

CONFLICT AND INTERNATIONAL RELIEF IN CONTEMPORARY AFRICAN FAMINES

REPORT OF A MEETING CONVENED BY

SAVE THE CHILDREN FUND (UK)

AND

HEALTH POLICY UNIT, LONDON SCHOOL OF HYGIENE AND TROPICAL
MEDICINE

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CONTENTS

Introduction
Celia Petty

Summary of Issues Arising from the Meeting
John Seaman

Background
The Nature of Conflict in Africa:
Presentation: Reginald Green. Discussant: Mark Duffield

Case Study 1: Southern Sudan
Presentation: John Ryle. Discussant: Alex de Waal

Case Study 2: Ethiopia & Eritrea
Presentation: John Seaman. Discussant: Berhane Woldemichael

Case Study 3: Mozambique
Presentation: Alex Vines. Discussant: Joe Hanlon

Country Group Work: Southern Sudan, Ethiopia, Mozambique

Legislative Framework
Presentation: Denise Plattner. Discussant: Francoise Hampson

Implications for Policy & Programming
Presentation: Mark Bowden. Discussant: Julius Holt

Small Group Work

Summary and Discussion

ANNEXES

1. Conflict Food and Famine, Reflections on sub Saharan Africa
Reginald Green

2. Notes on the Parallel Economy, Conflict and Relief in the Post
Cold War Era

Mark Duffield

3. Types of Warfare and Famine in the Horn: Comments on John
Ryle's paper

Alex de Waal

4. Food and Famine: Tools of War in Mozambique

Alex Vines

5. The Politics of Food Aid to Mozambique

Joseph Hanlon

6. Eritrea: Problems, Options and Priorities

Behane Woldemichael

7. The Legal Framework of International Relief in Situations of
Armed Conflict

Denise Plattner

8. Relief Operations in Situations of Conflict: the legal problems
and a suggestion to circumvent them

Francoise Hampson

INTRODUCTION

1991 has been described as the "year of missed opportunities". The fall of the Mengistu regime and conclusion of the civil war in Ethiopia, and the earlier overthrow of Siad Barre's government in Somalia, seemed to offer real hope for an end to decades of conflict and famine in the Horn. Instead, the situation has deteriorated. For more than 18 months, Somalia and Northern Somaliland have been gripped by a spiral of violence and structural disintegration that has been largely ignored in the West, whilst in Ethiopia, the peace looks increasingly fragile; in a deteriorating economic environment, ethnic conflict has escalated, subverting hopes of peaceful consolidation.

The trend towards fragmentation and anarchy has also intensified in Southern Sudan, where the SPLA has failed to establish alternative civil structures, and hopes for the re-establishment of basic services, for example in health and education, have evaporated. Similarly, in Mozambique, despite the ending of the Cold War, the violence continues. This has been fuelled by economic anarchy, inappropriate structural adjustment policies and the failure of Western governments to integrate relief with national reconstruction.

The present meeting was convened to draw together experience from the Horn of Africa and Mozambique and to examine, firstly why the international community has failed to build on the opportunities of the new political environment and secondly, how more appropriate and timely relief and rehabilitation programmes might be implemented.

Formal presentations and working group discussions focused on:

- * the relationship between conflict, food insecurity and famine
- * the classification of contemporary conflict in Africa
- * the need for better contextual analysis as a basis for programme and policy responses to conflict
- * the need to understand the implications of the 'new world order' and UN reorganisation, for conflict resolution and post-war reconstruction
- * legal instruments governing relief operations and the right to food
- * the role of the international community in conflict related famine relief, rehabilitation and prevention

Participants were invited from a wide range of backgrounds and included economists, anthropologists, experts in nutrition and health, human rights lawyers and activists, representatives of the NGO community and representatives of donor organisations. Due to funding constraints, African representation was restricted to individuals based in the UK.

Despite the diversity of speakers, there was a basic agreement over underlying 'blockages' within the international system. These included:

(i) The problem of fragmentation, inter-agency rivalry and weak situation analysis within the UN system. This was compounded by international political disinterest in African affairs and prevented the UN from taking a lead in conflict resolution or the de-escalation of violence.

(ii) The institutional division of humanitarian emergency relief from long-term rehabilitation (classified as 'development aid') within the donor bureaucracies and aid budgets. This resulted in inadequate resourcing and inappropriate interventions from the donor community.

(iii) The urgent need for continuing emergency relief to consolidate the peace. This included rehabilitation of civil institutions and services (notably health and education) as well as the rebuilding of the rural and urban economy.

The meeting was organised by Save the Children Fund (UK) in collaboration with the London School of Hygiene and Tropical Medicine (LSHTM). SCF supported a review of secondary sources related to famine, conflict and food security in six African countries (Sudan, Ethiopia, Somalia, Mozambique, Liberia and Angola) conducted by researchers based in the LSHTM. This provided a starting point for further analysis and debate¹.

Celia Petty
June 1992

1. Macrae J and Zwi A "Food as an Instrument of War in Contemporary Africa Famines: A review of the Evidence", London School of Hygiene and Tropical Medicine, 1992

SUMMARY OF ISSUES ARISING FROM THE MEETING

JOHN SEAMAN (SCF)

THE INTERNATIONAL CONTEXT

War now forms the backdrop against which NGOs work in many parts of Africa. Although natural events have been significant in precipitating food crises, complex economic decline has played an underlying, strategic role. The imposition of Structural Adjustment Programmes in many African states has led, in some cases, to absolute levels of poverty which have not been experienced for many years, a polarisation of income within countries, and, for many households, a loss of purchasing power in the economy.

The huge shift in the global power balance due to the disappearance of the Soviet Union, has led to an increasingly totalitarian relationship between Western countries and the very poorest countries. Western power is currently unconstrained in setting global conditions, and the UN reforms offer little scope for negotiation or change.

The world of international aid consists, to a large extent, of large donor organisations suffering the problems facing unwieldy bureaucracies, and small, often incompetent, NGOs.

There has been a change in the balance of the relationship between donors and NGOs. Most NGOs are now no longer in full control of their work, but act as parastatals, dependent on government funding. This change has serious implications for the future work of NGOs. Firstly, relationships between NGOs and their clients will be affected; and secondly, NGOs by acting as sub-contractors for the delivery of food aid risk becoming proxies for the political agendas of donors, and the implementors of policies of conditionality, which they themselves have been quick to condemn.

ROLE OF NGOS

NGOs range from independent, professional agencies with clear strategies, to smaller amateur organisations, and finally major parastatal organisations which nevertheless have charitable status (this includes some UN agencies whose income includes voluntary contributions from individuals). The changing relationship between these non governmental organisations, governments and donors merits further research.

EMERGENCY WORK

The analytical tools used by donors and NGOs for famine early warning and response are widely believed to be simple, well developed and reliable. In reality these methods are neither simple nor well developed. This leads to a dissonance between the views of different players, and response is often more or less inaccurate, late and inappropriate.

SHORT-TERMISM

The short-term outlook of many donors and NGOs has led to a focus on emergency, life saving activities. This can be severely damaging to the prospects for sustainable development, as it can undermine structures which have been put together in the face of great poverty and difficulty over many years. The division of relief from longer term development sets the agenda for relief work and the arbitrary definition of disasters by donors can seriously constrain NGO activity.

CONDITIONALITY

Political agendas have driven NGOs to increasingly avoid working directly with governments and, in effect, to perform a surrogate government role; hence the growing (and unhealthy) trend in many countries whereby some civil services are provided by NGOs and funded by Western taxpayers, with the national government effectively playing no role at all (for example, in Sudan, SCF controls over 50% of the entire drug supply).

NGO STRATEGY

There is a need for NGOs to reach some consensus as to whether they work with, or bypass the state. Either NGOs support the existence of states and reach negotiated agreement with them, or they specifically choose to work alternatively, outside the centralised power system.

LOBBYING AND ADVOCACY

There is potential for the lobbying and advocacy role of NGOs to be developed further, although this activity will become more and more difficult in the current world context, in which there is one dominant power block and interest in Africa is declining. NGOs must be clear as to whom they are lobbying and with what planned effect.

The international legal context has many practical implications for NGO work. There is considerable potential for NGOs to lobby for the enforcement of international law concerning emergency relief under Common Article 1 of the Geneva Conventions.

PRESENTATIONS AND DISCUSSIONS

BACKGROUND

- (i) Conflict, Food and Famine
- (ii) Destabilisation and the Parallel Economy

CONFLICT. FOOD AND FAMINE: reflections on sub Saharan Africa²

REGINALD GREEN, Institute of Development Studies, University of Sussex

1.0 Throughout the 1980s and early 1990s, famine, in the sense of great loss of life, has only occurred in sub-Saharan Africa when production crises have combined with armed violence. However, Green argued that the impact of conflict on food security and the wider economy varied according to:

- (a) the intensity, tactics, location and duration of conflict
- (b) the nature of basic food crops and the relative importance of food crops vs livestock
- (c) the importance of state inputs and extension services

1.1 Armed violence has negative consequences for food production, distribution, procurement and commercial imports. While the indirect effects of war are greater in the input dependent modern sector, entitlements at all levels of production (both national and individual), are eroded by conflict. The impact of entitlement loss is particularly serious for refugees and the internally displaced. Entitlement loss is exacerbated when drought is superimposed on conflict.

2.0 Conflict situations present food aid donors with acute difficulties. Information systems are weakened by war; available information often arrives too late for effective response to be formulated; the low efficiency of food aid delivery gives rise to major problems of accountability; food aid cannot close the food gap in either timing or volume; finally, food aid has been manipulated by some donors in an attempt to influence the outcome of particular conflicts. In refugee-host government relationships, the food aid process has usually operated more effectively, unless the host government is itself involved in armed conflict.

2.1 There is an urgent need for donors to include rehabilitation planning in the relief process: between 2-5 years continuing emergency aid is required in the post-conflict period to rebuild infrastructure, the economy and civilian society. UN agencies such as UNICEF and the UNDP have failed to provide a lead in rural livelihood rehabilitation. Institutional recapacitation, construction, personnel training are equally important in consolidating the peace. This fundamental problem is seen to be caused by the delinkage of emergency support and development aid at donor level and by the decline of donor funds following the 'emergency' phase. The donors need to address this problem if the cycle of violence and economic decline is to be halted.

2. See Annex 1

3.0 Finally, NGOs involved in long-term development projects often by-pass national government structures, and programme coordination among the donor community remains poor. These factors serve to undermine the process of post conflict reconstruction.

NOTES ON THE PARALLEL ECONOMY: Conflict and Disaster Relief in the Post Cold War Era³

MARK DUFFIELD, University of Birmingham

1.0 Duffield focused on the 'parallel economy', which he suggested was a useful concept for understanding the rationale for conflict in situations where war might otherwise be perceived as 'mindless anarchy'.

1.1 This argument was based on the following observations:

(i) the parallel economy is a function of the collapse of the formal economy.

(ii). the pursuit of illegal economic activities leads to increased levels of violence

(iii) economy- driven violence may serve as a vehicle for political violence

(iv) the similarity between the parallel market found in many African countries and those in the Eastern bloc lies in the de facto collapse of the formal economy. Parallel markets can thus be conceived as an adjustment to a negative economic climate

(v). relief aid may serve to reinforce trends towards the development of a parallel economy; as it constitutes a valuable asset introduced into a complex political economy controlled by powerful groups. Food aid may thus constitute both an instrument of war and a means of maximising profit for key economic actors.

1.2 By the end of the Cold War period, a growing network of donor and NGO relief programmes had been established in Africa. However, the value of these programmes to national governments has become ambiguous. While they provide opportunities for fixing advantageous exchange rates and allow the diversion of resources, the economic survival of existing elites has become threatened by (a) donor/NGO pressure to extend food aid to areas where government wished to withhold it for strategic purposes and (b) the witness function of NGOs.

2.0 From the international perspective, involvement in emergency aid operations has led to an awareness among NGOs of the political limitations of the international regulatory system. Prior to 1989, cross border operations were set up to by-pass the politi-

3. see Annex 2

cal contradictions of the international system and avoid conflict with government; during this period, significant efforts were made by NGO 'cartels' to remain politically neutral.

2.1 Post-Cold War pressures for change within the UN appear to be concerned with organisational issues rather than political reform. The Kurdish incident had highlighted the inadequacies of UN relief agencies to effectively deliver aid; this had led to the appointment of an Under Secretary General for Emergency Relief, whose brief is to improve operational co-ordination. However, the new brief does not address the underlying political contradictions inherent in many relief situations.

2.2 The ending of the Cold War has removed the political rationale for giving aid to Africa. A strategic reduction in aid, including food aid, to the region has already taken place. The withdrawal of bilateral subsidies, previously given to 'friendly' governments, may lead to the further demise of the formal economy and hence intensify the pursuit of alternative profits through parallel markets, thus increasing regional instability. NGOs may bear the brunt of this instability, in the context of an organisationally, but not politically reformed UN.

COUNTRY CASE STUDIES

1. Southern Sudan and Somalia
2. Mozambique
3. Ethiopia and Eritrea

Note: This section includes synopses of presentations by named speakers with significant points raised from the floor, followed by a summary of working group discussions.

INFORMATION AND RELIEF ACTIVITIES IN CONFLICT ZONES: the case of Southern Sudan

JOHN RYLE, Consultant

1.0 In his presentation, Ryle stressed that relief efforts in Southern Sudan have been characterised by a crude framing of the situation and dangerous misconceptions. These reflect a lack of knowledge of the local economy and local politics.

1.1 During the famine of 1986-8 in Northern Bahr El Ghazal, relief efforts were impeded by very limited information concerning the food security situation. It was questionable whether any advances have been made towards an understanding of past famines, and whether agencies are now in a better position to combat the current crisis.

1.2 Although some work has been carried out in reconstructing the military and political events of 1986-88, which disrupted the economy of the Dinka, there remains a serious gap in information on either past or current realities. Uncertain estimates of the number of civilians affected by famine, and a 'fetishization' of numbers, has resulted in an increase of aid into the region. This had taken place without any understanding of the nature of the local economy. The food economy is now effectively in the hands of the SPLA, and claims that food aid relieves pressure on peasants remains questionable. However, it has become increasingly difficult to gain information on food security and the impact of food aid, as agencies no longer have access to local merchants and other key sources of information.

2.0 There is a need to reconsider basic concepts and categories used by the West; for example the common concept of 'Southern Sudan' implied a unity which no longer exists. A new focus that takes into account the increasingly fragmented social and economic realities of the region is needed. This should be accompanied by efforts to understand local entitlement to food and indigenous methods of distribution.

CLASSIFICATION OF CONFLICT IN SUB-SAHARAN AFRICA⁴

ALEX DE WAAL, Africa Watch

1. De Waal presented a taxonomy of conflict, drawn from contemporary experience in sub-Saharan Africa. He argued that regional conflict could be classified as follows:

- (i) Counter-insurgency conflicts, using conventional military forces
- (ii) Irregular counter-insurgency conflicts, using non regular adjuncts
- (iii) Anarchy, ie contending armed groups which fail to exercise any recognisable form of government control over territory or civilian populations.

The most striking example of this process was the transition of Somalia from the conventional counter-insurgency war of the late 1980s, to the present anarchic situation, which represented the third stage. A similar pattern might be emerging in Southern Sudan, in the wake of the new split in the SPLA.

2. It is vital that agencies involved in relief should understand the context in which they attempt to provide humanitarian relief. Citing evidence from a recent visit to Somalia, an analysis of the politico-economic power struggle was set out. Four main elements were identified:

- (i) Political interests: this involved the struggle for nominal recognition by the UN, which provides critical access to donor resources.
- (ii) Commercial interests: the struggle for control over resources in the parallel economy, and the commercial assets of Mogadishu. There is a close interaction between the commercial and political struggle: Mogadishu's war lords have significant business interests, and future commercial gain is dependent on holding government office.
- (iii) Ethnic/clan interests: the struggle for ethnic/clan supremacy provides a basis for the pursuit of political and commercial interests.
- (iv) Armed forces: the warring armies are not paid, and therefore provision themselves by violence and looting among the civilian community.

4. See Annex 3

3.0 There has been a serious analytical failure on the part of the UN which had ignored the underlying causes of anarchy in Somalia. Under Secretary General Jonah's proposed a solution of February 1992 merely addressed the political dimension of the conflict and ignored points (ii), (iii) and (iv). The UN has failed to recognise that the provision of substantial humanitarian relief, which would relieve the pressure to loot, remains a pre-requisite for a settlement.

POINTS FROM THE FLOOR

1. Wars are about resources: who controls them and how they are exploited. A complexity of ideologies is therefore involved in conflict situations. It is necessary to reach a balance between an awareness of ideology, and an understanding of the nature of conflict. Local realities must be recognised, and these might not be properly encompassed under Western categories; even terms such as Sudan, Southern Sudan, government, SPLA .

2. The UN's failure to grapple with the underlying nature of developing crises, including those in Jigjiga, Harar and Southern Sudan is fuelling instability in the region, and requires urgent action from the international community.

3. The breakdown in government and the rule of law leads to incremental violence; for example, a major difficulty for the future is the shift in behavioural norms resulting from young people growing up in conflict.

WORKING GROUP ON SOUTHERN SUDAN

CURRENT SITUATION

The SPLA has little access to relief air services and it has been government strategy to cut overland supply routes to the South. Recent attacks in the South have significantly reduced access to the area, and destabilised the political organisation of local communities. As control of land changes, so does the capacity to deliver food aid. However, the current information base is extremely weak, and the claim of a huge famine in the South, made by the SPLA, is probably false.

INFORMATION SYSTEMS AND NGO WORK

The lack of information on Southern Sudan, due to political, climatic and geographic restrictions, creates problems and impedes effective decision-making. Little is known of the food security situation in the South, but any information that indicates a need for food aid assists the fund-raising activities of NGOs. This raises questions about the motives for involvement of some of the agencies working in Southern Sudan.

There is a dearth of information on the current economic and political situation, or on the survival of traditional life. NGOs working in this area do not have a long history of involvement; although some agricultural work was supported by NGOs early in the 1980's, this has not been sustained. A certain amount of ethnographic material exists, from the 1940's and 50's, and later from the 1970's and 80's. However, these were periods of relative peace in Sudan, and so do not document the way in which people deal with frequent wars, and develop strategies to cope. An understanding of the cultural dynamics and the varying needs of different social groups is vital for effective NGO work. Often donor/NGO assumptions are misguided. For instance, in a situation where people live on cattle, early warning techniques such as the assessment of nutritional levels, will be inappropriate (signs of malnutrition will not show until cattle are lost through drought/conflict.) The problem of risk assessment of asset-holding groups has not been adequately addressed by NGOs.

Lack of information has led to difficulties in understanding the local and wider economies, and assessing the availability of resources in the region. To understand the overall situation, the effects of an international war on a semi-subsistence economy must be understood.

