionally faced the fury of nature and have gradually found ways and means of survival. The world has, to some extent, been able to face the natural environmental catastrophes because of advancements in scientific technology and with the help of past experience. However, human-induced environmental damage has further worsened the whole situation. As a result of massive human exploitation of nature, the world is witnessing a sharp reduction in the availability of renewable natural resources: arable land, green forest, fresh water, clean air and fish resources. Every passing day, the struggle between human numbers and the available natural resources is becoming more piercing. The increasing pressure to meet the needs of the growing population has raised the certain possibility of erasing the resource base further. The adverse effects of these reducing resources is becoming more acute due to urban growth, conspicuous consumption and unsustainable development programmes.



## I. Population Growth

The human species emerged perhaps 150 000 years ago, but most of its growth has been in the last fifty years.<sup>107</sup> The world population was two billion somewhere in the beginning of 20th century, it reached three billion around 1960, but only took 14 years to reach the fourth and 13 years to the fifth in the year 1987. The primary reason of this discontinuity with history is the increase in population numbers in many developing countries at an unprecedented level since about 1950. This was due to improvements in sanitation, communications and transportation, control of epidemics, and the increased availability of antibiotics. The world's population is now increasing by about a quarter of a million people per day or 90-100 million people every year.<sup>108</sup>

## II. Land Degradation

Growing population increases demand on food production, and at the same time degrades the agricultural resource base. Individuals' needs for land for living space, industries, dams, mines and transportation reduce availability of the arable land. The loss of farmland takes place not only due to its developmental conversion, but also because of soil degradation. As it has been recently assessed, an area of about 1.2 billion hectares – nearly the size of China and India together – has received modest to severe soil degradation since the Second World War because of human activity.<sup>109</sup> Over three quarters of the world's soil degradation takes place in the developing countries.<sup>110</sup> Due to this massive soil degradation, yields and total harvests of crucial food crops are declining in many poorer regions.

## III. Deforestation

Soil degradation and deforestation do complement each other. While loss of cropland due to soil degradation leads to clearing of forests, the destruction of green cover erodes the land resources even further. Growth of population and loss of croplands have led to the rapid tropical deforestation in many parts of the world. The development projects and the lure of export earnings are also contributing to this massive global deforestation. It is estimated that if the present deforestation continues, two fifths of the developing world's remaining green areas will disappear by the beginning of the next century.

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<sup>107</sup> *Teitelbaum, M. S.* (1992/1993), *The Population Threat*, in: *Foreign Affairs*, vol. 71, no. 5, Winter, p. 64.

<sup>108</sup> *N. Sadik* (1990), *The State of the World Population 1990*, World Population Fund, New York.

<sup>109</sup> *Oldeman, L. R. / Hakkeling, R. T. A. / Sombroek, W. G.* (1990), *World Map of the Status of Human Induced Soil Degradation: An Explanatory Note*, 2<sup>nd</sup> Revised Ed., International Soil Reference and Information Centre, Wageningen, The Netherlands.

<sup>110</sup> *Speth, J. G.* (1992), *A Post-Rio Compact*, in: *Foreign Policy*, no. 88, autumn, p. 150.

#### IV. Water Scarcity

Water is a fundamental component of human life. At the same time, its global distribution is highly arbitrary and inequitable. More than 80 percent of the total global runoff is concentrated in the northern temperate zone. In the tropical and arid areas, where most of the population lives, limited flowing water resources are also distributed very unevenly. Between 1940 and 1980, global water use has doubled and it is expected to double again by the turn of the century. Approximately 40 percent of world's population, in 88 developing countries, already experience serious water shortages. In these countries, water scarcity threatens public health and affects socio-economic development. Water stress and chronic water scarcity are gradually affecting more and more countries.<sup>111</sup>

#### V. Air Pollution

The world is vigorously pumping carbon from coal and fossil fuel into the atmosphere. The concentration of carbon dioxide in the atmosphere has increased by 20 to 25 percent since the pre-industrial period.<sup>112</sup> The air pollution has now brought the threat of the "green house" syndrome to the planet. Due to the "green house" effects, there is the possibility of shifts in rainfall pattern. The humid tropical regions might get more rainfall, resulting in further soil erosion and crop losses. At the same time, semi-arid areas might become even drier making the situation hazardous. Moreover, it has been scientifically established that air pollution can also reduce productivity of crops.