The impact of famine and conflict may differ between different social groups. War may have less impact on wage earners than on those who rely upon assets such as cattle. Although the tradition of brideprice may give some security to cattle-owning pastoralists, cattle are vulnerable assets and easily lost.

Heavily commoditized farmers growing cash crops, and trading on the state or border markets, face different risks. These different social groups require different forms of support.

LEGITIMACY

Who should be involved in relieving the situation in Sudan and in what capacity? This issue is of particular significance in Southern Sudan where previously many agencies chose to operate with the then SPLA (now split into several factions), and not the government. NGOs must address the question of whether to collaborate with host governments or local groups, and assess the possible consequences of collaboration. Selective work may polarise the existing divides. NGO categorisations of the current situation are also misleading. The SPLA does not recognise the concepts of "North" and "South" Sudan, so a clear ideological divide needs to be addressed.

FOOD AND FAMINE: Tools of War in Mozambique ¹

ALEX VINES

1.0 Alex Vines described the manipulation of food security systems for strategic advantage by all parties involved in the civil war in Mozambique.

1.1 Government counter-insurgency tactics have resulted in the large scale displacement of populations. This has exacerbated existing civilian food security problems. Relocation activities have resulted in a total dependence on emergency food aid among entire populations.

1.2 Renamo has used food aid resources to set up patronage systems in areas under its control. Renamo terror tactics also include the extensive destruction of food crops and food security.

2.0 Widespread leakage and corruption had been reported in distribution systems. Up to 75% of emergency food aid is believed to have been diverted onto parallel markets in the main urban areas. [This point was contested by a number of people in the audience]

3.0 Effective delivery of food aid to civilian populations remains a pre-condition for sustainable peace in Mozambique.

3.1 There will be a continuing, and increased need for food aid during the resettlement process, if a is cease-fire achieved.

1. See Annex 4

THE POLITICS OF FOOD AID TO MOZAMBIQUE²

JOSEPH HANLON

1.0 Hanlon argued that, over a ten year period, food aid has been used by Western donors to manipulate the internal politics of Mozambique, and to undermine government institutions. Food security has been undermined throughout this period by the destabilisation tactics of South African-backed forces (MNR/Renamo) and the subsequent struggle between government and Renamo rebels.

2.0 During the major famine of 1983, when Mozambique was closely linked with the Soviet bloc, international food aid was withheld and only released in 1984, when the government 'turned West'. Similarly, a 'donor strike' in 1986 was lifted when the government agreed to implement a World Bank Structural Adjustment Programme.

3.0 The question of control over food aid resources revealed continuing tension between the government of Mozambique and Western donors. Food aid leakage has been used as a pretext by donors to circumvent government structures. While some degree of leakage was an inevitable result of low wages and poor record keeping, claims of government corruption were often manipulated by donors to increase their control over relief systems. This problem was exacerbated by the fact that no accounting system for food aid had been set up in Mozambique. Hanlon claimed that the situation had been deliberately created by donors in order to take control of distribution.

3.1 A parallel system for food aid has been set up by the donors; ironically, this has undermined government efforts to integrate food aid distribution with the private, commercial sector. The US has continued to exercise its control over food aid distribution through the agency CARE, and through church-based organisations. CARE's virtual monopoly over food aid distribution and its use of State Marketing Board (SMB) lorries, had led to the disruption of national production and marketing systems. This caused problems throughout the country: for example, in Inhambane, a drought area, farmers were unable to sell tree crops used in soap-making, which could have been sold in exchange for food. The aid system had destroyed the marketing network throughout the country and was impeding the process of national reconstruction.

4.0 Finally, Hanlon argued that the US select aid agencies to work in different provinces, and that both the US and the EC are united in not wanting food to be distributed by the Mozambican government.

2. see Annex 5

POINTS RAISED FROM THE FLOOR

1. It is important to present information about food aid in war situations with caution, and to recognise the political implications of this information. Stories of army/government corruption implied that most food was lost in this way. However, many other factors might account for this leakage; for example, shrinkage due to maldistribution among church agencies was well above 25%.

2. The US and EC were funding largely the same set of NGOs, and some NGOs had been set up uniquely to receive bilateral funding. The lack of an independent funding base created an overlap between donor and NGO interests.

WORKING GROUP ON MOZAMBIOUE

FAMINE AND CONFLICT

Drought does not necessarily lead to famine. However, conflict can greatly increase existing food insecurity and transport problems. Mozambique should be considered a case where war is having a greater effect than drought, in that the state is being subjected to a process of organised destabilisation. Obviously, many inter-related factors are involved. The question is whether the relative importance of these factors can be assessed

STRUCTURAL ADJUSTMENT PROGRAMMES

It is important to remember that Mozambique is currently the only country facing a Structural Adjustment Programme in a time of war: no civil servant in the country can be assumed to be receiving a living wage. A situation exists where participation in the informal sector/parallel economy (activities which may be considered as corrupt by Northern donors) is a strategy for survival.

WORK OF NGOS

It was claimed that many NGOs working in Mozambique should be considered "captive agencies", selected by USAID to carry out food relief on the basis of similar interests and political outlook (the "conspiracy of interests"). These agencies often have no development capacity or logistical skills, and can exacerbate existing problems. Agencies enter a local situation with their own agenda, which can contribute to the breakdown of existing structures and coping mechanisms. For example, some agencies have been known to distribute free food aid in times of good harvest, thereby undermining local market systems.

There is a need to understand the nature of the work of Western agencies operating in Mozambique, including both their expectations and activities.

ACCOUNTABILITY

It was stated that accounting procedures in Mozambique were very unreliable and that fraudulent documents were often produced.

The high "leakage" rate of food aid presented a real problem of accountability. 25% leakage is a conservative estimate in the case of Mozambique, and is far higher than figures tolerated in many other countries. However, this figure should be placed in context: NGO administration costs often exceed this shrinkage rate and outside Africa, there are cases where there has been a

far greater "loss" of funds, for example with aid to Afghan refugees in Pakistan. Donors should address the question of how much leakage can or should be tolerated.

Many donor demands for accountability and the control of relief operations are unrealistic. This presents a conflict between donor interests and priorities and those of beneficiaries. Donors are keen to prevent any wastage/corruption and want a clear indication of how food aid and counterpart funds are distributed. This can lead to rigid bureaucracy, inappropriate behaviour and logistical difficulties. For example, the EC insists on separate distribution systems for commercialised food aid and emergency food aid. These food supplies are transported on different lorries, leading to a rigid logistical split between people waiting for food who can afford to pay and those who cannot. The situation in Mozambique can only be understood if the wider economic context is recognised: Structural Adjustment Programmes have exacerbated poverty and increase the likelihood of corruption and leakage.

FEEDING OF COMBATANTS

Agencies providing food aid must accept the reality that a certain amount of aid will be distributed to the army and government institutions; this makes claims of NGO neutrality highly problematic. Attempts to control leakage have had a negative effect on the most vulnerable groups. For example, agencies have taken measures to deprive guards/drivers supervising food aid convoys from taking a share of the goods. This in turn has resulted in convoys not reaching their planned destination. In the same way, attempts to cut leakage to government and/or army staff, whose wages remain unpaid due to government bankruptcy, has led to demands for taxes in kind from local farmers. An effective way forward may be to provide the military with a proportion of food aid on condition that a specified amount reaches its planned destination.

FAMINE AND CONFLICT: the case of Ethiopia in the mid-1980s

JOHN SEAMAN, SCF

1.0 The focus on conflict in the analysis of famine in Ethiopia during the mid 1980s has led to a distorted view of famine causality in the country as a whole. Ethiopia in the mid 1980s suffered from an overall lack of entitlement and an absolute lack of resources. Regardless of heavy military spending or the actual conduct of the war, it is unlikely that the government of Ethiopia had sufficient resources at its command to deal with the drought that culminated famine in 1984-5.

2.0 The crisis of the mid-1980s could be described in terms of (i) drought and environmental factors, (ii) policies of the government of Ethiopia (including those of the pre-revolutionary regime) and (iii) policies of Western donors. The significance of the conduct of the war in relation to each of these elements was assessed.

2.1 The famine was tracked historically and geographically—from the localised drought in southern Tigre of 1982 to the catastrophe that culminated in 1984-5. The outstanding feature of the drought was its unprecedented geographical spread and its uncharacteristic progress; whereas famine in Ethiopia typically originates in the lowlands and spreads North East, this famine had spread South West through the highlands, to cover the whole of Wallo and most of Shewa.

2.2 War clearly had an adverse effect on production; however, the existence of direct causal link between insecurity and famine was not compelling. Trade continued both inside and outside the war zone: there was evidence of TPLF grain purchases as far south as Waldia.

2.3 Government relocation policies could be traced to the late 1970s; the motive for these policies changed over time. However, the impact of relocation on the flow of material could not be quantified in relation to the present case.

2.4 Relief in areas outside the war zones was no more effective than relief within them. Even where military considerations did not arise, rural populations in government held territory received little or no more than they did in the north.

2.5 The highest camp mortality rate ever recorded was among displaced people in Shewa; this was due to inappropriate relief strategies and was unrelated to conflict.

2.6 The Mengistu government was spending at least 70% of the national budget on the war. However, irrespective of this expenditure, it is unlikely that Ethiopia could have relieved the

far greater "loss" of funds, for example with aid to Afghan refugees in Pakistan. Donors should address the question of how much leakage can or should be tolerated.

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1.0 The focus on conflict in the analysis of famine in Ethiopia during the mid 1980s has led to a distorted view of famine causality in the country as a whole. Ethiopia in the mid 1980s suffered from an overall lack of entitlement and an absolute lack of resources. Regardless of heavy military spending or the actual conduct of the war, it is unlikely that the government of Ethiopia had sufficient resources at its command to deal with the drought that culminated famine in 1984-5.

2.0 The crisis of the mid-1980s could be described in terms of (i) drought and environmental factors, (ii) policies of the government of Ethiopia (including those of the pre-revolutionary regime) and (iii) policies of Western donors. The significance of the conduct of the war in relation to each of these elements was assessed.

2.1 The famine was tracked historically and geographically—from the localised drought in southern Tigre of 1982 to the catastrophe that culminated in 1984-5. The outstanding feature of the drought was its unprecedented geographical spread and its uncharacteristic progress; whereas famine in Ethiopia typically originates in the lowlands and spreads North East, this famine had spread South West through the highlands, to cover the whole of Wallo and most of Shewa.

2.2 War clearly had an adverse effect on production; however, the existence of direct causal link between insecurity and famine was not compelling. Trade continued both inside and outside the war zone: there was evidence of TPLF grain purchases as far south as Waldia.

2.3 Government relocation policies could be traced to the late 1970s; the motive for these policies changed over time. However, the impact of relocation on the flow of material could not be quantified in relation to the present case.

2.4 Relief in areas outside the war zones was no more effective than relief within them. Even where military considerations did not arise, rural populations in government held territory received little or no more than they did in the north.

2.5 The highest camp mortality rate ever recorded was among displaced people in Shewa; this was due to inappropriate relief strategies and was unrelated to conflict.

2.6 The Mengistu government was spending at least 70% of the national budget on the war. However, irrespective of this expenditure, it is unlikely that Ethiopia could have relieved the

famine without external assistance. Logistical costs would have at least doubled the cost of grain and would have defeated the effort.

3.0 The Ethiopian famine and the relief effort of the mid-1980s illustrates very clearly the disordered relationship between donors - who have control over resources - and those who need them. It was the political interests of donor governments, rather than Mengistu's military expenditure or low agricultural output related to the war, that determined the outcome of famine for drought-affected people in Ethiopia during this period.

WAR AND DROUGHT: The Destruction of Food Security in Eritrea³

BERHANE WOLDEMICHAEL, Research and Information Unit, Eritrean Relief Association (ERA)

1.0 The economy of Eritrea has been devastated by prolonged drought and a war lasting 30 years. Woldemichael gave a graphic account of his impressions on returning to Eritrea after 20 years' exile; environmental degradation had denuded the highlands and completely transformed the landscape.

2.0 Farming activities have virtually halted, leaving an extremely fragile social structure. Rural communities are almost entirely dependent on external economic support; even the most wealthy rural families have been stripped of their assets and are now destitute.

2.1 In addition to successive droughts, agricultural activity was severely disrupted by the war: movement was been restricted, and able bodied men were conscripted to the army, leaving only the elderly, women and children in villages. Communication with families abroad was been severed, resulting in the loss of vital remittance income. Factors relating to the impact of drought and war was set out in an ERA study of 1987.

3.0 Woldemicheal stressed the need for continuing aid in post-conflict recovery and reconstruction programmes. However, decisions about the type of aid should lie strictly with recipient countries. Any mismanagement of aid was a reflection on the recipient country, and so raised the question of how to bring about responsible governance.

This point was expanded in response to a question from the floor:

Repressive governments were a major cause of conflict in Africa. The world community was too ready to recognise governments that seized power by force and ruled against the will of a majority of the people; human rights groups necessarily focused on prominent individuals, although this only scratched the surface of suffering caused by such regimes.

FURTHER POINTS FROM THE FLOOR

RESETTLEMENT STRATEGIES IN ETHIOPIA

What might be seen as policies of socialist transformation also had counter-insurgency motives. Such policies included (i) forced relocation of civilians and (ii) restrictions on trade and aggressive interruptions of trade (eg systematic bombing of market places was carried out to force traders to use state marketing systems.)

3. see Annex 6

NGOS AND GOVERNMENT

NGOs faced a dilemma in deciding whether to work with governments, and if so, which governments to support. Should NGOs deal with governments that are unelected and unrepresentative of civilians?

DONORS

Since the 1984-5 famines in the Horn, donors were less complacent and more organised. Thus, whilst the Western community was politically aligned in opposition to the Sudanese government, a bureaucratic structure existed to organise the donors' emergency response and guarantee a supply of food aid. Although donor policies had changed since the mid '80s, flexibility of response was still limited and the definition of "relief" was excessively narrow.

WORKING GROUP ON ETHIOPIA/ERITREA

Ethiopia after Mengistu provides a useful case study for problems relating to post-conflict emergency relief and rehabilitation. If the rehabilitation of Ethiopia and Eritrea is successful, then this may provide a model for future post-conflict reconstruction in other areas. Conversely, if it fails, there will be lessons to be learnt from the missed opportunity.

CONFLICT DYNAMICS

Neighbouring governments (ie Somalia and Sudan) have, in the past, fuelled conflict in Ethiopia/Eritrea. Peace is vital at a regional level, not only to reduce physical disruption, but to encourage trade. The international community should address the wider issue of regional trade, and recognise the importance of regional economic integration in sustaining peace. By supporting economic rehabilitation, donors and NGOs can make an important contribution towards regional stability.

COSTS OF REHABILITATION

The end of war does not remove the need for relief; in fact, the need for relief may increase in the post-conflict period. For example, the rebuilding of lost herds is crucial to the recovery of both agricultural and pastoral areas, but can only take place over the long-term; food aid, or an alternative appropriate means of assistance, needs to be provided during this process.

THE ENVIRONMENT

The restoration of peace means that vital environmental issues can be addressed. However, some of the environmental effects of war may be irreversible. General environmental decay has led to an accelerated rate of urbanisation. These problems pose increasing challenges to the work of NGOs, both at programme level and for their advocacy activities.

The resumption of peace has brought a new set of complex environmental problems. For example, in Eritrea freedom of movement has led to increased deforestation in the lowlands as highlanders make up for the shortage of firewood. This activity has been forbidden by the Eritrean government in an attempt to protect the environment, but will have a negative economic impact in the short-term, as the lowland population will lose an important source of income

LONG TERM REHABILITATION

There is confusion between the need for relief and the need for rehabilitation; this is partly due to the conflict between the short term, aid-led agenda, and the long term issue of sustainable development. There is an increasing recognition by NGOs of the links between relief and development work: cessation of war increases, rather than decreases the need for support. The particular strategies required for economic rehabilitation will vary according to social and economic groups. For example, in Eritrea and Ethiopia, the length of time required for full rehabilitation will be greater among pastoralist than agricultural communities: pastoralists may require food aid for up to 5 years, while herds recover. It is also likely that environmental problems will be better resolved if there is confidence in the livestock market, leading to improved livestock and pasture management.

ECONOMIC SITUATION

NGOs are working in a region of structural economic decline. Conflict may arise from the unstable economic situation, for example, from disputes over the control of the parallel economy.

Despite environmental problems, there is nevertheless considerable potential for regional economic development in the post-conflict context. However, this will require new thinking on the part of the UN, the World Bank and other major donors.

The considerable economic interdependence and complementarity within the region needs to be exploited in the interests of long term stability.

THE WORK OF NGOS

The greatest immediate problem facing the region is the transition from relief to rehabilitation. NGOs may have a more important role in this process than is generally recognised-particularly in view of the neglect by large Northern donors of long term issues in the region.

To consolidate peace, the links between the social, economic and political dimensions of complex situations needs to be examined more closely. This is a precondition for appropriate donor and NGO policies and programmes

There is now a recognition by both UN agencies and donors, of the need for an earlier response to potential crises. This includes support for the economic infrastructure as well as the provision of emergency relief. The case of Somalia is a stark example of

the links between a decline of the economy and the breakdown of security and peace. There is a risk that, without appropriate donor action, Eritrea and Ethiopia may suffer a similar fate.

NGOs have a key role in the education of donors and the public about the need for continued assistance.

THE POLICY CONTEXT:

LEGAL ASPECTS

1991: THE YEAR OF MISSED OPPORTUNITY

ROUND UP OF POLICY ISSUES

LEGAL ASPECTS

THE LEGAL FRAMEWORK OF INTERNATIONAL RELIEF IN SITUATIONS OF ARMED CONFLICT⁴

DENISE PLATTNER, ICRC

1.0 Denise Plattner discussed the relevance of international humanitarian law for NGOs and relief agencies. Under the Geneva Conventions, governments are obliged to accept relief supplies which are humanitarian, non-discriminatory and impartial. The International Committee of the Red Cross (ICRC) has traditionally played a leading role in implementing relief actions on behalf of civilian populations in conflict; however, the Geneva conventions also cover the activities of NGOs and other agencies.

2.0 The following issues were discussed:

- (i) The position of international organisations and non government organisations in international humanitarian law (IHL)
- (ii) The rights and obligations of sovereign states in ensuring access to humanitarian relief in situations or armed conflict
- (iii) Means of implementing IHL: the relationship between the application of IHL and relief activities
- (iv) The potential and limitations of IHL in situations of internal conflicts; the differences with regard to the rules governing international armed conflicts.

3.0 Points of special relevance for implementation and enforcement were outlined:

- (i) The ICRC has a duty to 'ensure respect for humanitarian law'. However, no institution was expressly empowered to monitor the application of humanitarian law by all parties.
- (ii) Article 18, Protocol II of the Geneva Conventions states that the 'legal government' must give its consent to an offer of relief services, even if the relief operation is in favour of a civilian population under the control of rebel groups.