#### VI. Declining Fisheries

The biological diversity of the world provides humanity with an abundance of goods and services, mainly in the form of food and energy. Species disappear naturally over time – it has been estimated that some 99 percent of the species that have ever existed since life began are extinct.<sup>113</sup> However, recent human activities in the form of deforestation, industrial and agricultural pollution and over-exploitation have accelerated this process. About 25 percent of the earth's species may be lost within the next 30 years.<sup>114</sup> Among the species, fish is the most important due to its nutritional and cash value. While the demand for fish is growing, the fish resources of the world are gradually exhausting. It is not only due to over-harvesting, fisheries are also damaged by pollution. The drop in fresh water catches is matched by the gradual destruction of the ocean fish resource. This is primarily due to the rapid pollution of the estuaries, salt marshes and mangrove swamps which are vitally important as perimeters in the life cycles of ocean fish.

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<sup>111</sup> Swain, A. (1996), *Water Scarcity: A Threat to Global Security*, in: *Environment and Security*, vol. 1, no. 1, p. 159.

<sup>112</sup> Prins, G. (1990), *Politics and the Environment*, in: *International Affairs*, vol. 66, no. 4, October.

<sup>113</sup> Futuyama, D. (1986), *Evolutionary Biology*, Sinauer, Sunderland, MA, p. 359.

<sup>114</sup> United Nations Environment Programme (UNEP) (1992), *Two Decades of Achievement and Challenges*, Nairobi, p. 26.

## VII. Environmental Conflicts

The reduced availability of the renewable natural resource may directly threaten the source and place of living of large numbers of population in environmentally affected regions. The developing countries are more susceptible to these environmental disasters as they are witnessing massive population growth while having lesser share of the renewable resource on a *per capita* basis. With their limited internal resources, the developing countries cannot effectively face the threats posed by the environmental changes and the situation may necessitate human emergency. Moreover, in an increasing scarcity situation, it may be impossible for all social actors to be comfortable with the present or prospect of future availability of these natural renewable resources. The increased competition among the actors in the society can be easily presumed for the protection or exploitation of the natural resource base. The environmentally-induced scarcity can potentially create organised actors on environmental lines, and also at the same time may bring incompatibility among existing actors on environmental issues. Purposeful and conscious actions might be undertaken by the various social actors with having a zero-sum standpoint, to work for their interest. The situation would eventually destroy the established resource-sharing arrangement in the society. The perceived conflicting behaviour of these actors towards each other may eventually turn to conflict. These environmental conflicts can further exacerbate the human miseries.

River water and fisheries have the massive potential of bringing various State actors into a conflict situation. Many current interstate conflicts are active among the users of international river basins in different parts of the world. Some of the river conflicts are: between Israel and Arabs over the Jordan River basin; among Egypt, the Sudan and Ethiopia over the Nile River; among Turkey, Syria and Iraq over the Euphrates-Tigris River system; between Hungary and Slovakia over the Danube; and among India, Bangladesh and Nepal over the Ganges and Brahmaputra. International conflicts over fishing grounds have also been frequent in recent decades. This had led to conflicts between Great Britain and Iceland in the past, and recently has sparked a bitter dispute between Canada and Spain.

The empirical studies suggest that the river water and fish resources are more likely to cause the inter-State resource conflicts, while the forest and cropland are less likely to lead to that eventuality. It is primarily due to the mobile character of the former resources. But the cases involving internal groups do not subscribe to this causal differentiation. The scarcity of all these renewable resources seems to breed violent conflicts inside the State and among the internal actors. The battle for protecting one group's share of water, land, forest, and other renewable resources from incursion or acquiring those of others actively creates conflicts in a society. The activation of groups may take place in accordance with already existing religious, caste, class, linguistic, regional or other societal lines. Also, the scarce resource itself may bring division into society.