4. see Annex 7

- (iii) There is a distinction in law between a government's mandatory responsibility to accept relief *supplies* and consent for the implementation of relief *operations*. This may present a severe constraint on the effective functioning of relief actions.

- (iv) The ICRC is the sole body with the statutory right to engage in activities aimed at preventing violations of International Humanitarian Law. However, Plattner proposed that the UN and human rights organisations had a role to play in putting pressure on governments which violated IHL. International organisations should seek to adopt a collaborative approach to these problems.

THE UNITED NATIONS AND THE ENFORCEMENT OF INTERNATIONAL HUMANITARIAN LAW

5

FRANCOISE HAMPSON, University of Essex

1.0 Francoise Hampson described the international legal framework for relief operations in situations of armed conflict and pointed to possible strategies for encouraging its implementation.

1.1 The International law of armed conflict is embodied in the Geneva Conventions of 1949 and two additional protocols adopted in 1977. A legal commitment to permit relief operations covers all signatories to the Geneva Convention: the legitimacy and authority of a government is thus in itself challenged when it fails to accede to international law. This offers potentially powerful leverage for human rights organisations and the international community.

1.2 In conflict, the starvation of civilians is prohibited and food, as a civilian object, cannot be made the object of an attack.

1.3 Under international law, there can be no external intervention to control internal wars: however, Common Article 3 of the Geneva Convention provides for the protection of civilians and applies to all conflicts, including internal rebellions etc. It would be legitimate to include the protection of civilians from starvation under Common Article 3.

2.0 The UN is slow to react to the particular issues raised by internal conflicts. The intervention in Kurdistan was the outcome of a unique set of circumstances and is unlikely to be repeated; even here, the 'threat to an adjacent state' was invoked to legitimise the Allied relief effort.

2.1 The ending of the Cold War would not necessarily lead to a new role for the UN in the provision of relief to victims of armed conflict; and there was considerable scepticism throughout the Third World that a New World Order where the US 'made the law and kept the law' would work in the interests of the South. However, there remains considerable scope for putting pressure on states asked to provide emergency relief (such as USA, UK, France) to ensure that pressure is exerted on states violating IHL.

2.2 The appointment of an Under-Secretary General for Emergency Co-ordination did not signal a new political drive from the UN: rather it constitutes a move to make existing resources go further and appease donor governments.

5. see Annex 8

3.0 Despite the absence of structural change within the UN, several areas were identified where relief agencies could work more effectively within existing international law. It was possible to invoke an existing body of enforceable law, rather than repeat the customary moral arguments

3.1 Common Article 1 of the Geneva Conventions imposes an obligation on states to ensure that other states respect their own obligations. Any state - the UK for example - could insist that a state experiencing internal conflict itself respects the rules on the protection of civilians contained in Common Article 3. It was also possible to insist that rebels respect those rules. This was potentially a more effective device than that presented by the human rights framework. Pressurising governments to make use of Common Article 1 offered considerable potential for embarrassing them, and could be a strong lobbying point for NGOs.

1991: THE YEAR OF MISSED OPPORTUNITIES

1991: THE YEAR OF MISSED OPPORTUNITIES

MARK BOWDEN, SCF

1.0 The theme of this presentation was the failure of the international community to support the restoration of civilian government and the rehabilitation of effective state structures in a vital transitional period. Drawing on experience from Somalia, Ethiopia, Southern Sudan and Mozambique, Bowden described 1991 as the "year of missed opportunities".

1.1 The failures of 1991 revealed a series of fundamental problems in current donor and UN policies relating both to emergency relief and to post-conflict rehabilitation.

- (i) In Somalia, failure to support state structures in key sectors such as health, education and relief, had contributed directly to the descent into anarchy.
- (ii) In Southern Sudan, there had been little engagement with the SPLA, and inappropriate relief mechanisms may have contributed to the current level of social fragmentation in the South
- (iii) Finally, increasing levels of insecurity in Ethiopia reflected the unwillingness of the donor community to engage in serious economic reconstruction and rehabilitation. This was also a continuing problem in Mozambique, where donor policy had undermined state structures in the relief sector since the mid '80s, and Structural Adjustment Programmes were further weakening the social and economic base.

2.0 These failures were analysed as follows:

2.1 The international aid community is biased against support for State infrastructure in relief operations. The NGO focus in relief operations is damaging and has given many NGOs power beyond their expertise. NGOs acting outside government structures create enclaves and erode local government structures.

2.2 The prevailing 'good governance' philosophy of Western donor governments ignores the need for basic state structures to support the fabric of the social system. It is important to distinguish between recognition of political figure-heads and support for essential government services such as health and education

2.3 Relief operations have been planned and implemented without an adequate analytical framework. The UN has been unable either to develop an adequate analysis of the situation in the Horn, or to engage in a regional overview. Its information base has been poor, with country representation relying on secondary information or rumour.

2.4 Overlapping interests of UN organisations eg UNICEF, UNHCR and WHO, have also created major difficulties. In Somalia, UN agencies have failed to include the Ministry of Health in the planning of their activities.

3.0 NGOs currently provide 'top down' relief for individuals. This should be extended to include civilian infrastructure support: eg monetisation of food aid to stabilise internal markets. The maintenance of civil structures is necessary for the ongoing delivery of services and provides the basis for post-conflict rehabilitation.

4.0 There is a need for NGOs to address the problem of how to engage with organisations and groups without necessarily conferring on them political legitimacy

POINTS RAISED FROM THE FLOOR

NGOs, DONOR POLICY AND LONG TERM NEEDS

NGOs often establish their own relief mechanisms because states do not want relief and/or there is no state mechanism to provide relief (although the potential to create such capacity might exist). NGOs are increasingly forced into a donor framework which undertakes relief in order to meet the immediate needs of individuals, and is not intended to provide for long term development. The contractual relationship between NGOs and donor governments in emergency operations has become a trap for many NGOs.

There is a need to develop innovative mechanisms for the provision of relief. For example, in North West Somalia, an attempt had been made to monetise food aid, in order to establish a financial base for government services. (This had failed due to high-level corruption).

In by-passing state structures, NGOs were neglecting a moral responsibility to consider the long-term consequences of their action. NGOs should both support and complement national structures, if there is potential for work at this level.

There was a possible tension within NGOs between the long-term commitment often needed to achieve lasting benefits, and the resource demands made by new emergencies.

POLICY ISSUES

POLICY ISSUES ARISING FROM THE MEETING

(Summary of issues identified by working groups in the final Policy and Programmes session).

Following presentations by Mark Bowden, Françoise Hampson and Denise Plattner, working groups discussed wider policy issues arising from the meeting.

The importance of sound contextual analysis, and of sustained donor commitment to long-term economic rehabilitation were prioritised by all the groups. It was recognised that the increasing danger of warlordism would have critical implications for NGO work over the coming decade, and that problems arising from the current, fragile peace in Ethiopia, might be replicated in other states.

THE NATURE OF CONFLICT

- * It is necessary to work from a sound information base to analyse both the nature of conflict and its impact on the local food economy.
- * It is important to distinguish between conflicts such as those in Eritrea and Tigray which are essentially internal, indigenous anti-government movements, and conflicts such as that in Mozambique and Angola, which are imposed on the population by external forces. Appropriate NGO policy should be formulated to deal with the particularity of these situations.

NEUTRALITY AND NGO INVOLVEMENT

- * NGOs working in conflict zones are generally seen as neutral although they do not normally require the agreement of both sides to work in a conflict, unlike organisations such as the International Committee of the Red Cross (ICRC). The ICRC itself often faces problems of neutrality, for example politicians frequently determine the localities in which it can operate. In practice, NGOs frequently have difficulty in supporting their claim to neutrality, given the political pressures which influence their operations in the field.
- * Civilians are rarely the only beneficiaries of aid, and in reality no NGO is entirely neutral, in that its assistance may benefit the military.

- * Food aid can be used as a weapon of war, and the manipulation of this assistance by political and military groups implies a direct bias. As a result, the very presence of an NGO may itself provoke attack, as MSF has experienced.
- * The semblance of impartiality is important in carrying out effective support, and NGOs working in conflict situations need to establish methods of convincing the parties to the conflict of their neutrality. Outsider perceptions of neutrality often depend upon the nature of work being done; food aid and medical aid are generally considered neutral spheres. NGOs such as Save the Children Fund can claim their neutrality by working with specific vulnerable groups such as children and women. However, not all NGOs are even handed in supporting populations on both sides of the conflict.
- * NGOs need to deliberate carefully before deciding which group they will work with. Detailed information is needed to assist the decision making process.

RELIEF AND WAR

- * NGOs should take account of the following considerations in programme planning:
 - (i) The assessment of food security problems, and the planning and distribution of relief aid, are particularly difficult in conflict situations, where the economy and infrastructure have been disrupted. Parties to the conflict may stand to gain by being associated with the delivery of relief to areas they hold, and by denying access to relief supplies in areas controlled by their opponents.
 - (ii) The unpredictability of war-related food crises also creates special problems, as food aid interventions have an average lead time of 5 months.
 - (iii) Logistical considerations, rather than relative need, may determine distribution patterns.
 - (iv) Work often has to be confined to one particular area or social group; this assumes a homogeneity which may not exist in reality.
- * The United Nations could play a stronger role in guaranteeing the safe passage of food aid, and ensuring neutrality in the delivery of humanitarian relief. The use of UN military escorts to deliver food aid may be an appropriate strategy.

EARLY WARNING

- * There is a widespread lack of understanding of the process of famine: on-going surveillance and appropriate famine early warning systems are needed to determine when intervention is actually required. Many governments and agencies are not equipped to carry out this work effectively; research is required to identify early stages of food insecurity and to examine the impact of different responses.
- * Famine early warning systems could potentially operate in some conflict situations. If the tactics of the warring parties are understood, population movements might be predicted and interventions targeted accordingly. The priority must be to support populations before their situation becomes desperate. In many cases, national governments may be aware of impending famine, but have no real means of taking preventive action.

AGENCY APPROACHES

- * Preventing large numbers of deaths by an operational focus on food aid alone may not be possible. However, food aid is not the only type of aid necessary in war time; aid for establishing health and sanitation services is also vital. Although some NGOs and UN agencies (eg. UNICEF) work in other sectors, such as health and sanitation, in emergency situations this is often on a small-scale, and very localised.
- * In 1986, around 100,000 refugees returned voluntarily to Tigray from Sudan, despite the war, because of heavy rains. In situations such as this, NGOs have an important role to play in helping returnees, both from outside the country or from resettlement projects. However, NGO assistance is itself dependent on the support of major donors.
- * Aid is also vital in the post-conflict situation, when increased support may be required to stabilise and improve the prospects for lasting peace and development.
- * Many agencies working in relief operations do not address structural long-term development problems for a variety of reasons. In conflict situations a developmental approach is more difficult and perhaps impossible.
- * Fashions in development thinking are constantly changing: after the famines of the mid-1980s, much was written on the transition from emergency relief to long term development. However, the conceptual move from relief to development has not been realised in practice; the current crisis in Africa is part of a set of deeply rooted structural problems that

can only be understood in their global and historical context. The current crisis cannot be solved by simply replacing one simplistic development model with another.

SEPARATION OF EMERGENCY RELIEF FROM DEVELOPMENT

- * There is a rigid separation of "emergency" and "development" work within donor bureaucracies. This reflects political decisions about the allocation of resources. Emergency relief has narrowly defined humanitarian objectives and operates within a very limited time frame. For example, EC regulations do not permit the use of seeds or metal tent poles in emergency operations, as benefits will extend beyond the Commission's 6 month timescale for relief. Similarly, emergency assistance must be directed to individuals known by the implementing agency to be at risk. Thus, an agency (SCF) request for a contingency relief stock in Ethiopia was met by a demand for a beneficiary list from a major donor.
- * The fragmentation of the economy in conflict situations reinforces the short-term "emergency" outlook, and it is difficult to develop strategies for the long-term. This has a direct impact on the work of NGOs. Even if agencies are well prepared for a crisis, donor restrictions, and the bureaucratic split between emergency and development aid may limit NGOs to providing short-term relief.

THE LONG TERM IMPACT OF WAR

- * Although the framework for discussion focused on countries currently facing conflict and famine, the questions of long-term rehabilitation and reconstruction were also addressed. Little is known of how communities adapt during periods of conflict to effect survival. Similarly, little attention has been paid to the problems communities face in adjusting to peace. For example, post-war Uganda still faces great rehabilitation problems caused by the collapse of social and cultural structures, and large sectors of the country's population are suffering from conflict related problems of poor mental health and physical disability. These issues need to be addressed by donors and NGOs in assessing future needs in these countries.

CAPACITY BUILDING AND WORKING WITH GOVERNMENTS

- * The disintegration of civil institutions and the rise of warlordism point to a real need for NGOs to support government structures. However, it is important to clarify what is being supported, and how this may or may not effect the survival of an oppressive regime.

- * The impact of material assistance and strengthening of governmental structures depends upon which levels of government are involved. Planned intervention at strategic levels of management systems can be very successful, eg. SCF has often worked at both central and local government levels where different types of intervention can be complementary.
- * Working with local structures can have long-term benefits, particularly in building "institutional memory", which provides an foundation for future work, once the NGO withdraws. Although running an autonomous programme has many attractions for NGOs, this creates a parallel system that reflects the NGOs own priorities and administrative structures. Such programmes are unlikely to be sustained by the host country.
- * It is difficult for NGOs to work even-handedly in countries with strong, totalitarian regimes (eg. the government of Iraq during the Gulf War crisis; the government of Sudan). Similarly, working within official administrative structures presents problems when government has its own agenda, which may direct NGO activity away from the country's most urgent humanitarian needs.
- * NGOs must consider whether working with rebel factions is feasible; for example, is there potential for supporting basic service provision by rebel groups? By the same token, many governments are unwilling to allow NGOs to support indigenous structures as this may threaten centralised government power.
- * NGOs need to make strategic decisions on the issue of capacity-building. By co-ordinating their efforts, they may achieve a greater impact on government structures and institutions than by working autonomously.
- * NGOs and others should examine the political and economic context in which they work, to reach some understanding of why structures deteriorate. This should take into account trends in the global economy, donor politics and World Bank structural adjustment policies.

NGOs AND DONORS

- * NGOs are facing increasing pressure as inter-governmental agencies such as the World Bank retreat from operational work. NGOs are increasingly contracted to carry out the work of donor governments, which involves acceptance of donor conditionality and the reduction of NGO autonomy. There is concern that the few remaining independent NGOs will simply becoming local agents for donor governments as the price of expanding their activities and receiving funding.

- * The large UK NGOs (SCF and Oxfam) are among the very few agencies with a secure independent funding base, and are therefore working in many unlikely situations. For example, in Sudan, in the face of enormous donor resistance to the Sudanese government, SCF is working with the authorities - if very uneasily - in health service provision. Activities of this kind are necessary in countries which do not have the approval of the West, because in 'non-friendly countries' aid is restricted to the minimum. Even alternative uses of food aid, such as food-for-work or monetised food aid, is withheld.

LOBBYING AND ADVOCACY

- * NGOs have an important advocacy role, although the scope for lobbying is limited by the small number of independent NGOs that remain. They are well placed to (i) advise the UN and donors on questions relating to emergency relief, (ii) lobby governments over the enforcement of humanitarian law and (iii) alert the public to structural economic and political problems many African countries currently face. There is the potential for activity in this field to be expanded.
- * A more constructive dialogue between NGOs and the World Bank is needed regarding the planning of programmes and assessment of their impact. There is, however, a widely held view that the Bank is impervious to criticism, so the impact of NGO information and research on Bank policy is questionable.
- * Currently, the World Bank has unchallenged and unchallengable influence in African countries, and many Structural Adjustment Programmes (SAPs) have been forced through, despite the private acknowledgement of some World Bank staff that SAPs may not be the most effective economic strategy. There is no "Court of Appeal", UN or otherwise, to address the collective suffering of countries such as Zimbabwe under SAPs. The lack of accountability at the global level of large donors such as the Bank should be challenged by NGOs and others.

THE FUTURE FOR NGOS

- * The future role of NGOs requires careful consideration, as Africa faces further political turmoil and ethnic conflict in the next decade. Donors and UN agencies have been slow to react to the long-term, structural crisis now facing Africa. Existing problems include the slow pace of industrialisation, rapid urbanisation, a stagnant formal economy, little diversification, and the impact of

Structural Adjustment Programmes. The IMF and World Bank do not recognise the existence of parallel economies, yet these are a vital part of the economic context in Africa, and their development is greatly affected by SAPs.

- * NGO involvement in emergencies is currently dominated by food relief; this will continue until the international community chooses to address the wider economic and political problems facing Africa.
- * NGOs could play a key role in generating new approaches to the structural problems Africa currently faces. They should develop their capacity to undertake operational research and analysis to highlight the fundamental issues, and lobby among the international community and democratic constituency in the West, for a more appropriate response, commensurate with the scale and urgency of the problem

ANNEXES

ANNEX 1

CONFLICT, FOOD AND FAMINE

REFLECTIONS ON SUB-SAHARAN AFRICA

REGINALD HERBOLD GREEN

Give justice to the weak and to the fatherless;
Maintain the rights of the afflicted and the destitute.

- Psalms 82:3

OVERVIEW

Food insecurity is endemic for many Sub-Saharan Africans and for a majority of SSA countries even in the absence of war or civil war. Armed violence at high levels afflicted at least nine (Angola, Mozambique, Ethiopia/Eritrea, Somalia, Sudan, Liberia, Rwanda, Uganda and Zaire) in 1991. Over the 1980s famine in the sense of massive loss of life basically caused by inadequate access to food has, in SSA, occurred only when both conditions afflicted a country. High levels of armed violence - whether from war, civil war or civil unrest/riots/risings - usually marked negative consequences for food production, procurement and distribution and commercial importation. Therefore, war or civil war is under present SSA conditions virtually a sufficient condition for famine - unless as in the case of Zimbabwean and Tanzanian support for Mozambique it basically takes the form of forces fighting in another country and of border defence. High levels of armed violence short of civil war and not greatly disrupting rural production or transport in a country with a physical food surplus do not necessarily lead to famine, e.g. South Africa; but if production and transport are affected they can and do lead to local famine conditions eg. Uganda, Zaire.

The number of war victims, either dying or suffering severe food insecurity, is very hard to quantify. Most war related deaths in SSA are not only not of combatants nor of civilians directly trapped in conflict, but also not famine victims in the normal sense of that term. They are of refugees and dislocated people fleeing from conflict or in refugee/dislocated person camps and resettlement areas. Most are infants, young children and aged persons. Their deaths are usually the result of the interaction of malnutrition, collapse of primary medical care and of access to pure water. In the best documented cases - Mozambique and Angola - a majority are under 5's; a pattern which probably characterises the Horn of Africa as well. The total number of

war refugees and dislocated persons is unlikely to be below 25 million persons as of 1992 - perhaps a fifth cross border refugees and four-fifths internally displaced. A further 5 million plus souls are pauperised living in their home districts but without the means or the context to pursue normal livelihoods. Over 1980/90 war related deaths in SSA probably are of the order of 5 million (1.5 million in Southern Africa and up to twice as many in the Horn with over 100,000 each in Chad, Uganda and Zaire).

THE BACKDROP OF NON-SUCCESS

The extreme vulnerability of most of SSA to any severe shock - whether drought, war, terms of trade deterioration or reductions in delivery of external assistance - is a product of economic non-success for most countries at least over 1980/85 and for many over much longer periods, including 1986/90. The peak SSA output per capita year was 1979/80. For most of the 1980s SSA GDP/per capita and that of most countries declined. As noted, there are a number of economies which had records of unsuccess well before 1980 and/or which have shown little recovery (or a decline) in performance since 1985. Ethiopia - admittedly an extreme case - appears to have had declining output per capita in each five year period since GDP estimates were begun in the 1850s while Ghana had a trend decline from 1960 through 1983.

The food production record is even worse. It is doubtful that at SSA level per capita food production trends were equal to those of population from the late 1950s or early 1960s until - perhaps - the late 1980s. This remained true even in the 1970s when sharp effective domestic relative price swings against export and industrial crops meant that more than all agricultural output increase was in domestic foodstuffs (1.8% a year versus 1.4% overall and negative for industrial and export crops).

The reason for this record are complex and their relative importance subject to vehement debate. The results are much more evident:

- a. the domestic food balance is - with a few exceptions - precarious in normal years and disastrous in drought afflicted ones;
- b. import capacity is increasingly inadequate to cover growing trend levels of food imports let alone sudden drought (and/or war year) surges, while food aid has proven an imperfect gap filler both as to timing and quantity;
- c. high levels of debt and low levels of reserves have left no leeway to buy time to ride out short or to adjust to longer term shocks;

- d. donor conditionality - especially at macro policy level - whatever its other virtues has not in practice been effective at raising food production adequately, reducing absolute poverty or providing survival and post war drought livelihood rehabilitation programmes while emergency relief focused on survival has been ill-coordinated with rehabilitation of livelihoods after the immediate disaster has passed.

True, part of the overall and food production non-success has been the consequence of war. Tentative calculations on partial data suggest both SSA GDP and food production growth might have been 2% a year higher in the absence of armed conflict. For some countries war has dominated results. The poorest sub-regional record over 1985/90 is that of the Horn (all except Djibouti war afflicted). However, the second worst sub-regional record is that of West Africa (the least violent conflict ridden area) and the least bad Southern Africa (with over half the war related DGP loss). Therefore, other factors have contributed to worsening overall economic and food production performance and to increasing fragility.

A very exceptional (and in large part non-generalisable) case demonstrates this. Botswana has enjoyed a growth rate of output in real purchasing power terms of over 10% a year for over two decades as well as nearly parallel export growth. As a result a very low rate of domestic food production growth has been offset by growing (largely commercial) food imports. Employment creation has raised the number of households with at least one modern sector employee (in Botswana, i.e. excluding migrants) from 1 in 12 to over 1 in 2. Reserves and budgetary resources allow phased response to external shocks and offsetting measures for actual or potential absolutely poor households. Indeed part-time public works employment and supplementary food distribution via multiple channels probably more than offset the 1980s multi-year drought's impact on poor rural household income. Very significant defence expenditure (successful in the sense that armed conflict on Botswana soil was very limited) reduced government reserves rather than civil expenditure. Botswana handled its resources prudently; developed programmes imaginatively and implemented them (in most cases efficiently), but without the record of overall economic success (largely based on diamond development and EEC quota beef prices) it would have had no capacity to demonstrate (or build up) its competence.

Therefore, any review of the economic, food supply and human consequences of war, needs to take into account the overall economic and food security trend of unsuccess, levels of weakness and resultant fragility in the face of shocks during the 1980s.

STRIFE & FOOD PRODUCTION

The impact of armed conflict on food production depends on the intensity, tactics, location and duration of the conflict. In particular it depends on whether one or more parties systematically set out to destroy civil society and the possibility of normal production in all areas not stably controlled by them. It is because precisely such tactics have been central to Renamo and UNITA strategies that the Angolan and Mozambican crises have been so dire and because they have not figured in government strategy that some - by no means all - long Renamo or UNITA controlled areas have had limited output losses (albeit at the price of enforced provisioning of the rebel forces). Sudan, Ethiopia and Liberia have all suffered from similar - but apparently less generalised, or at least less effective - tactics.

Similarly, the location of armed conflict affects its impact on food production. The more limited the area and the less central to food production, the less the overall (though by no means necessarily the local) impact. Intensity may be less important than would be supposed. A relatively high intensity war on relatively fixed lines (as in parts of Eritrea) may not greatly affect output beyond a limited war zone. Similarly a brief, high intensity campaign targeted on military forces and positions (e.g. the Tanzanian counter-attack campaign to remove Amin) has relatively low impact. On the other hand, a moving campaign of low level attacks on farms, farmers and local gathering places (e.g. bus stops, clinics) creates fear and inability to pursue agricultural activity out of all proportion to its intensity - as currently exemplified in Mozambique.

The duration of the conflict may result in some adjustment to the insecure context and partial recovery of output, e.g. Mozambican peasants living in Malawi but cultivating by day in Mozambique or staying in towns or relatively safe affected persons areas at night but rushing out to cultivate by day. However, the overall impact is likely to be negative as more and more barriers to production and more and more failed efforts arise.

Another factor is what the basic food crops are. Grain and livestock are most vulnerable; vegetables somewhat, and tree crops distinctly, less so and root crops (once planted) relatively safe. Cassava requires little cultivation, can be harvested over an extended period, is to a degree self-propagating and cannot be destroyed except by digging up the roots - facts which have enabled scores of thousands of Mozambicans (and probably many Liberians) to survive. Harvestable maize burns readily and crops are radically reduced by lack of cultivation; livestock are easy to kill or drive away and need relatively continuous attention - facts which are killing thousands of Somalis (and probably have killed tens of thousands of Ethiopians).

The indirect effect of armed conflict on food production turns on the importance (or otherwise) of inputs and extension services. If these are important then their dislocation by conflict and by the deterioration of the import capacity and budgetary position of the country can have a severe negative impact. This is likely to be most severe for large farming units (unless they have their own defence units) and 'modern' medium scale farms and least for small farms producing largely for households self-provisioning.

FOOD PRODUCTION, WAR & FOOD SUPPLY

Food production is an input into effective access to food, but by no means the only one. Transport, storage, imports and purchasing power/transfer access are also crucial. Armed conflict is damaging to all.

Transport infrastructure and fleet are always prime targets of conflict. Transport routes become impassable (physically and/or in terms of security) in some cases and slow and risky in many more. Therefore, neither can food from secure areas with surpluses be transported readily to conflict ravaged areas with deficits, nor can imports be moved to conflict zones or non-port cities speedily, reliably or cheaply. An additional drain is likely to result from the diversion of transport equipment from civilian to military uses.

Storage is also likely to be a war casualty at all levels below major town. On farm household stores are particularly at risk from marauders (including unfed government troops) and their loss is particularly damaging to household food security. Village and small town warehouses are often at risk as well. The result is not just loss of produced food and of storage capacity but also of a defensive centralisation of stocks which - combined with weakened transport - makes distribution to areas and household at risk much harder.

National food deficits can be reduced or closed by imports. Sustained, intense armed conflict is likely to erode foreign exchange and budgetary capacity to import. On the supply side exports are likely to be reduced and government revenues eroded by slow or negative overall growth while on the demand side increasing defence budgets eat up both foreign exchange and budget allocations.

True, food aid is objectively higher (relative to population) to most SSA counties with high levels of armed conflict or large numbers of refugees. As these are the ones with the highest profile extreme malnutrition or famine conditions that is not surprising. But food aid is not a dependable way of closing a food deficit - either as to timing or volume with the former tending to be lagged and the latter too low. Further, donors are

frequently unwilling to accept the low efficiency (including 'leakages') inevitable under war conditions and some clearly use approval or delivery of food aid in an attempt to influence conflict outcomes and/or to score prestige/influence points with governments or anti-government forces (vide pre-Nkomati Mozambique, the Sudan since 1989, Eritrea and Tigre in the first half of 1991). the motives may be benign - to force reconciliation/compromise - but the results are usually appalling on the malnutrition/famine fronts and negligible on that of conflict reduction. In refugee host situations the food aid process usually works better unless the host is also a victim of internal armed conflict (e.g. Tanzania Zambia, Malawi, Zimbabwe vs Sudan, Ethiopia, Uganda).

Access - via earned income or transfers - is also eroded by war. The \$150 billion probable 1980/90 loss of GDP in SSA resulting from war has radically reduced many rural households incomes via direct loss of production and of market access and secondary cash incomes opportunities and of many urban households through decreasing employment (including meaningful self-employment) opportunities and falling real wages and 'informal' sector incomes. Therefore, physical availability of food is not enough to ensure access even at survival level.

That fact is most obvious for international refugees and internally displaced persons in camps. As a result most transfer assistance is to them in the form of food. While usually inadequate in quantity., this does, except in the immediate aftermath of upsurges in fighting - and fleeing - or of serious logistical bottlenecks, avert famine and in many cases extreme malnutrition. However, affected households (some dislocated but nominally resettled, others pauperised in place in devastated rural areas, and a third largely urban group pauperised by collapsing real incomes) are not limited to refugees and dislocated persons. Their emergency is "quiet", low profile and rarely - if ever - dealt with effectively even when, as in at least urban Mozambique, significant priority and ingenuity has been deployed to address it.

Both the production and the other aspects of food insecurity are radically worsened when drought (or flood) is superimposed on conflict. The debilitated logistic capacity is incapable of meeting sudden surges in demand. The information system is likely to have been weakened significantly (especially in rural areas) so that knowledge of impending disaster comes late and not very accurately. Food aid deliveries are hard to alter rapidly because of pipelines and procedures and donors are often singularly unwilling to believe pre-crisis information. In 1988

a massive famine in Tete Province of Mozambique was averted because data was better (also earlier but that gain was lost) than usual, the government set a high priority on averting a drought/war caused disaster, donors could act by diverting nearby existing flows (an unusual positive circumstance) and a few individuals who happened to be in key places were fully committed to getting grain in. That is the exception not the norm, although - under less war ravaged conditions - it may have been repeated in respect to the 1991 drought caused crop failure in Manica Province. Granted national food stocks dispersed to drought prone areas could buy time, but national stocks are casualties of violence as is their positioning beyond a handful of major cities.

FOOD, FAMINE, MALNUTRITION & DEATH

Most war related deaths in SSA arise from inadequate food supply. That is, of course, not new. It has been true of most, (not all) wars throughout history. However, famine is the extreme form of the inadequate food/death link and while the most visible is probably rarely the dominant one. In Mozambique and Angola perhaps 20% of war related deaths can be attributed to famine strictly defined. While the Ethiopian and Sudanese proportions may be higher they are - taking the 1980/90 decade - unlikely to be as high as half.

A major killer is malnutrition plus exhaustion in the course of, or just after, treks toward safety. This holds true whether or not there are violent hazards on the trip, e.g. Mozambicans seeking to reach displaced person camps when Renamo grip over routes out has been broken. Most of the victims are at the ends of the age spectrum - aged and young children.

However, the largest single lethal condition is the combination of inadequate access to food and to basic health services, plus pure water. Under those conditions a series of, in themselves minor, illnesses further weaken their victims leading directly or via a more serious (but under normal circumstances non-lethal. e.g. measles) disease to the grave. High levels of armed violence damage not merely access to food but also to rural and secondary town primary health care and to pure water. Physical damage, lack of transport and budgetary debilitation all play malign roles, but the worst results (under 5 health rates of the order of 300) have come in Mozambique and Angola where Renamo and (to a slightly lesser extent) UNITA specifically targeted health facilities, personnel and patients as well as rural and urban water supply works.

In theory refugee and displaced persons programmes can address the primary health care and pure water problems as effectively as those of food supply. In practice this is not always practicable (camp environments with overcrowding and limited nearby pure water are always potentially lethal) and is often underfunded or hamstrung by absence of personnel. Exceptions, e.g. some parts of Mozambique - occur when the government gives very high priority to primary health care (with an emphasis on vaccination/immunisation and on mother/child clinics) and to pure water supply, and has at least some personnel and institutional capacity to which donors and NGOs can relate (or complement).

WAR STRATEGY, FOOD SECURITY, FAMINE & MORTALITY

Governments do see food as an instrument of war both to win support and to strengthen supporters and per contra to demoralise opponents and weaken their resistance. However, undesirable the latter may be, it is standard practice vide the Allies' blockade of the Continental Powers in World War I, and of Germany and Japan in World War II, and the German attempts to starve out the United Kingdom by submarine operations in both wars. Nor is the moral case against some uses of food curtailment as unproblematic as it may seem - demoralised, ill-fed troops may surrender more readily, and workers under similar conditions contribute little to war production and support services. If these factors do bring an early end to armed conflict, the argument that they save lives is not self-evidently fraudulent.

Government and armed opposition force tactics in respect to food supply in conflict situations vary widely in SSA. Supplying ones own armed forces is a uniform (and understandable) priority. Its problem for civilian food security turns on how and from where that food is acquired. Food aid is (in principle) not available for uniformed forces albeit blind eyes are sometimes turned. But if the principle of not feeding uniformed personnel creates a situation of attempting to distribute food to dislocated people in the context of very hungry regular troops and local militia, optimistically expected to guard it, the troops and militiamen will inevitably take the food with greater or less violence - as happened, e.g. in Zambesia province of Mozambique in 1991. The optimal sources of armed forces supplies are external or domestic cash procurement, but these are frequently beyond the means of financially imploded conflict riven states both on the government and on the armed opposition side. The likely result is official or unofficial levies in kind collected with greater or less degrees of violence, and likely to worsen the civilian population's food position severely.

In general, governments and armed opposition bodies express at least verbal commitment to feeding the civilian population in areas they control. But the degree of priority and the capacity to act vary. Renamo, for example, has never shown any concern that civilians in areas it controls eat except insofar as this is a necessary by-product of forcing them to grow crops to provision Renamo bands - a situation pertaining in some, but not all of the areas it controls and not in contested areas. The government of Mozambique gives food access for civilians top priority, but has so little operational and financial capacity as to be dependent for results on donors whose commitment is not always of the same order and whose approaches are not necessarily optimal. Angola has had more foreign exchange, high and medium level personnel capacity and own finance than Mozambique but, in practice, has a lesser food mobilisation and distribution capacity which suggests a lower (although not negligible) level of prioritisation. None of the sides in the Liberian civil war appeared to pay any serious attention to the ways and means of providing their own civilian supporters with food, and in Somalia only the fraction controlling the northwest (ex-Somaliland) appears to give it high priority backed by some organising capacity and (relative) security for supplies and distributors.

The attitudes toward food access of civilians under the 'other sides' control very tremendously. UNITA and Renamo have systematically sought to prevent food production in contested areas and to disrupt it in government controlled ones (particularly by seeding fields with mines in the former case and terror raids in the latter). Neither the Angolan or the Mozambican government has had any parallel strategy of disrupting civilian farmers beyond the reach of their civil governance. However, the position of peasant households in contested areas is an inevitable casualty of fighting, literally in their fields, to their doorsteps. The main obstacle to third party delivery of food aid to civilians in rebel force zones of control has in these cases largely been based on the fairly evident fact that, once distributed, food is fairly readily recollected by the military (or collected directly by military personnel out of uniform). The Eritrean nationalist forces did give priority to averting starvation of Eritrean civilians in the Asmara pocket in 1990/91 despite the fact that it fed the Ethiopian garrison too, albeit it did so only once the Mengistu regime's military position in Eritrea had become terminally untenable. In the Sudan neither the Khartoum regime nor Garang's forces have been willing to allow even handed international food distribution except when averting civilian starvation and/or military malnourishment in the areas they controlled outweighed their aversion to letting anyone on the other side of the lines eat. The Ethiopian case appears mixed - a war of starvation was waged ruthlessly and systematically in Tigre against supposed (and quite often actual) TULF supporters but that does not appear to have been done - at least systematically and coherently -elsewhere.

Almost all parties to armed conflict view disrupting or interdicting food supplies to enemy armed forces as desirable. The difference is in how much damage to production and civilian supply they are willing to cause to ensure that result and in the actual conditions on the ground. UNITA, Renamo and the Eritrean nationalists have given priority to starving out their opponent's garrisons - with uneven and limited results - but the Eritreans blinked when a large Eritrean civilian population threatened to be fellow victims. Mozambique and Angola have had a few occasions when they were besieging encircled rebellious forces and have not attacked food growing capacity in rebel areas to any significant extent. In the Sudan both Khartoum and Garang have systematically used starvation tactics quite indiscriminately including 'enlisting' militias whose chief commitments appear to be to looting, enslaving, burning and killing.

Angola and UNITA did agree to an internationally operated food relief convoy system in the drought stricken southern provinces in 1990/92 but its operation raised continuing problems and UNITA would not agree to any nationwide parallel because besieging/starving out towns was central to its strategy. In Mozambique by cutting down on external food flows to Renamo and by radically reducing the areas in which it controls peasants, the government has reduced Renamo forces' access to food to the point where for many bands hunger is the main enemy and getting food the overriding concern. The results for civilians are not unproblematic - raids on homesteads (or across borders into Zambia) to steal food do kill people even though the need to concentrate on them saps morale (increasing the effectiveness of amnesty programmes) and reduces military effectiveness. The government - not surprisingly nor unreasonably in this context - would insist on civilian food relief to Renamo controlled areas being internationally monitored to user level to prevent it in fact provisioning Renamo fighters rather than reducing civilian malnutrition. If the precedent of the functioning provision of immunisation and vaccination supplies (nominally for children and mother/mothers-to-be, but dominated by tetanus vaccine which suggests military use) is any guide, Renamo would not agree to such supervision.

Another strategic/tactical element affecting food access relates to policy in respect to civilian residents of contested areas. Unfortunately, evaluation of this depends on motives as well as on actions. Ethiopia under Mengistu clearly resettled Tigreans to weaken TULF (even though an ecological/food security case for some resettlement did exist). Either its logistical capacity, or its low priority to Tigrean lives, meant that the death toll was high (as it usually is for large population movements undertaken under conditions of violent conflict vide the record

of the Nansen office after World War I or the Punjab after the partition of the former Indian Empire). In Mozambique the government perceives rural households in contested zones to be at very high risk. So long as the zones were Renamo controlled the peasants were at less risk as Renamo exploited them to provide food, porters and bedmates but usually did not kill them on the scale of terror raid victims in contested areas, while the government did not wage war against civilians. Therefore, following offensives it has frequently wished to move civilian populations temporarily to displaced person camps, until security is restored. This policy has endangered their food security because donors have been unable or unwilling to cooperate with it (and the armed forces, not surprisingly, provide little advance information on additional numbers likely to be needing food where and when). In 1991 in Zambesia totally inadequate food supplies were provided and intense donor pressure was put on Mozambique to send these newly displaced persons home. As this was then done late in the year, of mixed but generally unfavourable climatic conditions, the results have been disastrous in terms of mini-famine and malnutrition related deaths.