Human-induced environmental disaster can decrease agricultural yield and also can potentially affect industrial production. The shortage of proper water supply or lack of availability of raw materials (mainly for forest and fishing industries) might lead to the closure of these industries and a subsequent loss of jobs. The loss of living space and source of livelihood due to environmental change could lead to the migration of affected

people. Throughout history, people have been forced to flee from their homes, because the land on which they live can no longer sustain them. Deforestation, desertification and drought have had a significant impact on the movement of the population in the past.<sup>115</sup> However, what is more recent and more alarming is the potential for mass migration caused by irreversible devastation of the environment. Increasing numbers of people leave their homes because life has become insupportable there. They move within and across international borders and from the rural areas to cities in large numbers.

The large-scale trans-border environmental migration has several conflict-inducing dimensions in the receiver and sender States. Environmental migration not only induces conflicts among the States, it also has the potential to initiate conflicts among internal groups. Wherever environmental migrants settle, they flood the labour market, increase demand for food and other basic necessities of life which put new burdens on the society. The resulting scarcity of the new situation helps to organise the original inhabitants of the area as a group to protect their interests on the notion that they, as a people, exist only within their own country, while others have other homes to which they can return and that itself can breed native-migrant conflicts in the society. This type of conflict is also likely to transpire into actuality, as the mass environmental migration can bring alteration to the power equation among the elites in the host society and to safeguard their interests, they can actively build up a strong group identity among their own community and actuate them to take action against the other.<sup>116</sup>

As it has been discussed, the incompatibilities brought by the environmentally-induced scarcity could inherently create or activate a number of opposing actors in the society. The conscious action of these actors to resist or prevail over the scarcity situation might result in conflict. However, it is not as easy to authoritatively establish this new nexus between environmental disaster and conflict without adopting a multivariate analysis. The impact of environmental disaster and its conflict-inducing tendencies can vary due to economic, political and social factors. Moreover, the step from environmentally-induced conflict turning to violent war has not been as extensively investigated. The decline of war as a legitimate means of action in world politics provides a basis for believing that many environmental conflicts may not turn into environmental wars.

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<sup>115</sup> Refugees: Dynamics of Development, 1986, A Report for the Independent commission on International Humanitarian Issues, p. 3.

<sup>116</sup> Swain, A. (1996), Environmental Migration and Conflict Dynamics: Focus on Developing Regions, in: Third World Quarterly, vol. 17, no. 5, p. 970.

## CHAPTER 9

# FORCED MIGRATION

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A deeper understanding of *forced* migration can be reached only within a wider migration context that accounts for economic, social, political and cultural factors. First, there is no watertight distinction between voluntary and forced migration, and one may, for example, note the term *economic refugees* which has been in use. In Western Europe, there was much discussion in the late 1980s and the early 1990s whether many asylum-seekers were not in fact economic migrants. Second, there is a link between voluntary and forced migration in the sense that economic migrants pave the way for refugees and *vice versa*. Here, factors of tradition play an important role, since migrants tend to use established connections and follow the beaten track. To provide an example, refugees from former Yugoslavia tended to target countries and areas where their fellow countrymen had already settled as labour migrants. Third, in many countries flight and the pressure or repression behind it is often linked to combined economic and political factors. Actually, all migration takes place within a larger system in which values, culture, tradition, demographic patterns, and social and political factors are integrated. Ecological factors should not be overlooked, and a relatively new term is “environmental refugee”. There is a strong tendency these days that crises in the environment, whether pollution of land, water and air or other damage, tend to make people homeless even to the extent that they escape their homeland.

### A. Migration: Voluntary and Forced

People move for various reasons. Some leave their home country in order to raise their income and achieve economic success. In the modern world, migration is an important element in a professional career. Others do it because of love for a man or a woman (sometimes called marriage migration), still others in order to fulfil desired goals (e. g. student migration), or others in search of other places of abode for more principal reasons. Without being expelled, some individuals and groups venture abroad because they want better opportunities to practise their religion or perhaps to reach political goals. The reasons mentioned can be mainly classified as voluntary migration: the individual moves of his own free will. As a contrast, there is also involuntary or forced migration, in which case there are compelling factors outside of the individual.

Seen from the perspective of the individual, the reason to move from one place to another is often complex. There is usually not a single cause, and the reasons may be

found both in the home area and in the target country. In a family or a group that leaves one country for another, some individuals are normally more decisive and goal-oriented. Others are unwilling or reluctant and follow because of loyalty to a husband or a leader or as a consequence of pressure in the primary group. What is often labelled as voluntary migration can, from a single individual's perspective, actually be forced migration because the alternative – to stay and split the group – would be even more hurtful. In male-dominated societies, female migration can be labelled as forced to a great extent.