POSTLUDE - THE RESULTS OF CONFLICT LIVE LONG

A warning is needed lest an analysis of the cost of armed conflict to food insecurity and death cause more insecurity and death after the conflict itself has ceased or significantly abated. Many of the results of armed conflict live on long after the conflict itself is over. Even in Europe in 1945/47 food insecurity, local famine, malnutrition and death resulting from World War II abated slowly despite massive relief and rehabilitation efforts.

Broken infrastructure, devastated budgets, burn-out medical and educational facilities, blasted water supplies and decimated as well as scattered medical-education-extension cadres do not rise like the phoenix the moment the conflict ends. They take funds, personnel, institutional recapacitation, construction capacity and time. Particularly in Mozambique, Ethiopia, Sudan, Liberia and Somalia it will be a long, hard painfully slow slog as it is now in Uganda and Chad.

An appalling danger exists. This is that emergency aid to refugees and dislocated persons will be scaled down before they can re-establish their livelihoods and that emergency support logistic networks will be dismantled rather than converted to rehabilitation. If that happens then food insecurity, malnutrition, famine and death will rise in Angola, Mozambique, Ethiopia and will not abate in Sudan, Somalia, Liberia or Eritrea.

This grim scenario is made more likely by several institutional environmental facts:

1. Donors become very weary of protracted emergency aid programmes (even if the victims become wearier, assuming they survive).
2. Emergency and development aid fall - in many agencies - into two separate compartments with resettlement/demobilisation/livelihood rehabilitation assistance falling between them and, often, out of sight (and of significant funding).
3. The coordinator of many emergency programmes - UNDP - does not appear to have coherent draft rehabilitation programme/emergency network conversion plans.
4. UNHCR has a more coherent vision and some return/livelihood rehabilitation experience but is badly underfunded and at present has no mandate in respect to internally displaced or pauperised in-place households.
5. Few governments have given serious attention (or planning priority) to rehabilitation after conflict - understandable during the peak conflict demands but potentially deadly later.
6. Those which have given such priority (notably Mozambique and Eritrea) have had limited capacity to articulate, funds to launch test projects, or success at generating serious operationally oriented donor support infused with any sense of urgency.

Unless action is taken rapidly to close the gap and change these institutional realities the peace dividend in at least Mozambique, Ethiopia and the Sudan will be aid in corpses.

Intellectually livelihood rehabilitation programmes (especially the rural 80% or more) are relatively easy to devise:

- a. effective access to inputs including tools to re-clear bush and rebuild houses as well as to plant and till;
- b. basic household supplies (e.g. one or more buckets, so water collection is practicable) and inputs for fishing and - where central to livelihoods - livestock (i.e. core herds) as well as for crops;
- c. access to markets and - especially in early years - non-agricultural cash incomes;

- d. repair/reconstruction of basic rural works (transport, storage, health, education, water, administration buildings) preferably by seasonal, labour intensive methods contributing to meeting the access to cash income requirement;
- e. food until a semi-normal harvest can be brought in (rarely less than 9 months, often up to 20 and - if a drought or flood wrecks the first harvest - sometimes over 30 months);
- f. Restoration of basic services (primary health care, primary and adult education, pure water supply, relevant agricultural extension);
- g. Delivery of all of the above points accessible to rural residents (perhaps 1,500 in Mozambique versus 600 to 750 survival assistance centres.

Articulation is more difficult especially because it requires data available - at least to a large extent - only by participatory approaches which have, not surprisingly, not flourished in strife ridden areas. Institutional restructuring is potentially even harder because of lack of vision and institutional personnel's inertial attraction to status quo procedures and structures. Personnel constraints will require both mobilisation and prioritisation, but also innovation and using alternative approaches to avoid programmatic collapse. But the greatest obstacle as of 1992 is that there is no evident commitment of donors to convert maximum recent emergency survival level funding to livelihood rehabilitation for say - five years; to recognise the urgency of such a shift; or to accept domestic government and civil society leadership in programme design and articulation. Arguably, international NGOs are more attuned to rehabilitation than most external (and some African) governments, but usually by doing their own thing in their own functional and/or geographic corner (and often in very different ways) not by a coordinated mobilisation of domestic government/civil society and external donor resources to meet the overall challenge.

ANNEX 2

NOTES OF THE PARALLEL ECONOMY, CONFLICT & DISASTER RELIEF
IN THE POST-COLD WAR ERA

MARK DUFFIELD

Reginald Green's paper gives a good overview of the social and economic costs of conflict in Africa. In acting as a discussant for this paper, I will not attempt to summarise the enormity of these costs which, in any case, through the pioneering work of Green and others, are now gaining wider acceptance and familiarity.

To complement Green's paper, these notes look at the causes of conflict. More particularly, they are concerned to relate conflict to an underlying political economy. The international backdrop to this analysis is the dis-engagement of Western political and economic interest after an era of globally unprecedented involvement.

VIEWS ON THE CAUSE OF CONFLICT

In these notes, the term 'conflict' is loosely understood to mean international conflict.

There are two main positions. Firstly, a more recent view which sees conflict as resulting from economic necessity. Adverse enviro-economic conditions have led to a shrinking resource base which, in turn, promotes inter-group conflict.

Secondly, an older 'Third Worldist' view premised upon the struggle for political and social rights. Conflict is located in the dynamic linking the corrupt 'state' and the just 'people'.

Whilst these views can be useful in explaining certain aspects of conflict, they do not get to the root of the issue. To a certain extent, they both under-estimate what could be called the structural nature of conflict in Africa. Given an appropriate aid package, or a just political settlement, or both, these positions suggest that conflict will disappear. Experience suggests that this cannot be simply assumed and may, in fact, be more difficult to realise.

THE PARALLEL ECONOMY

That Africa is facing an unprecedented economic crisis and that nearly four decades of developmental aid has had minimal results is well accepted.

The concept of coping strategies has recently been developed to think through how the most vulnerable groups have so far survived this crisis. The principle underlying this concept, that is, that people are not passive victims but take a pro-active response to dearth, should now be extended to more fortunate and well established groups, indeed, to economies as a whole. In other words, how African societies have managed to continue, despite dire conventional economic indicators or even apparent implosion, suggests that economies themselves may have found the means to cope with what are otherwise impossible conditions.

Just as the idea of coping strategies has revived a sociological interest in how vulnerable people actually live, so the notion of a parallel or hidden economy relates to economies as they actually exist, not to a conventional model of what they should be.

KEY PROPOSITION

Encouraged, since the 1970s, by questionable neo-liberal aid policies into a reliance on raw material production, the formal economy has declined. In response, the parallel economy has grown increasingly important. So important, in fact, that fragmentation and conflict involving its operation and control has resulted.

THE DYNAMICS OF THE PARALLEL ECONOMY

The parallel economy, which has similarities with the second economy in the former Eastern bloc, has origins in the domination of the state. The developmental prominence given to the post-colonial state, and then in the various attempts to establish planned economies, were a big impetus to the development of a hidden economy.

The uneven introduction of restrictions and tariff barriers, for example, created a range of comparative advantage in relation to different commodities between different countries. It promoted the emergence of pan-African smuggling networks (e.g. animal products, hard currency, precious metals, etc.) of increasing complexity and growing significance in terms of their worth in relation to stagnating official GNPs. At the same time, conventional indicators continued to highlight an apparent lack of inter-state trade.

The corruption of official position is an essential requirement both to facilitate such trade and to link it to domestic parallel activity. In the Horn region, for example, a black market in hard currency sustained by the earnings of migrant workers in the Gulf has been important in the development of the regional hidden economy.

In the case of Sudan and Somalia, it has been suggested that if parallel activities were taken into account, the declared GNPs of these countries would have to be revised upwards by 40% or more.

DISASTER AS A SOURCE OF PARALLEL PROFIT

During the 1980s, refugees and the internally displaced became part of the hidden system in terms of the various means which have emerged to divert or recycle relief aid. As large-scale relief operations began to develop, the pegging of official exchange rates at an inflated level became a common ploy whereby the state was able to profit from disaster.

That disaster can be a source of profit for some is an important aspect of hidden activity which, although known during the Sahelian famine of the 1970s, is now gaining wider currency.

Conventional wisdom, for example, has pointed out that livestock prices fall in times of reduced food supply. During the mid-1980s, the response to this phenomenon was to call for early warning systems, food buffer stocks and other forms of intervention.

What was overlooked, to the eventual cost of such strategies, was that famine also has its winners. In the example given, as livestock prices fall, those middlemen and merchants able to buy at bargain prices gain from the situation. Since people are also powerful local actors, this comparative advantage can easily crystallise into practices that undermine effective relief and deliberately promote dearth.

In other words, the operation of the parallel economy has a direct bearing on the question of food security.

From this perspective, famine can become an occasion for asset stripping whereby the powerful gain from the vulnerable. Since this profit is often extra-legal, if assets are not consumed directly, the hidden circuits of parallel exchange provide an appropriate means of valorization. A good example here is the destocking by Arab militia groups of the Dinka of northern Bahral Ghazal c. 1984-1988.

AN EXAMPLE OF COMPLEX PARALLEL EXCHANGE

Parallel economies are complex and link both national and international circuits of exchange. In 1988, for example, illegal dollar remittances from Sudanese migrant workers were finding their way across the war zone of southern Sudan and travelling beyond.

Dollars traded on the merchant controlled parallel market in Khartoum, through links with the military, were flown by military transport to the besieged and encircled town of Juba. From here they would be taken by periodic military convoy to the Ugandan border. Sudanese merchants would then make their way into northern Zaire where dollars were traded for gold and coffee offered by Zairian, Ugandan and Kenyan merchants. The exchange rates used reflected fluctuations in the world price for these commodities.

Gold, coffee and other goods were transported to the border and taken back to Juba, again by military convoy. The public reason for these convoys was to move relief food. The fact that merchant goods always took priority, not only supported the smuggling network, it artificially sustained dearth in Juba to the additional benefit of merchants and military entrepreneurs. From Juba, the parallel commodities were flown by military transport, the only means available, to Khartoum for onward exchange.

This example indicates the extent and sophistication of such markets. An extensive circuit of exchange of this kind not only brings together a whole range of actors and bit players across international boundaries, at several points, at least, it articulates with the deliberate promotion of food insecurity for gain.

The parallel economies of Africa are comparable with the narcotic economies of South America.

CONFLICT AND THE PARALLEL ECONOMY

Within the framework of semi-subsistence, the physical survival of an ethnically defined group is synonymous with its political survival. Moreover, the building blocs of the parallel economy, its strategic resources, lines of communication, and so on, are often in the hands of such groups. As the formal economy declines, and the alternative means of survival are reduced, parallel activities become more important and extreme.

Since groups dominating the state can also control key aspects of the parallel economy, the contradictions inherent within the hidden system can take a number of appearances. These range from low intensity inter-group conflict, to antagonisms between groups and the state, as well as within the state itself. Since paral

lel activities are usually extra-legal, they are prone to the use of force as, for example, in the promotion of food insecurity and asset stripping. Such activities can become the mechanisms through which internal war is fought. Indeed, the logic of internal war necessitates either controlling or destroying strategic elements of the resource infrastructure.

The linking of physical and political survival, means that the use force frequently takes the appearance of gross human rights violations and attempts at cultural annihilation.

The significance of the parallel economy in Somalia, for example, was first documented over a decade ago. Even then, in what now appear as prophetic terms, its operation was predicted to lead to chaos.

Unless an attempt is made to relate conflict to an underlying political economy, many current developments in Africa appear non-explicable. At worst, as in the case of Somalia, the popular media casts such events as simply the work of mindless thugs.

NATIONAL IMPLICATIONS

Due to the operation of the parallel economy, conventional aid, unless of a magnitude hitherto not seen in Africa, will not automatically reduce conflict.

Aid, moreover, is not enough. If one takes, for example, the estimated private savings held by Sudanese abroad, Sudan is, potentially, modestly well off. That wealth which does exist in the parallel economy will not be put to the public good unless a process of political renewal creates the confidence and structures necessary to do so.

In some countries, this process has begun.

INTERNATIONAL IMPLICATIONS

The African crisis developed during the Cold War. Although hopes existed that its end would signal a general reconciliation, apart from on or two exceptions, this has not yet happened. As the mists of the Cold War have cleared it has tended that conflict, rather than an external construct, has a local dynamic.

2. Although this model has been developed in relation to Africa, developments in parts of Easter Europe and CIS have a similarity.

STRUCTURAL DECLINE IN WESTERN AID

In the last analysis, Western aid has always been (and always will be) a political tool. The developmental impact of the relatively limited amounts of Western aid received by Africa has been minimal. On the other hand, examples of unpopular, sectarian regimes, propped up for years by Western assistance are legion. The collapse of the Cold War has changed this situation.

Evidence suggests that aid to Africa has begun to decline and, lacking the political rationale of super-power confrontation, this trend can be expected to continue.

It should be noted that to reduce state subsidy in this way will possibly intensify the search for parallel profits.

CONDITIONALITY AND DISASTER RELIEF

The pattern of Western aid flow has been in a process of transformation since the mid-1970s. There are two important developments. Firstly, the linking of the continuation of development aid, although not disaster relief, to the need for good governance. Secondly, from this period, an increasing proportion of official aid was redirected away from the state toward NGOs.

By the end of the 1970s, the era of conditionality, initially in relation to structural adjustment, was underway.

Apart from political considerations, however, conditionality can be seen as a policy response to the fact that the Western economies have to enter a period of relative decline. As aid levels stagnate, the criteria for receiving aid become increasingly strict.

DISASTER RELIEF & THE DONOR/NGO SAFETY NET

By the mid-1980s, as the crisis in Africa deepened, western aid had begun to assume a neo-liberal two-tier structure.

Structural adjustment programmes were aimed at market reform. At the same time, a targeted donor/NGO safety net system had begun to take shape in the disaster prone countries. As relief sub-contractors, NGOs are essential implementing agents within the safety net system.

Whilst developmental aid had been reduced or cut in some cases, until the end of the 1980s Western donors remained formally committed to supplying humanitarian assistance through the donor/NGO system.

PARALLEL ACTIVITY & THE PROBLEM OF ACCESS

By the end of the 1980s, the major technical limitations of the safety net system had become increasingly known, at least to the NGOs. This realisation, however, tended to be obscured by the growing problem of gaining access to the victims of famine or conflict. Just as parallel networks were capable of promoting dearth they were equally effective in undermining or stopping relief programmes. Conditionality began to assume the appearance of confrontation.

THE REFORM OF THE UN

From the mid-1980s, beginning with the emergence of NGO led across border relief operations, the problem of access led to institutional responses which started to challenge the foundation of the post-Second World War international settlement: the inviolability of sovereignty. By the end of the decade, the applicability of the Geneva Conventions to internal conflict, the relevance of the UN mandates, and so on, had all been called in to serious question.

The reform of the UN had been placed firmly on the agenda.

The events of 1989 in eastern Europe accelerated this process. It was the Gulf war, however, which brought the question of the reform of the international regulatory system into the public realm.

THE EMERGENCE OF A NEW STRATEGIC BALANCE

The collapse of the Cold War has created the need to establish a new international strategic balance. The post-Second World War settlement was based on the principle that external peace took precedence over internal justice, hence the central place afforded sovereignty.

Current debate in the West has, selectively, reversed these priorities. The leading G7 industrialised nations, for example, following the experience of the Kurdish relief operation, have indicated that sovereignty is no longer an excuse for denying relief assistance. Moreover, that the UN should streamline and improve its disaster relief capability.

These moves have been supported by the NGO community.

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3. China opposes this trend. It supported the Gulf War because of Iraq's violation of Kuwaiti sovereignty.

CONDITIONALITY & DISASTER RELIEF

An important feature of these recent developments is that they have given a new dimension to conditionality. The collapse of the planned economies have added to those structural factors promoting complex/political disasters. At the same time, however, the availability of aid is stagnating. The result is that disaster relief, itself, has become conditional.

Raising donor support for African disasters has never been easy. In the last couple of years it has become more difficult. One can expect this trend to continue. The paradox is that continuing problems of access and human rights abuse, rather than provide a spur for intervention, appears to be having the opposite effect. That is of inducing 'donor fatigue'.

DISASTER RELIEF AS FOREIGN POLICY

Donors have realised that, in the more interventionist climate, high profile relief work can bring political dividends. Not in Africa however.

The donor/NGO relief contracting system, which was developed in Africa, has proven capable of international projection. In Iraq, for example, the donor/GNO relief system is part of the conditionality package ranged against Saddam Hussain. Whilst the Western donors are not prepared to support a major economic aid programme, the recent CIS relief as a means of cushioning price liberalisation. It is toward CIS and Eastern Europe, moreover, that Western political interests have dictated a redirecting of relief aid.

Unlike Africa, over the past, it has not been difficult to raise funds for these recent ventures.

THE ISSUES OF THE 1980s

The above analysis should suggest that decreased aid, although of limited impact in the past, could further increase the importance of the parallel economy and hence instability. The following measures would seem appropriate.

- a) The need to keep the situation in Africa on the donor agenda. Especially, the need for increased and more equitable assistance.
- b) To support the process of reform within the UN and, importantly, to ensure that reform creates structures which are even-handed and able to properly assist the victims of conflict.

- c) To support the emergence of democratic movements in Africa and to establish linkages between them and the process of international reform.

ANNEX 3

TYPES OF WARFARE AND FAMINE IN THE HORN:
COMMENTS ON JOHN RYLE'S PAPER

ALEX DE WAAL

I would like to augment John's paper by drawing attention to some aspects of the current situation in southern Sudan that have augurs for the future, and parallels with other conflicts in the Horn of Africa, particularly parts of southern Ethiopia and Somalia.

To start with, I will try to draw a distinction -- very rough and ready -- between three types of military strategy.