A useful, but sometimes oversimplified way to analyse causes of migration is to distinguish between push and pull factors. The former (push) is to be found in the area of origin, the latter (pull) in the area of destination. The push-pull model is often used to calculate the interplay between "root causes." The great transatlantic migration between Europe and North America in the nineteenth and early twentieth centuries is a classic example in which the push-pull model helps to explain both volume and shift over time. This large migration that shifted more than fifty million people between the continents resulted primarily from economic reasons, although some individuals had specific motives (religious freedom, lust for adventure, wish to escape creditors or military service). During the transatlantic migration, there was also a combined voluntary/forced migration of Jews who wanted to flee the pogroms in czarist Russia. One sometimes speaks of a transatlantic labour market, and Europe functioned as a labour reservoir for the New World. Although there was a screening of individuals in the U. S. or Canada – some individuals were sent back because of medical shortcomings – this large population movement took place in a period of general liberalism and in a free market, in which the movement of both labour and capital were almost unbridled. After the turn of the century, restrictions were gradually introduced into both Europe and America. Fearing a flood of uncontrolled immigration from eastern and southern Europe, the U. S. Congress gradually introduced stricter quotas in the 1920s until the Great Depression stopped economic immigration. (Of the relatively few who arrived in the 1930s, many were Jews who felt increasingly uncomfortable in Nazi Germany.)

In a Europe that became increasingly nationalistic after 1900, some categories of people were forbidden to leave the country, for instance men at the age of around twenty, who were needed for military service. European countries also introduced economic incentives of various kinds to keep people in their home country.

One can also point to some more general migration patterns. For example, a migration between two places or two countries always leads to a return migration (and sometimes repeated migration). Further, migration is always selective, and to a certain extent it is possible from social and economic variables to predict which categories will have a smaller or greater inclination to migrate. There are, indeed, situations when all are inclined to flee, but when there is a choice, the poorer layers of the population seldom emigrate. This also means that many of those who have the strongest (objective) reason to get away will never leave their country. Hence many of today's asylum-seekers, who turn to the richer part of the world, are people who are relatively wealthy or on their way up the economic ladder. And as a consequence, the formal education level of refugees is sometimes comparable to the one of the host country. Selection of migrants, both voluntary and forced tend to be in certain age categories. Those between eighteen and thirty-five are more inclined to move than those of other ages. In some societies,

women's moves tend to be more frequent within shorter distances, while men have a stronger tendency to migrate across longer distances. As to voluntary international migration, women's moves tend to be less dependent on the business cycles than men's moves, simply because women seek employment in other sectors.

Some areas of the world seem to be constantly receiving immigrants. France, for instance, has mainly been a receiving country because it went through an early demographic transition, resulting in low natural population growth. Other regions can be labelled as "classical" immigration areas: South Africa, Australia, the United States and Canada. These immigration countries still calculate their future population growth based on planned immigration, and they have also served as targets for refugee migrations. Other areas of the world shift between being (net) emigration and (net) immigration regions. Italy is a striking example in this respect. It sent some 25 million people abroad between 1815 and 1980 but during the last fifteen years has experienced a reverse trend, becoming the target of free migration from other south European countries, and forced and illegal migration from the Middle East, North Africa and the Far East. Western Europe as a whole has gone through a shift from a region of over-population problems and emigration to one of labour shortage (in the 1950s and 1960s) and immigration in the post-war period. Normally, a country of immigration is also one of emigration, a fact that illustrates the dynamics of parallel migration systems.

The modern world is characterised by several migration trends, and many contemporary movements, as well as "non-movements" or restrictions to move, are a result of unequal distribution of economic and political power between countries and world regions. As opposed to earlier periods, the twentieth century has been characterised by increasing restriction.