- (1) Conventional counter-insurgency strategy, for instance as practised by the Ethiopian army under Colonel Mengistu. This involves using large numbers of formally conscripted soldiers within a regular force, employed in conjunction with mechanised forces and air power, etc. It also usually includes the systematic enforcement of counter-insurgency techniques developed by northern armies, such as the US, the Soviets and France, which may include population relocation in protected zones and the systematic control of movement and trade.
- (2) "Irregular" counter-insurgency, that employs non-regular military forces as an adjunct to conventional forces. These non-regular forces may be militia or paramilitary groups organised and armed by the government, or may be self-armed groups acting in co-ordination with the government. The classic example of this is the "militia strategy" employed by successive Sudanese governments during the 1980s, which led to the sponsoring of groups such as the Murahaliin described in John's account of northern Bahr el Ghazal. These militias are partly free of central control and their use has attendant dangers; they are also usually not paid, and must raid and loot in order to provision themselves.
- (3) "Anarchy" or "chaos". There is in fact no such thing as pure anarchy; anarchy has structure. This will be illustrated with reference to Mogadishu below. What is here glossed as "anarchy" is the contending of different armed groups which fail to exercise any recognisable form of governmental control over territory or population. Such groups may have aspirations to government and legitimacy, but these aspirations are usually far removed from their actual actions, which are typically highly undisciplined.

They manifest the worst features of militia wars: lack of centralised control, and the need to fight to eat. In addition, they may be highly fissiparous.

To a certain extent, insurgency and counter-insurgency strategies mirror one another. The highly centralised and disciplined insurgencies of the EPLF and TPLF were both part cause and part consequence of the conventional counter-insurgency strategy of the Ethiopian army; the ethnic militia style of the SPLA had a similar relation to the Sudan government's militia policy.

My central contention is that we are witnessing a secular decline in the level and sophistication of military activity in the Horn of Africa -- and possibly in Africa in general. Governments are moving from strategy one towards strategy two, and strategy two leads directly to situation three, unless arrested by sustained political, economic and diplomatic action. There are of course exceptions to this trend: the recent rearming of the Sudanese army is a case in point. However, I think the general rule holds. The most striking example is the accelerated transition in Somalia from conventional counter-insurgency in the north in 1988, through irregular counter-insurgency based on clan militias during 1988-90, to anarchy in 1991-2. I fear that we may be seeing something similar in southern Sudan with the split in the SPLA and its likely severe military defeats over the coming months. In Ethiopia, the near-anarchy in parts of the east and south appears fortunately to be matched by a political commitment within the government to seek non-violent solutions to the underlying conflicts.

Anarchy is structured. This can be seen most clearly by looking at the current paradigm of anarchy: Mogadishu. This may unfortunately be a model for what is likely to happen elsewhere, and so deserves scrutiny.

The conflict in Mogadishu operates at four main levels:

- (1) The political level; the conflict of political agendas between Interim President Ali Mahdi and General Aidid. In some ways this political conflict is superficial, as there are no ideological differences to speak of. However, this is the level at which most diplomacy operates, and the level at which the political-military leaders and other politicised Somalis understand and articulate the conflict; for that reason alone it is very important. Sadly, international diplomatic efforts have concentrated almost exclusively on this agenda, which has contributed to their failure to date.
- (2) A commercial level. Most of the politicians are businessmen; most have lost part or all of their businesses in the war. Under such conditions, the only realistic

prospects for future commercial gain flow from holding governmental office. Holding office is, literally, a licence to print money; governments also receive foreign aid and can dispense contracts. This is why the symbols of "legitimacy" and "sovereignty" are so important, even though the country is in ruins: they are the key to making money on the parallel market. This is also why, despite the fact that Ali Mahdi controls only a few square kilometres of northern Mogadishu, his government is the largest in Africa, if not the world, containing 83 ministers.

- (3) A clan level. The war has taken on an ethnic element that, once started, is almost impossible to stop. For ordinary Somalis, perhaps the most important reality about the conflict in Mogadishu is that Ali Mahdi has the Abgal and the Murasade, and the Aidid has the Habr Gidir; and that all Hawiye are opposed to the Darod.
- (4) A basic economic level. There is no formal employment in Mogadishu and precious little informal employment. None of the soldiers are paid. To eat, they must steal food, or steal things to buy to sell food. This same lack of economic opportunities contributes to widespread banditry, consisting of both individual looters and thieves stealing for themselves, and organised gangs looting for profit, sometimes organised by powerful merchants with import/export interests.

This analysis reinforces many of the points made by Mark Duffield about the importance of the parallel economy in times of conflict. Struggle for control over the arteries of the parallel economy is itself one cause of the escalating violence, and as the formal economic and political structures disintegrate, it is only the parallel economy that survives.

All forms of warfare in the Horn have contributed to famine. The conventional strategies of the former Ethiopian government were instrumental in creating the repeated famines in that country. The irregular counter-insurgency of the Sudan government's militia strategy created a rather different form of famine in southern Sudan during 1986-9, and the anarchy in southern Somalia is creating a different form of famine again.

ANNEX 4

FOOD & FAMINE - TOOLS OF WAR IN MOZAMBIOUE

ALEX VINES

INTRODUCTION

Mozambique is a fertile country. It should not have difficulty in feeding itself; indeed it should be a net exporter of food stuffs. But in the famine of 1983/4 in the south-central areas of the country 100,000 died according to rough estimates. Since then food security has become an increasing nightmare for the country.

A second major famine hit Mozambique in 1987, on this occasion in Zambezia province, partly as a result of war. In 1992 the spectre of a third serious famine looms over the country. In a country where food security is characterised by a nearly complete destruction of food self-sufficiency of the rural population (5 million) and a 90% dependency on marketed and relief cereal needs. 1992 will be yet another chapter of disaster for the long-suffering peasantry. Millions of Mozambicans are now dependent on internationally-donated relief supplies.

THE CURRENT CRISIS

According to a Mozambican government statement earlier this month, the whole of the country, south of the Zambezi river, is now seriously affected by drought. Throughout the south and centre of the country the rains have been late (delaying sowing between one and two months), and even now are extremely irregular.

Rainfall in the six affected provinces has been between 30% and 70% less than normal. The situation is made worse by temperatures being higher than normal. It now seems that all grain needs in these six provinces will have to come from food aid. Total production in the country in 1992 is expected to reach only 400,000 tonnes, about 25% of total needs.

This new crisis comes at a bad time for the government. It is already suffering from a food deficit in aid pledged to it by donors between May 1, 1991 and April 1992 - some 400,000 tonnes of grain short. The government had requested 835,000 tonnes of grain and 151,000 tonnes of other foodstuffs to feed about 1.8 million displaced people and returning refugees, and the 6 million people who depend on the normal commercial network for their food. Because of the 1992 drought, emergency food aid may need to feed an additional one million people.

Even more aid will be required if a cease-fire is signed in the next 12 months. Food aid will be needed to feed returning Mozambican refugees from neighbouring countries as they start resettling into devastated rural areas.

In protocol No. 3, signed in Rome, on March 12th, both the government and Renamo "undertake to co-operate in the repatriation and re-integration in the national territory of Mozambican refugees and displaced people". Talks between the United Nations High Commission for Refugees (UNHCR), and the government began on March 20th, to discuss more seriously the practicalities involved (1).

Yet, although climatic adversity has played an important role in this disaster, a main reason for prolonged food dependency is the war. This paper will, therefore, focus on food security as an internal tool of war in Mozambique. The "conspiracy of interests" of international NGOs in Mozambique, and whether they consciously worked to "weaken, erode and by-pass the state", is left to Joseph Hanlon, the expert and author on the subject, to discuss further at this meeting (2).

GOVERNMENT

There is little direct evidence that the government has deliberately pursued a policy of creating famine. However, famine is in part a direct and foreseeable consequence of the Forças Armadas Mozambicana's (FAM) attempts to control the civilian population. FAM has forcibly relocated rural populations in areas suspected of giving the rebels support. A government officer explains (3):

"We do move people into protected zones. It is for their safety. Otherwise the bandits would make them feed them. In remote areas

we then destroy the fields - so that the bandits will not become fat".

A peasant farmer from Mabote in 1990 gives a different perspective:

"They say as well that they are regrouping us to protect us, but isn't it rather to hide themselves behind us during attacks?

So we are afraid of all men we come across". (4)

The government strategy has centred on protected villages and, more recently, on moving people to district centres and accommodation camps (between 1986/1988, 466 such centres were set up) for deslocados. Many of these are zones of government control in

a sea of insurgency. Without international aid they could not be maintained. Access to international food relief is

one of the government's greatest assets. The result of government relocations and the security situation is that local populations, deprived of their subsistence base, become fully dependent on emergency food aid. The war often makes the normal outlets for trade and migration impossible, causing a tense situation in the camps. When food relief is delayed these tensions get dangerously high. Food and nutrition levels are, therefore, frequently better in some Renamo areas than in the government accommodation centres.

GOVERNMENT ABUSES OF FOOD AID

Since 1990 there has been an increase in the number of reports suggesting that ill-fed and ill-disciplined army units have been robbing relief supplies. One recent example, from a March 5th radio Mozambique broadcast, gives an idea of what is becoming an increasingly common and serious problem (5).

"A group of Mozambique Armed Forces (FAM), soldiers stole 74 tonnes of maize in Gaza province in January. That maize was intended for war-displaced and repatriated people currently living in Chicualacula. That maize was stolen from a Mozambique railway (CFM)-south train. The FAM soldiers have said they have received no pay or food rations in a long

time. Chicualacula Railway Station Chief, Benjamin Pirame, who reported the problem, has also said that government soldiers were also responsible for the theft of another 23 bags of maize".

Such accounts are now common all over the country. The situation in Nampula province, in particular, continues to be of great concern, with government soldiers and militiamen disrupting the distribution of food aid, so that they could seize the food for themselves. Attacks on relief goods has forced one voluntary agency, German Agro Action, to suspend its operations in Nampula for the safety of its personnel. Following continued complaints from the NGOs and the local population, the government has opened an inquiry into military discipline and moral in the province.

Estimates for overall losses to the aid programs through corruption and the diversion of food aid are difficult to come by. During 6 months in 1989/90 there was a reported 2.9% loss of the 140,000 metric tonnes of relief food distributed by the Mozambican government, a loss rate considered 'acceptable' by the international NGOs. However, research by the European Community (EC) Food Security Department, in 1991, shows an even more

alarming loss (6). Government corruption in food aid distribution is becoming a significant contributing factor to the country's current relief deficit.

Food distribution in Mozambique is carried out by two state-controlled distribution systems:

- a) Free distribution for emergency purposes,
- b) Subsidised food distribution for urban and peri-urban markets.

The subsidised system functions through para-statal enterprises as receivers and wholesalers for the food aid, and through private retailers who have their quotas decided by government.

Since the structural adjustment programme was imposed in 1987, there has been a drastic devaluation of local currency and a sharp rise in demand for local currency - Meticais. The diversion of food aid to the parallel markets has become one of the greatest revenue earners. Some estimates claim that up to 75% of total subsidised food aid is now marketed on the parallel markets in the main urban areas.

Continuing food shortages mean that enormous profits can be made from diverting and selling food aid on the parallel markets in the urban areas, further preventing the bulk of emergency food aid from entering into the hinterland. Surviving aid destined for the hinterland is then further diverted to cover the food needs of the secondary urban and rural centres. Distribution in these latter areas is then meant to be determined by the local army and administration.

Subsidised food aid is distributed in the following manner:

- i) 10% is diverted in the port area and on the way to the first big warehouses of the para-statal enterprises. The beneficiaries are thousands of soldiers, militia and security men as well as the workers of the port and railway authorities.
- ii) 25% is officially distributed within the subsidised system at a price level which corresponds to about half of the parallel market prices.
- iii) 15% is diverted by all retailers included in the ration system and distributed on parallel markets in the neighbourhood of their shops. This diversion is facilitated because most families do not have sufficient cash to purchase their monthly ration at once.

- iv) 50% of all food aid is diverted directly from the parastatal enterprises to the parallel markets. Government officials issue authorisations to numerous retailers who employ, through middlemen, thousands of saleswomen (most of them with families with no formal income) to sell the diverted food to the final consumers.

An important consequence of these distribution systems is the generation of an annual commercial and personal capital wealth of US\$100 million in the hands of retailers of Indian origin (traditional bourgeoisie) and members of the party and government structure (new bourgeoisie). These profits are then mainly utilised in luxury consumption and capital flight.

The failure of food aid to reach its targeted destination brings additional suffering and constant insecurity to areas which need not suffer. Two-thirds of the population earn such a low income in the urban areas that they are only able to cover 64% of their calorie and protein needs. Besides this, 60% of their income is earned informally, especially by selling on parallel markets and stealing. The other third is obliged to dedicate part of their activities to alternative income opportunities. As a result productivity in the formal and informal sectors is extremely low.

SCORCHED EARTH POLICY

The government's counter-insurgency in Zambezia throughout 1987, with assistance from regular Tanzanian army units and Zimbabwean special forces, involved large-scale population displacement. Since many areas had come under Renamo's rudimentary administration, these facilities were destroyed and the food production systems had fire put to them. These tactics contributed to the 1987 famine, Renamo can not be fully blamed for the famine. As will be discussed below, Zambezia is a critical area which both sides need to control.

One other important purpose of recuperation for the army is the looting of food and goods to sustain itself. The army also feeds itself by making forays into the large no-man's lands around its garrisons. Cassava, in particular, is sought after.

The operations in Zambezia province in 1987 resulted in an increase in brutality as Renamo, government and allied forces herded civilians into their respective controlled zones. This is why such a large influx of refugees went to Malawi in this period, trying to escape either or both sides.

Scorched earth policy was worse in the province, in 1990, when it led to large numbers (thousands) of famine deaths amongst the people brought into the towns. This was because the towns could not provide adequate food or health care. Aid agencies,

particularly World Vision, at the time protested openly and privately about this situation. Since 1990 the situation has improved in Zambezia.

It should, however, be emphasised that only in Zambezia is there tangible evidence that government used mass destruction of crops as a weapon against Renamo.

Government garrisons in many areas remain poorly fed, often neglected for months, even years. In such a situation it is not surprising that abuses of food aid take place, particularly in areas surrounded by hostile rebel activity. Neglect and low morale amongst many garrisons have contributed to rebel gains in government trying hard to increase the number of new conscript, the 1992 compulsory military service campaign has again been extended because of low turn out.

This situation is unlikely to improve until there is an end to the fighting. Large scale food relief to government military garrisons is not an acceptable international relief option. As in Angola, provisions for demobilising government forces so that they can receive food aid in the demobilisation camps once a cease-fire is signed have been discussed by both sides at the peace talks, in Rome, with their aides. These details will become clearer when the eleventh round of peace talks get underway, in Rome, at the end of April for Protocol No. 4.

RENAMO

The first account from Renamo itself about its tactics related to food was given by its first President, Andre Matsangaissa in late June 1979. Matsangaissa in late June 1979. Matsangaissa gave a vivid depiction of the movement saying (7).

"We are not interested in policy making ... later we will have to work out politics, but first communism must go from our country. it is killing us, we have to kill for everything we want. We kill for food, for pills, for guns and ammunition. We have not enough guns for all our recruits and many are armed with knives, sticks and even bows and arrows. Whenever we can assist the locals with food, seeds or whatever medical supplies we can obtain, we do".

This was very much the way Renamo units operated in the early years of the war. An early South African training manual, which taught how to ambush, retreat and where to leave Renamo propaganda, also advised "units to live off the land" by capturing supplies and destroying anything remaining so as to deny it to the enemy (8).

When it was under Rhodesian management, Renamo appears to have been encouraged to operate an embryonic "hearts and minds" campaign in 1978/79, in the Sierra de Gorongosa. The Lancaster House Agreements and the transfer of operations to the Republic of South Africa in 1980, seems to have ended these attempts (Phase II).

Phase II Renamo bases of Sitatonga and Garagua relied heavily on logistical supplies from South Africa. This support came from the South African Defence Force (SADF) bases of Phalaborwa and Skukuza in the eastern Transvaal. Latrine and kitchen middens from both bases, provided ample proof of the level of support Renamo was receiving at this time from South Africa. Raul Domingos, Renamo's Secretary of Organisation claimed at a London Press Conference, in February, that only 35% of Renamo's logistical support came from South Africa. For these very early years at least, the claim must be hollow.

By late 1983, Renamo insurgency expanded rapidly throughout many areas of Mozambique. As one SADF official involved in its running recently admitted (9):-

"By mid-1983 we found Renamo could not be easily controlled. You give these fuzzy wuzzies some freedom and they do their own thing. We still had influence, they needed us, especially when things went bad in the bush. But they spread far beyond our own plans for them - only Munts (Africans) could create such violence. I guess Ken Flower's right, a monster out of control".

With the N'komati non-aggression pact between the Mozambican government and South Africa in 1984, Renamo operations entered a third phase. South Africa disengaged further from Renamo and advised them, in particular, to destroy the economic and social infrastructure rather than more hazardous military targets. There "soft" target included railways, bridges, trucks and shops. Captured Renamo documents, from 1985, reveal South African advice to Renamo, to destroy the rural infrastructure and target expatriate workers providing development assistance.

One of the most devastating effects has been Renamo's obstruction or diversion of famine relief.

- In 1988, 40 trucks were destroyed and 23 drivers and assistant drivers killed.
- In 1989, 37 trucks were destroyed and five drivers killed (10).

The EC relief programme continues to estimate that some 105 of its relief effort is lost in Renamo attacks. Such Renamo operations continue. Denial or manipulation of food aid is seen by

Renamo commanders as a way of making people support Renamo. A senior Renamo official recently confirmed such thinking by saying (II):

"Food is a tool of war, we use it to make strategic gains, but so does the Frelimo marxists! The key to our success is that our forces fight on full stomachs. Frelimo is the word for hunger - the people know this and join us. The ancestors are well fed by us too. This gives us strength and fertility: we are winning, Frelimo has none of this".

Joseph Hanlon, in the early 1980s, obtained accounts from peasants of Renamo introducing itself into new areas by giving a party and serving stolen food (12). Renamo also selected, for attack, traders who had cheated the local population and also corrupt government officials. When a shop is sacked, some goods are usually redistributed to the local population. To give only one example, when Luabo was first captured in 1985, Renamo used the captured land-rovers and tractors to transport some of the booty to the surrounding villages for distribution amongst the local population. In Nampula province Renamo appears to refrain from attacking the agricultural marketing network until after the peasants have sold their crops.

Ken Wilson has also noted that, in Milange in 1984/85, Renamo also attacked people in areas under government control, stealing their food and distributing it to their own areas in order to make people come over and join it.

One cannot generalise about Renamo's operations from 1983/84 onwards. Continuing research shows that Renamo's treatment of the populations under its domination varies considerably. According to the accounts of Mozambicans who have experienced it, Renamo's administrative set-up can be classified according to geographical, logistical and local political factors. Robert Gersony categorised them as (13).

- i) "Tax Areas"
- ii) "Control Areas"
- iii) "Destruction Areas"

Categorising Mozambique under any of these labels should continue to be made with caution, given the fluidity of the insurgency. However, it is becoming clear that in each "category" a different strategy towards food security can be defined.