The modern world is indeed characterised by increased dynamics and various kinds of communication (travel, tourism, trade, exchange of services, migration) on a global scale. As for migration though, one must stress that external population movements (between countries) only account for a smaller portion of total migration. One main trend that is truly problematic is the strong urbanisation movement, which seems to be greatest and quickest in Asia, Africa and Latin America. While migration to cities in Europe and North America was mainly of a pull character during the industrialisation phase, today's movements into Third World metropolises have somewhat of a push character. The large population growth is an important factor, and people escape pauperisation in rural areas in hope of a richer life in giant cities. One can distinguish between rural-rural, rural-urban, urban-urban and urban-rural migration. In Africa, which is less urbanised, the rural-urban variant is most common, while in other continents migration generally consists of movements from smaller to larger cities.

International migration is marginal compared to population movements that take place within countries. There are also more internally displaced persons than "external" refugees in the modern world.

One way to characterise current migration is to distinguish between migration systems. In this respect, Western Europe is a system of its own, although with important contacts to other regions. The European Union is built on certain liberal principles, primarily free movement of capital, labour and services between the member countries. A crucial point is to find a common position with regard to migration from the outer world,

and so far the guidelines seem to be free movement within the union and restricted intake from non-European areas. This certainly has a restraining effect on asylum policies in the individual member countries, and higher moral principles can come in conflict with centrally directed migration policies.

## B. Migration in a Historical Perspective: the Case of Africa

As for the migration experience in Africa, one should first make a distinction between the Mediterranean areas and the rest of the continent. Three main periods can be distinguished for eastern, western and southern Africa. First, in pre-colonial times, migration often took place over relatively long distances and aimed at restoring ecological balances: search for food and game in addition to security. To a late observer, the pattern of these moves may seem illogical, or at least unsystematic, but were often the result of combined cultural and ecological factors. War was not infrequent, and even pre-colonial Africa was, of course, affected by trade and commercial strategies, which in turn had its impact on the distribution of the population. Another factor was slave trade, often instigated from outside the affected areas.

Second, the colonial period was, within the framework of certain repression, one of relative peace and political balance. Migration was related to economic and trade policies of the colonial powers and was to some extent forced, e. g. when labour was recruited to plantations. Much of the migration was seasonally affected, mainly that of the male population. However, the effects were different in various parts of Africa. When people were dispossessed of land in Rhodesia and South Africa, this had an enormous impact on migration behaviour in these areas. Furthermore, the introduction of market concepts by the colonial power, the increased integration of Africa in a larger world economy and the introduction of communication and transport systems had a decisive impact on migration, which was more and more directed to places of rich resources and areas of economic development, particularly in the coastal areas.

Some label the colonial period as a parenthesis in African history but it has nonetheless affected much of the continent's experience. The administrative borders of colonial Africa, many of which were artificial when considered in a longer historical perspective, shaped the political geography of post-colonial Africa, and borders divided areas that were once integrated and linked together as natural fields of migration. Many traditional migration patterns were disturbed or changed under colonial rule and have not been restored, and those factors that disturbed the regional balance have not been abolished either. Rather, colonial production patterns have been consolidated and, in combination with nationalist policies, have paved the way for much of the repressive forces in African societies. Migration selects in the sense that uneducated people tend to stay in the often underdeveloped countryside, while educated people move to the cities. This adds to rural-urban biases on a continent that is still largely rural. A tradition from the colonial period is cyclical migration, which means that males tend to leave the rural areas and their families for shorter or longer periods (or forever), while females stay and take care of the household and the farm work. When successful, such cyclical migration creates



links between the countryside and the city. On the other hand, there is also a new tendency: an excess rural population floods the cities.

Refugee movements are also part of African post-colonial migration. Africa now houses a majority of the world's refugee population, many of which are "refugees in their own countries" (displaced persons). Not only is Africa the poorest continent (although it is potentially rich), but the homeless also tend to flock to the poorest countries. This double tragedy is the accumulated result of population growth, exaggerated nationalism, military strife, democratic experiences gone astray, personal ambitions among the political elite, unsound economic planning, excessive indebtedness and financial dependence on international money lenders, as well as disrespect for human rights, a complex issue that cannot be penetrated here.

### C. Changing Patterns of Forced Migration, 1930-1996

Expulsion and flight seem to be constant factors in human interrelations throughout history. One notes the Babylonian captivity; the use of ostracism in Greek politics; white man's oppression of the Indian population on the North American continent, expelling them in order to make room for European immigrants; the population exchange between Greece and Turkey in the 1920s; Jews and political nonconformists who fled the Third Reich in the 1930s; and the exodus of Palestinians in 1949. These historical examples illustrate the shifting character of forced migration. Further, the definition of refugees from a legal point of view has broadened since World War II.