Let us take "tax" areas for example. These equate with much of Renamo's dominated territory. Their main function is to produce food and services for the organisation. In these areas Renamo frequently only imposes tribute demands on the local population; sometimes no more than previously demanded by head-men or chiefs.

Research, in Zambezia by Ken Wilson, suggests that tribute demands were a day a week on food production for the rebels in some districts. This taxation was ordered, the Renamo administration being created to collect it. It was also charged according to the ability to pay. Frequently this was sufficient to generate resentment.

Forced portorage labour was also a great problem for food production in these "tax areas". It meant that the food production network often suffered as the healthy were co-opted by Renamo combatants into military portorage. Since Renamo's destruction of the marketing system threatened basic commodity supplies and labour to produce food was limited, people in these areas had to often travel long distances to Malawi to buy supplies, at poor exchange rates. This made them even poorer.

In the "control" zones the rebel presence is more visible. For example, interviews made with refugees, in 1985 from Gorongosa district (Sofala), suggests that Renamo did attempt to set up an alternative administration, with crude health clinics and even some schools. In many cases these were poorly resourced, poor replicas of the government system which Renamo had deliberately destroyed. It appears that a similar more sophisticated system was created in western Zambezia, in 1985/86.

Any Renamo administration remains dependent on success in the war for any element of a benign approach to the populations under its control. Being fundamentally a rebel military organisation with little ideology, it is constrained in how sophisticated it can become. Military logistics, like changing battle-fronts and the need of air-cover, have played important roles in effecting rebel behaviour. In central Mozambique quite sophisticated settlement patterns developed in rebel areas before 1985, (these can be picked up with remote sensing and Satellite imagery from the period and are confirmed by refugee accounts). For example, Gogogo base (Sofala) as a subsidiary to Casa Banana headquarters, possessed a clinic, school and extensive area of cultivated fields. Civilians were required to work in these fields two days a week for which, in return, they received the very limited services on offer. Luxury items came from Casa Banana and were given only to combatants and Renamo officials. No individualism (except religion), was permitted. When special meetings took place at Casa Banana, Gogogo was required to provide labour and food. At times this meant that the civilian population had to starve (15).

With Zimbabwe's full entrance into the war in 1985 Renamo faced additional threat from the air. The large bases fragmented, the key ones being moved to more inaccessible locations such as marshes or caves in the top of Kopjes. Food security for resident populations in Renamo areas deteriorated considerably.

As these areas came under military pressure, Renamo forced many villagers to enter into portering duties or forcibly relocated them. Food production areas also came back under government control making Renamo tax the local populations, remaining in its zones, more forcibly. From 1985/86 whatever support Renamo had gained was replaced, as a result of its politics, by growing ambivalence. As one refugee from the area said, in 1989:

"All soldiers want our food and daughters".

The experience at Gogogo base is part of a recurrent pattern in the Mozambican conflict. When Renamo comes under military or logistical pressure, it becomes more authoritarian and repressive (16).

Some logistical aid is still reaching Renamo from South African and Kenyan sources. Indeed there is now some "non-lethal" aid coming from western nations with the reluctant blessing from the Mozambique government. These are given under the guise of "facilitating" the peace process, or Renamo "confidence building". However, it does not equate with the levels given in the past by the South African Military intelligence. One SADF official described the post-1984 operations as (17):

"giving them a helping hand. The MNR are an asset, we could not just drop them. What we did was stoke them up with a drop or two when they looked in danger of fizzling out. Easy for us, and kept Frelimo on its toes".

It is a chilling remark, reminding one of the suspected stoking up that the "Hidden Hand" is doing in the South African townships to destabilise transition. Like Mozambique, township violence derives from a mixture of indigenous tensions and grievances, exploited and manipulated by die-hard extremists in the security forces.

These drops, mostly by air, were only occasionally food supplies, and then only luxury items for rebel leadership. Secret South African Submarine drops near Mozambique island, in 1987, appear to have included several consignments of Carling Black Label according to local observers. Several Renamo commanders prefer this to any other beer, including the late Calisto Meque (18). But generally Renamo has had to feed its combatants from booty, food aid and the produce from its tax and control zones.

Food security dictates military strategy and, indeed, has contributed to the timing and progress of the ten rounds of peace talks so far.

FOOD SECURITY & ITS EFFECTS ON THE PEACE PROCESS

Food and its availability are critically important for Renamo. As one Renamo official admitted:-

"Our soldiers come first, they are fighting for freedom"
(19).

Probably the best example of the importance of food security for the rebels is the history of the neo-traditional movement Naparama (Barama) in Zambezia.

Naparama was a volunteer militia army, led by a 28-year old traditional healer called, Manuel Antonio, who claimed he had a special magical powers that could protect his followers from Renamo. Belief in his power grew so quickly that, between March 1990 and March 1991, he and his 20,000 warriors were able to advance into Renamo dominated territory and free it. In this way many Renamo camps were captured and hundreds of Mozambicans freed, the rebels having fled convinced that it was futile to fight against the spiritual protection given to Naparama's followers by magic.

A vicious series of events took place, clouded in secrecy and magic, but based upon logistical necessity. Control of Zambezia is essential if Renamo is to negotiate a cease-fire from a position of strength. The province's fertility makes it the breadbasket of Mozambique. In 1986/87, the rebels set up, in many areas, a food production system based on taxation and labour to exploit this potential. This posed a serious threat to the government, and provoked a vicious and successful scorched-earth policy, by the army, to deny Renamo access to supplies by making any areas uninhabitable. A large percentage of the one million refugees, now in Malawi, fled this callous tug-of-war for control of Zambezia. By 1989, Renamo had to partially retreat and rely on other less fertile areas for food production. But with late rains and crop failure in 1990, it needed the lush and fertile land, because it also wanted to develop a constituency of support for its bid for power. Density of population in Zambezia made the province more attractive.

In March 1990 a crack Renamo unit, the Grupo Limpá was sent north to win over control of Zambezia. By August 1990 very serious fighting was taking place, with Renamo leader, Afonso Dhlakama, leading military operations in Zambezia against Naparama. Between August 9th and September 19th, Dhlakama remained in the bush out of touch from the mediators fighting. A late August Renamo statement ruling out more peace talks until (improbable) conference on southern African peace was held, was designed to give Renamo time to make the military gains it needed.

Renamo's September 19th recapture of Lalaua marked the beginning of the end for Naparama. It demonstrated, beyond doubt, to the local residents that "Naparama's magic was not as strong as the Matsanga" (Renamo). Once Naparama had fragmented, Dhlakama could feel confident about participating in the peace process, knowing his forces were once more making gains throughout Zambezia. Indeed it was after Lalaua that, in secret talks in Malawi with Italian and government mediators, Dhlakama agreed to compromise and enter the peace process seriously. By December, Manuel Antonio was dead, killed by Renamo; Dhlakama had toured Europe and two protocols on peace had been signed in Rome (20).

Many areas of Zambezia remain under Renamo domination and some surviving Naparama units are now in loose alliance with Renamo.

Renamo, having strengthened its grip again on Zambezia, is hoping to build up a constituency of support. Hoes and seed obtained in Malawi have been distributed, as has captured food supplies in certain areas. It is clear that access to food supplies and the patronage linked to access and distribution are recognised, by the rebels, as important in their attempts to win support from the increasingly ambivalent peasantry.

It is interesting to note that in his visits, to the ICRC in Geneva and his meetings with western diplomats and officials in 1991/92, Dhalakama has focused on obtaining agricultural, educational and electoral assistance. However, reports coming out of Zambezia at present suggest that because of the serious drought, south of the province, Renamo has dramatically increased its tax demands on peasant food production, causing great hardship.

Renamo also blames natural disasters on the Mozambican government. In a letter to Tel-Evangelist, Pat Robertson, in November 1986, Dhlakama writes:

"realise that the calamities of the past 10 years have not been accidental, they are direct results of an atheistic system. We in Renamo attribute our growing victories in our struggle to liberate Mozambique to our faith".

Renamo has been quick in many areas to blame famine and illness on Frelimo and its "evil spirits". Refugees speak of strange rituals being used in times of famine in Renamo areas - droughts and crop failures being blamed on Frelimo magic. Fertility of the land and food production remain a critical consideration both in secular and spiritual spheres of Renamo's operations. (2).

Maputo and Gaza provinces are "destruction" zones. Renamo officials have admitted as much. But they also add that:

"One problem is that people now believe we are behind all attacks. We do not have the capacity to do this with our forces. The attacks against civilians are by Frelimo and other forces. It is true that we have lost control over some forces, they do not like our disciplined and responsible way of operating". (22)

Dhlakama echoed this point, in November, when speaking to Portuguese NGO's and more recently, in March, to a western diplomat in Rome. The argument may be partly true, but it must be remembered that in the south is, as one Renamo official explained,

"the land of Frelimo, we have few friends there". This would also explain the high levels of violence in these southern areas. (23)

These destruction areas are also those in which the seemingly wanton destruction of food stores and food aid convoys occurs. Reports from the south and along the Tete corridor, in 1991, describe vehicles full of food aid being burnt rather than the rebels removing the cargoes first. Conspicuous displays of the destruction of food are used by Renamo as powerful symbols of its destructive capacity and not just, as Renamo claims:

"To stop food reaching enemy positions".

In several incidents there was time and sufficient porters to remove the bags of rice and maize if the rebels had wished. As with the conspicuous consumption and ritualised brutality, - the public destruction of food aid is a deliberate and effective weapon of war. Sending a very vivid message to the thousands of hungry deslocados waiting for food relief to arrive in their accommodation centre, it is very effective in eroding morale. As an old man in Derre (Zambezia) in October said (24):

"Renamo keeps us in Derre like an animal in a sack; anyone leaving the security of the town for food or to open farms at the rains start is liable to be killed or kidnapped. Four of us were killed yesterday and eight this morning".

The people in Derre, as in many other areas of Zambezia, must choose between starvation and Renamo. Only World Vision airlifts of emergency food avert full scale starvation.

THE OFFENSIVE ON THE TOWNS

Renamo has launched a large-scale offensive on the towns from December, aiming to instill further insecurity in the urban areas and to erode, thereby, confidence in the government's capacity to govern. Some members on Renamo's National Conference still believe that Frelimo will collapse under military pressure, and that Renamo will gain power as a result.

The international community is concerned that this does not happen. It hopes to suck Renamo into the peace process so deeply through continued strategy of pressure "sticks" and incentives "carrots", that it will be difficult for the rebels to disengage from it. Similar tactics contributed to bringing about the Bicesse agreements, which ended the 16-year old civil war in Angola, in May 1991.

Renamo's response has been to increase raiding as the peace process continues. Renamo believes it must capture as much territory as possible before signing a serious cease-fire agreement. As in Angola some of the fiercest fighting to the war is likely to take place in its final months. But there is another reason, which is the drought in the south has forced rebel units into further raiding. Booty-rich locations in the rural areas continue to diminish after so many years of conflict. Since December 1990, Renamo strategy has been not to raid across Zambian or Zimbabwe borders, thereby further limiting possible targets; Renamo units are, therefore, increasingly attacking suburbs, especially the "Zones Verdes" (market gardening areas) of the main urban and semi-urban areas. In January 1992, there were 71 attacks on Maputo alone (some of these attacks are government renegade forces), mainly for food and supplies, although propaganda was also left. As long as the drought continues, this type of attack will increase. (25)

DEMILITARISED OR 'PEACE' ZONES

This idea has come up again in response to the current drought in Mozambique. The ideas are not new. Neutral relief corridors operated in Angola and Ethiopia during the conflicts there with varying degrees of success.

In Mozambique such ideas have been circulating since the mid 1980s. The first move in this direction was by the ICRC. In 1988 the ICRC obtained the government's reluctant permission to fly relief, by scheduled flights, along predetermined routes to recognised airstrips within Renamo dominated territory. The flight arrangements were transmitted to Renamo via Tom Schaaf and his Mozambique Research Centre (MRC), in Washington D.C., until 1990 from ICRC headquarters in Geneva. The MRC supplied Renamo

with solar-energy battery chargers, lap-top word processors and printers which could be linked into TR-48 radios for the purpose. (26)

In June 1990 , the ICRC tried to expand this by lobbying for international support for setting up "natural safe zones" in Renamo areas, on lines of the Kurdish model in Iraq. This came to nothing because of the cost and the international understanding that conflict in Mozambique bears no similarity to events in northern Iraq.

This was followed in, October 1991, by Dhlakama announcing that his forces would no longer attack the Limpopo corridor (in fact, they are still attacking it). In November, Dhlakama followed this up by suggesting that the border town of Ressano Garcia could be treated as a "peace zone", as long as the government also demilitarised the town. If successful, other peace zones would follow. Nothing further has happened. (27)

Neutral areas in rural Mozambique do nevertheless exist, but only between local neo-traditional authorities and the warring factions. In return for payment Renamo also stopped attacking the Nacala line in August 1990 and, since February 1991, the Cahora Bassa power lines. There are even accounts of local Renamo commanders making local agreements with Frelimo or Zimbabwean units not to fight the other.

The central government in Maputo is only now beginning to think about neutral relief corridors. The seriousness of the drought and the government's weakening military strength have contributed to this change in thinking. Jacinto Veloso, minister for Co-operation, on March 11th voiced this change in thought by saying that he could see "no objection" to the concept of neutral relief corridors. However, the government continues to hold reservations over how it would be put into practice. It is likely that these "corridors of peace" will be discussed in the eleventh round of peace talks when they start again in late April.

The government's greatest concern is how to monitor such an operation, so that Renamo combatants did not obtain access to the relief supplies, thereby strengthening their war effort against the government. ICRC distribution of relief aid in rebel areas is, as the officials themselves concede, "not fool proof".

Renamo is also taking an interest in "peace corridors" for relief because many of its dominated areas are seriously affected by drought. The increasing numbers of peasants moving out of Renamo "dominated" territory since January, raises problems for the rebels too. During the seven week "holiday", which Dhlakama claimed his negotiating team needed in Gorongosa following the

end of the tenth round of peace talks in Rome on March 13th, Renamo's National Council will meet to discuss its response to this development.

Renamo cannot afford to lose large numbers of people from its areas of control or influence. It needs them for production, portering duties and as potential voters in any election. Yet using force to retain them in a situation, which will only bring starvation, will further erode support. As a peasant entering an accommodation centre described in February: (28)

"There is little food with Matsanga now. What food we have, they take... All soldiers are the same. We are here to escape the hunger that kills".

As more people move into the government sphere again for food, access to international food aid is becoming an important asset. The government has gained a tactical advantage from this. Whether it has the capacity to capitalise on this remains to be seen.

Recent reports for Angola underline how important access to food aid will be after a cease-fire is signed (29).

There appears to be a gross over-supply of food in areas around UNITA's HQ at Jamba (Cuando Cubango prov). UNITA is apparently using this UN food aid to keep the refugee population under close control - thereby violating the terms of the Bicesse agreements.

UNITA is also making relief distribution in surrounding areas difficult, and insisting that all aid is distributed by UNITA officials. This maintains peasant loyalty to the movement (potential votes) and discourages peasants from attempting to return to their home areas to restart subsistence farming. Following good rains this year these peasants could, if allowed, be self-sufficient in food within a year. Setting up monitors and safeguards against similar abuse in Mozambique is vital. Vital, if an end to conflict in Mozambique is to be lasting.

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ANNEX 5

THE POLITICS OF FOOD AID TO MOZAMBIQUE

JOSEPH HANLON

1. WITHHOLDING FOOD

In 1979 there was a sever drought in Inhambane and Gaza provinces, but a successful government-run and donor-supported relief effort ensured no one died. In 1982 the rains failed again, and in January 1983 Mozambique appealed for food aid for the same zone, pointing to a complete crop failure. But food aid pledges fell.

why? Because Mozambique was a target of South African backed destabilisation, and food was a weapon of war. One prominent South African academic had proposed curtailing food "to cause serious hardship to the population, who would in turn direct their frustration and fury at the target's regime". South African-backed forces destroyed peasant food stocks and attacked relief lorries in Inhambane and Gaza. It was, one US official admitted privately, "a man-made, South-African-made famine". But this was at the height of the cold war and the US backed South Africa against Marxist Mozambique; famine was a weapon in that war and donors would not take sides. The World Food Programme insisted its food not go to Inhambane and Gaza, where it was most needed. Another US official told me "We made clear to the government of Mozambique that our food aid is political. There are always conditions on aid". Mozambique had to "turn toward the west". It did so, and by December aid, that had been requested in January, was being flown in. But not before 100,000 people had died.

Donors again used food aid to put pressure on Mozambique in late 1986, when South African-backed Renamo forces combined with drought to cause hunger in Zambezia province. Mozambique was seen to be dragging its feet in talks with the World Bank, and there was a donor strike. Mozambique agreed to structural adjustment on January 14, 1987, and aid poured in; food aid pledges in 1987 were double in 1986.

2. WHO DISTRIBUTES FOOD

One US condition in 1983 was that Care be involved in food aid on the ground. Care wanted to distribute food itself, but the government said no. As a compromise, Care was to help set up a logistic Support Unit for food aid distribution within the government. In a total reversal of traditional tables, the capitalist US backed Care's demand that a new, totally state-run, parallel system of food aid be created, in opposition to Marxist Mozambique's efforts to use the private sector and integrate food

aid distribution with the commercial network. One effect was to weaken agricultural marketing and make people permanently aid dependent.

Under its contract with Mozambique, Care was to set up proper accounting systems and train Mozambican staff to run them. Two official evaluations showed it consistently failed to do so - indeed it did not even set up a formal training programme. Donors demanded that other agencies should help the government of Mozambique to do this, but the US embassy successfully (until 1990) backed Care's claim that it had an exclusive contract. In an unprecedented series of reports, donor and Mozambique government criticism of Care became increasingly public. Care-organised record keeping was so poor that it was impossible to track food aid. The US also admitted it sent food to the commercial network in bags labelled "not for sale", which made it virtually impossible to track food.

Meanwhile, IMF imposed structural adjustment meant that government salaries were not high enough to survive on. Corruption was the inevitable result of low wages and poor record keeping. It remains impossible to distinguish between the two. The US and the EC then began to campaign to allege that corruption was so great that food aid should be distributed not by the government, but by conservative (and normally church-linked and anti-Frelimo) non-government organisations. Some reports by the US and others were manifestly false; for example, the US alleged that food, which had gone to Maputo province and for which there were accurate records, had been diverted because it was not in the records for Maputo city; despite government complaints, it never published a correction.

Clearly corruption is serious and growing. But the US created the conditions which fostered and encouraged that corruption, and now exaggerates the scale and impact of that corruption.