Almost all wars result in population movements, in which the individual has limited choice and, to a great extent, can no longer decide where to flee or where to stay and settle.

Six phases are discernible in forced migration since 1930. During the *first* phase in the 1930s, people fled countries with dictatorial regimes, many of whom were dissidents who could not accept the demand for political uniformity: *Thomas Mann* and *Albert Einstein* were two of these. Germany (and Austria) lost a large cadre of intellectuals who fled west during the Nazi period. Others were Jews who felt that the soil began to burn under their feet.

The *second* phase (1939-1943) includes forced migration instigated by the belligerent powers: Germany commandeered "slave" labour from occupied areas, and the Third Reich's military production depended on labour that was brought in and people who worked under humiliating conditions. Likewise, the Soviet government carried out deportations from occupied areas or subordinated peoples. Japan used similar methods.

The *third* phase covers population movements in the wake of war and the chaotic turnover of population during the years around 1945. The final war years, 1944 and 1945, saw an increasing number of refugees as a result of accelerating changes in the military situation. The threat of Soviet occupation of areas under previous German control caused many individuals (some of whom were real or alleged fifth columnists) to leave their areas, for instance from the Baltic countries. Further, political agreements after the war contained stipulations about large removals. As Polish borders moved west, large numbers of Germans (from East Prussia and other former German territories) and

Poles (in Soviet-occupied eastern parts of Poland) were forced to move. They were, as one author labelled them, the pawns of Yalta.

The early decades of the Cold War make up the *fourth* period, to a large extent branded by repressive regimes in the Soviet Union and Eastern Europe that did not allow its citizens to move out of their countries. The Berlin Wall was an expressive monument of those regimes. Yugoslavia, which was never integrated in the East Bloc despite its communist ambitions, and to some extent Poland, were exceptions. From the other countries only trickles came out. It is worth noting that the Geneva definition of a refugee (1951) mirrors the conditions of the Cold War. A person who had fled a Communist country was by definition a refugee in a Western country. When, for a time, people were able to flee in larger numbers, like in Hungary in 1956, countries in the West could combine humanitarian ambitions with self-interest and make political gains on both the domestic and international arena. The Hungarians themselves were made heroes wherever they appeared during the first period of exile.

In the beginning of the 1970s, a new age (the *fifth* phase) of forced migration started. One can speak of a world refugee crisis. This is related to several coinciding circumstances.

1. Western European countries, whose importance as a migration target had increased after World War II, declared an "immigration stop." This new attitude reflected the oil crisis and general economic constraints. It is ironic that immigration to Western Europe actually increased during the 1970s and 1980s, reaching a temporary maximum in the early 1990s as a consequence of breakdown of Soviet Union and the Yugoslavian crisis. With new attitudes in Western Europe it became increasingly more important to distinguish between various categories of migrants.
2. Latin American dictatorial regimes became more oppressive, and the coup in Chile in 1973 was a landmark change.
3. The numbers of expelled Africans sky-rocketed in the 1970s as a result of factors that were discussed above. Namibia, South Africa, Uganda and Zaire were strongly affected.
4. The gradual peace process in Vietnam and changes in South Asia resulted in mass departures.

Finally, the breakdown of Communist regimes in Eastern Europe and the collapse of the Soviet Union turned the focus back to Europe. This can be labelled as the beginning of the *sixth* phase.

As to the refugees themselves, one can identify three main categories: activists, targets and victims. There is some overlapping between these groups. The first category, *activists*, fear persecution because of their political activities. The second category, *targets*, is made up of individuals and groups who are squeezed between rival political factions in a country. The third category, *victims*, is represented by masses in the civilian population who have to flee, often headlong, as a consequence of ethnic cleansing and other repressive measures aimed at large layers of the population.

## D. The Return of Exiles

Migration, not least forced migration, is a continuing experience. Having moved, or having been moved, places a mark on the individual. Many migrants speak of a divided heart, a belonging to two countries or two cultures without being able to identify fully with either. To return is a part of the migration experience. Most refugees want to go back to their home countries, but refugee movements tend to result in permanent exile, and the return of forced migrants is an increasingly complex matter. The Argentine author *Mario Benedetti* has coined the term *desexilio*, covering the status or time after the return from exile. *Desexilio* is in many respects a continuation of the exile with much of the same implications for the individuals as the exile itself. It includes the arrival in a society which is somewhat different from what one expected, adjustment difficulties, a sometimes complicated entrance into the labour market and other problems. There is often some kind of mutual suspicion between the returnees and those who stayed behind, and this can take time and patience to overcome. Returning may also be burdensome or almost impossible for those refugees who have taken on ambitions and projects in new countries.

## CHAPTER 10

### ANNEX

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#### Resolution 43/131 adopted by the United Nations General Assembly

A/RES/43/131  
75<sup>th</sup> plenary meeting  
8 December 1988

Humanitarian assistance to victims of natural disasters  
and similar emergency situations

*The General Assembly,*

*Recalling* that one of the purposes of the United Nations is to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion,

*Reaffirming* the sovereignty, territorial integrity and national unity of States, and recognizing that it is up to each State first and foremost to take care of the victims of natural disasters and similar emergency situations occurring on its territory,

*Deeply concerned* about the suffering of the victims of natural disasters and similar emergency situations, the loss in human lives, the destruction of property and the mass displacement of populations that result from them,

*Bearing in mind* that natural disasters and similar emergency situations have grave consequences for the economic and social plans of all countries concerned,

*Desiring* that the international community should respond speedily and effectively to appeals for emergency humanitarian assistance made in particular through the Secretary-General,

*Mindful* of the importance of humanitarian assistance for the victims of natural disasters and similar emergency situations,

*Recognizing* that the international community makes an important contribution to the sustenance and protection of such victims, whose health and life may be seriously endangered,

*Considering* that the abandonment of the victims of natural disasters and similar emergency situations without humanitarian assistance constitutes a threat to human life and an offence to human dignity,

*Concerned* about the difficulties that victims of natural disasters and similar emergency situations may experience in receiving humanitarian assistance,

*Convinced* that, in providing humanitarian assistance, in particular the supply of food, medicines or health care, for which access to victims is essential, rapid relief will avoid a tragic increase in their number,

*Aware* that alongside the action of Governments and intergovernmental organizations, the speed and efficiency of this assistance often depends on the help and aid of local and non-governmental organizations working with strictly humanitarian motives,

*Recalling* that, in the event of natural disasters and similar emergency situations, the principles of humanity, neutrality and impartiality must be given utmost consideration by all those involved in providing humanitarian assistance,

1. *Reaffirms* the importance of humanitarian assistance for the victims of natural disasters and similar emergency situations;
2. *Reaffirms* also the sovereignty of affected States and their primary role in the initiation, organization, co-ordination and implementation of humanitarian assistance within their respective territories;
3. *Stresses* the important contribution made in providing humanitarian assistance by intergovernmental and non-governmental organizations working with strictly humanitarian motives;
4. *Invites* all States in need of such assistance to facilitate the work of these organizations in implementing humanitarian assistance, in particular the supply of food, medicines and health care, for which access to victims is essential;
5. *Appeals*, therefore, to all States to give their support to these organizations working to provide humanitarian assistance, where needed, to the victims of natural disasters and similar emergency situations;
6. *Urges* States in proximity to areas of natural disasters and similar emergency situations, particularly in the case of regions that are difficult to reach, to participate closely with the affected countries in international efforts with a view to facilitating, to the extent possible, the transit of humanitarian assistance;

7. ***Calls upon*** all the intergovernmental, governmental and non-governmental organizations dealing with humanitarian assistance to co-operate as closely as possible with the Office of the United Nations Disaster Relief Co-ordinator or any other *ad hoc* mechanism set up by the Secretary-General in the co-ordination of aid;
8. ***Requests*** the Secretary-General to seek the views of Governments, intergovernmental, governmental and non-governmental organizations with regard to the possibility of enhancing the effectiveness of international mechanisms and increasing the speed of assistance in the best possible conditions for the victims of natural disasters and similar emergency situations, where needed, and to report his findings to the General Assembly at its forty-fifth session;
9. ***Decides*** to consider this question at its forty-fifth session.

## CHAPTER 11

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