REFERENCES

These are strong claims, and it is not possible to document them in two pages or a short talk. Full details, including tables showing grain pledges and deliveries, as well as references to documents, are contained in **Mozambique: Who Calls the Shots**, by Joseph Hanlon, James Currey, (£11.95) in bookshops or direct for the author:

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ANNEX 6

ERITREA: PROBLEMS, OPTIONS & PRIORITIES

BERHANE WOLDEMICHAEL

INTRODUCTION

Eritrea faces a very daunting task. Thirty years of war and the successive droughts of recent years combined have left the country with such socio-economic devastation that nothing less than the most considered programme, and determined effort to guarantee its implementation, will be needed to reverse what seems a hopeless situation. Last November (1991) I went to the part of Eritrea I come from after many years of living in exile, and I would like to share my experience with the participants of this conference. What I found this time, compared to the period when I knew it before, was quite shocking, to say the least. As will be described below, I hope I will be able to impress the participants of the conference of the real problems in Eritrea and the need for immediate intervention by all concerned. But I should like to believe that any move to support Eritrea at this very crucial stage of rehabilitation will be based on an honest ground of co-operation with the Eritrean authorities. The Provisional Government of Eritrea (PGE) has declared an all out war against hunger, and I think all humanitarian organisations have a moral duty to respond. Concurrent with the war against hunger, the PGE has also declared an economic programme that would make Eritrea self-supporting. Eritrea has the potential and the will to achieve this goal and one hopes that it will receive all the assistance it so desperately needs to implement its programmes. However, even at this desperate moment I would argue that Eritrea should never compromise its overall developmental principles. In many of the developing countries where the "driving seat" have been taken over by donor organisations, the evidence is that aid has done more harm than good to those countries.

BACKGROUND INFORMATION

Eritrea lies in the extended Sahelian belt of Africa. Eritrea is customarily broadly divided into three main physiographical areas:

- 1) The dega (highland areas), which lie above 2,000 metres in elevation.
- 2) The Weine-dega (midland areas), which lie between 1,000 to 2,000 metres.
- 3) The gola (lowland areas), which lie below 1,000 metres.

The occupational activities of the rural population of Eritrea have been conditioned by the geographic situation of the country (see appendix 1.) and comprises of the agricultural, agropastoralism and pastoralism.

1. Agriculturalists:

The agriculturalists exclusively occupy the highland and the midland areas of rural Eritrea. Agriculturalists are sedentary farmers whose livelihood depends primarily on the cultivation of crops.

2. Agropastoralists:

They are largely (73%) found in the lowland areas. Crop and livestock husbandry are both essential to their livelihood. They live in permanent homesteads, but seasonal movement in search of pasture is common, mostly involving some members of a household only.

3. Pastoralists:

They represent about 6% of the total rural population of Eritrea and are wholly lowlanders. Pastoralists do not live in permanent homesteads and livestock are their primary means of livelihood.

An EPLF survey (1) in 1987 estimated the rural population of Eritrea to be 2.4 million. This estimate did not include the many - more than a million according to some estimates - who fled the country to take refuge outside their country. The population of Asmara, the capital city, is estimated to have soared to about half-a-million over the last few years because of the war situation. The other towns of Eritrea combined would probably account for about a quarter-of-a-million people, which brings the total population of Eritrea to just over three million. If the Eritreans in diaspora were to be included, this total figure would be in the region of four million.

CURRENT REALITIES

AN EYE WITNESS ACCOUNT OF VILLAGE-X

I have a vivid memory of village-X from the time I lived there until the age of sixteen. Like all the villages in what is generally known as highland Eritrea, village-X is an autonomous and self-contained social and political unit. It has a well defined boundary and administers its territory by a mechanism of communal control. The village land is allocated to different uses and is regulated by a complex set of rules and regulations

that every village member must abide by. In the main, village-x's land is divided between farm-land, woodland and pasture-lands.

During my time in the village, the woodland area, mostly comprising of a range of mountains, was covered with trees and shrubs and with thick forest in some parts. The range of mountains was also the residence of a variety of wild animals, and hence was a favoured hunting ground for the well-to-do Italians residing in Asmara at the time. Below the range of mountains is a vast fertile and flat stretch of agricultural land. In a good harvest year, this land will produce all the crop requirements of the village community. The month of November, as I clearly remember, was normally an exciting and busy time for the farming community, who would be engaged in harvesting their crops. Some crops of the legume family, for example chick peas, are sown late as they do not require as much rain, and hence some farm-land will also be green during this period. This period was also a time of plenty for domestic animals with the freshly harvested fields serving as pasture lands.

In contrast to what I have described above, the same village-X that I had known some thirty years back is quite a different village now. The scale of environmental degradation that has occurred in that part of the world is hard to describe. The trees and shrubs that once covered the woodland areas have all gone. The extent of the erosion that has taken is such that hardly any top soil is to be seen on the face of the mountains. Instead, exposed stones are all that cover the once woodland area.

I purposely planned a visit to Eritrea, in November, hoping to see the harvesting activities which to me was the most fascinating period of village life. Unfortunately, my hopes were dashed. There has not been sufficient rain in that part of Eritrea for the past ten years. In the last rainy season, hardly any rain fell and, as a result, farming activity has come to a halt. The farm fields were bare, dusty and brown which was a sad scene at what should normally be a busy harvest time.

A spectacle of village life, when I was part of it, used to be in the early evenings as the animals returned from grazing and the mothers met their young ones. The village has lost most of its animals which have either been sold, eaten or have died because of the drought. The few that are left are mostly pack animals (donkeys) that freely roam the village, even during the night. The free roaming of the animals struck me as most unusual, because they used to be herded in before the fall of darkness for fear of attack by hyenas. The disappearance of the scavenger hyenas is in itself an indication of the ferocity of the drought affecting the area.

The life of the community is now wholly being sustained by external help - contributions from family members living in towns, or abroad and from charity hand-outs. There has been an understandable despair among the village community in the last

few years. Not only was the village community bearing the full brunt of the drought, but also severe repression from an occupying Ethiopian military force that was venting its frustration on the village community as it started to lose its grip on Eritrea with the intensification of the liberation struggle.

THE IMPACT OF THE WAR ON VILLAGE-X

The stories I heard, the accuracy of which I do not doubt, as they were told to me by people to whom I am closely related, are too repugnant to give the details of here. However, I gathered that the many villagers who died from famine related illnesses, at the height of the drought in 1984 and 1985 and again in 1988, would have survived had it not been for the fear of the Ethiopian army which made the community virtual prisoners and hence unable to move about in search of help. Village-X is only about 18 miles from Asmara, the capital city of Eritrea, but the Ethiopian Army presence was everywhere and not many villagers would venture to go there lest they put their lives at risk.

As the Ethiopian Army became more desperate in the last few years, remaining in your own village was no guarantee of safety. In fact, the closely knit villages became convenient targets for exploitation and control. Under Ethiopian army occupation, the village chief was not one chosen by the village community in the traditional democratic way, but implanted by the Ethiopian government. His task became not to mediate on village affairs, but to command obedience through indiscriminate terror. Every now and then the Ethiopian army was raiding the village and pillaging for food; rape and forceful conscription to the Ethiopian army had become a way of life. Any one opposing the army moves would be given on the spot judgement which was usually execution by shooting. Dawit Wolde Giorgis, one time Mengistu's military governor of Eritrea, has confessed the impact of Ethiopia's rule in Eritrea. In a book he wrote after his defection, he admitted that, between 1975 and 1983, some 280,000 civilians died in the war in Eritrea (Giorgis, 1983:113).

MEASURING THE IMPACT OF DROUGHT AND WAR

As shown in table 1. below an EPLF survey in 1987 established the factors limiting production of cereal crops for 1986 and 1987. From the findings of the survey, the following ten factories, ranked in terms of their limiting importance, provide a clear picture of the problems in rural Eritrea today.

Table 1.

Ranking Of Factors Limiting Production Of Cereal
Crops In Rural Eritrea

	% of total limiting factor	
	1986	1987
Oxen	27	23
Rain	14	27
Labour	13	8
Ethiopian Army Atrocity	13	11
Seeds	10	5
Pests, Excluding Locusts	9	4
Plough Implements	8	9
Low Price For Products	3	4
Land	2	1
Locust	1	8
	---	---
TOTAL	100	100
	===	===

Source: EPLF, food and agriculture production assessment study in Eritrea (see also preliminary report submitted to the emergency relief desk by a consultancy team in 1987:22)

In table 1. above, lack of labour and Ethiopian army atrocities, could, in fact, both be categorised as war factors and thus combined would become the second most important limiting factor behind lack of oxen in 1986 and third behind lack of rain and oxen in 1987. It is important to appreciate that 1986 and 1987 were years when the Ethiopian army was pinned in its garrisons after suffering successive military defeats by the Eritrean People's Liberation Army (EPLA), the military wing of the EPLF, and had a survey been conducted in earlier years, no doubt the war factor could well have lead the ranking.

The fact that lack of oxen and rain scored highly in 1986 and 1987 is not surprising, being a reflection of the severe drought that affected the country in 1984 and 1985. Lack of seed was a major factor in 1986 which is worrying as the crop types genetically adapted to the Eritrean situation may become extinct should the drought situation persist.

The cumulative effect of all these factors on the Eritrean rural economy has quite simply been disastrous. In the 1987 survey, it was further established that 62% of the Eritrean population were living below poverty level. The definitions of rich and poor are in the Eritrean context. The rich peasant family is one that has just enough food to sustain it on to the next season or harvest. Within this context, it is not difficult to imagine what poverty in Eritrea really means.

The above mentioned survey found that the pastoral population has dwindled to a mere 5% of the total rural population. This is far less than might have been expected because in 1944, the British Military Administration in Eritrea estimated the pastoralist population in 26% of the total population. It is likely that war and drought are the main factors in the decline. The Ethiopian army has been plundering the pastoral community by taking their animals for food. Some managed to escape to the liberated areas, but the drought of recent years has cruelly depleted what remained of their livestock.

THE HARDY ERITREANS

The Eritreans are a hardy lot. How the populations of village-X sustained itself through the severity of the successive droughts and the cruelty of the Ethiopian Army is hard to imagine. However, the village communities feel that liberation came just in time. Many believe that the community would have faced a real threat of total destruction had the conflict continued for any length of time. My visit to village-X was five months after liberation and I was told by the village community of the improvements in their life since then. To me everybody in the village looked thin and malnourished but I was told that, had I come a few months earlier, I would have witnessed a much worse situation. "Happiness and hope is more than food", a villager told me, and even given the kind of misery I witnessed, the village community was full of confidence that, with peace, they can confront anything. As far as can be established from the example of village-X, the effects of the war, whether directly or indirectly, were the main factors in the high number of deaths that have occurred in the last few years in Eritrea.

POLICIES AND PRIORITIES

No one is more aware of the current realities in Eritrea than the Provisional Government. After the liberation of Eritrea, the PGE's priority has been to fight the war against hunger. This is being tackled on two fronts. The first is the relief operation which aims to reach the population that has been hardest hit by the lack of food. The PGE has made an open call to all humanitarian organisations to help in its relief operation. There is no doubt of the will and capacity of the PGE to effect its policies as attested by many recent eye witness reports by

visitors to Eritrea. Unfortunately, international politics has been playing with the lives of people. Some countries are dragging their feet on directly responding to the PGE's call and have been denying aid to Eritrea under the pretext that it is not yet an internationally recognised state. I hope all concerned individuals and organisations will press the governments which are adopting a "do nothing attitude" to support the Eritrean people at this critical time of need.

The second major policy objective of the PGE is to achieve a self-reliant economy. This does not mean, of course, that Eritrea will have a closed economy. What it means is that Eritrea will avoid the situation which would put its economy in a state of perpetual dependence. The idea behind the policy of self-reliance is to emphasise the Provisional Government's objective of freeing the Eritrean people from relying on hand-outs as soon as possible. Self-reliance, therefore, encompasses the development of attitude, the psychological or mental preparedness of being independent or self-reliant.

In spite of the drought in recent years, agriculture will remain the mainstay of Eritrea's economy. I have discussed elsewhere issues dealing with rural land policies in Eritrea (2) and suffice it to say here that in most parts of the country a fair and equitable land distribution systems exist. However, imaginative and workable policy interventions will be needed to provide advice on soil protection, water harvesting and methods of improving agricultural practices. It must be stressed that some seemingly attractive but unworkable policies should be avoided in Eritrea. For example, many countries prohibit the cutting of trees for fire wood without providing an alternative. On the other hand, a practical intervention to assist the rural communities would be to plant fast growing trees for the purpose of firewood. Therefore, since the eradication of hunger is the main policy objective in Eritrea, ways and means of improving agricultural output should be given priority.

THE MANAGEMENT OF AID

If there is anything in abundance in the developing countries, it is the experiences of aid supported projects: unfortunately, the failures greatly outnumber the success. The blame for such failures is usually heaped on the donors, in a most patronising way, for not involving the recipients in the decision making process. My views on this have always been that failures of aid-supported projects are primarily a reflection of ineptitude on the part of the recipient country. No country should give a free hand for decision making on matters that it will eventually resume the responsibility for sustaining. After all, the measurement of success of a project is that it is compatible and within the capability of both the government and the community at large to sustain it.

NOTES:

1. The 1987 survey was a comprehensive research carried out to assess the food situation in Eritrea. The research project was supported by the emergency relief desk and a report has been published.
2. See in Martin Doornbos et al eds. (1992). "Beyond Conflict in the Horn: The Prospects for Peace, Recovery & Development in Ethiopia, Somalia, Eritrea & Sudan". The institute of Social Studies, the Hague, in association with James Curry, London

APPENDIX 1.

TABLE 1: Rural Population Distribution by Occupation and Location by Area (Highland, Midland & Lowland).
No's: in "000".

PROVINCE	AGRICULTURE			AGRO-PASTORAL			PASTORAL		
	II	M	L	II	M	L	II	M	L
SAHEL	-	75	-	218	-	-	-	-	64
SENHIT	-	93	-	-	-	50	-	-	10
BARKA	-	-	181	-	-	315	-	-	40
HAMASIEN	267	74	-	-	-	-	-	-	-
SERAE	86	61	256	-	-	-	-	-	-
SEM HAR	-	-	-	-	-	155	-	-	-
A. GUZAI	109	274	-	-	-	-	-	-	-
DANKALIA	-	-	-	-	-	59	-	-	16
TOTAL BY AREA/OCCUP	462	577	437	218	-	579	-	-	130
%	19%	24%	18%	9%	-	24%	-	-	6%
TOTAL BY OCCUPATION	1,476			797			130		
%	62%			33%			6%		

Source: EPLF Survey, 1987

Note: 1. All percentages are of total population
2. The abbreviation H, M & S denote for Highland, Midland & Lowland following the EPLF's land classification by elevation

ANNEX 7

THE LEGAL FRAME WORK OF INTERNATIONAL RELIEF
IN SITUATIONS OF ARMED CONFLICT

DENISE PLATTNER

1. INTRODUCTION

The point of view that I have chosen in order to outline the legal framework of international relief is a very traditional one. Taking into consideration the existence of a very large body of international rules, on the one hand, and the current volume of humanitarian assistance activities, on the other, I propose to examine whether there is a relationship between the law governing humanitarian assistance in time of armed conflicts and the actual practice of the ICRC, the international organisations and the non-governmental organisations involved in relief activities. More simply, the question is the following: is international humanitarian law relevant to the activity of the organisations concerned, and can it be assumed that these organisations are interested in abiding by its rules, or is humanitarian law a branch of international law whose constraints are applicable only to the ICRC?

Before I begin this talk, I would like to give a brief overview of international humanitarian law.

International humanitarian law is part of public international law and is composed of rules intended to alleviate the suffering of the victims of armed conflict. These rules restrict the choice of the belligerents with regard to the means and methods of combat they use and are, therefore, applicable to military operations as such. They also protect persons who are in the power of the enemy, like prisoners of war or the inhabitants of a occupied territory. Most of these rules are contained in the four Geneva Conventions of 1949 and in the two Additional Protocols of 1977, all these texts being international treaties.

International humanitarian law differs from human rights law. Unlike international human rights law, it applies only in situations of armed conflict and, therefore, creates obligations geared to the specific needs of the victims of armed conflict.

2. THE POSITION OF INTERNATIONAL & NON-GOVERNMENTAL ORGANISATIONS UNDER INTERNATIONAL HUMANITARIAN LAW

In 1949, there were few international agencies in existence. Moreover, the maintenance of peace, and not international relief, was considered as being the primary aim of the organisations that had been set up just after the Second World War. Although non-governmental organisations appeared on the scene of international

relations before inter-governmental organisations, there was at this time considerable scope for charitable activities inside these organisations' own countries of origin, and they were, therefore, not so much interested in external activities. It is thus hardly surprising that Article 59 of the Fourth Geneva Convention, which deals with relief actions undertaken in favour of the civilian population of an occupied territory, mentions, besides "impartial humanitarian organisations such as the International Committee of the Red Cross", only the States. Article 23 of the same Convention obliges States to allow the free passage of relief supplies to another State, and obligations that is meaningful only if the States concerned would be tempted not to authorise the passage of such goods, in particular in the event of a blockade. This provision, therefore, refers only to goods that can be sent by any individual or any entity, and not to the personnel that are generally included in the concept of relief "action".

Sufficient changes occurred between 1949 and 1977 to be reflected in the law. The two 1977 Protocols contain almost identical text whose working corresponds to present-day assistance procedures and whose content meets the expectations of the States and the humanitarian organisations with regard to this new form of international activity. Whereas Article 59 of the Fourth Geneva Convention relates only to assistance in an occupied territory, Article 70 of Protocol I. regulates relief actions that take place within the national borders. This provision thus implies that in certain circumstances a belligerent State must accept relief operations undertaken in favour of its own population. Article 18 of Protocol II deals with relief actions in the case of non-international armed conflict. It constitutes a major improvement over Article 3 common to the four Geneva Conventions, as it creates the obligation for the State concerned to give its consent if the civilian populations, whether under its control or otherwise, is in need of essential supplies and if the offer of relief satisfies the conditions laid down by international humanitarian law.

The object of the obligations contained in Article 70 of Protocol I, and Article 18 of protocol II, is a "relief action", without any specification as to the entity that is supposed to undertake such a relief action. The rules of interpretation nevertheless require that Article 70 of Protocol I, be read together with Article 59 of the Fourth Geneva Convention; and Article 18 of Protocol II, together with Article 70 of Protocol I. This leads to a first conclusion, ie. that, as well as the ICRC and any other impartial humanitarian organisation, States too can undertake relief action in favour of the population of a State party to a conflict. The opinion of legal experts must also be taken into account, and that opinion generally closely follows State practice. In 1989, the Institute of International Law

stated in a resolution on the protection of human rights and the principle of non-intervention in internal affairs of States, that an offer of food or medical supplies by "a State, a group of States, an international organisation or an impartial humanitarian body such as the ICRC" cannot, if certain conditions are fulfilled, be considered as unlawful intervention in the internal affairs of the State concerned. This leads to a second conclusion, i.e. that not only the States and the ICRC but also the international organisations can carry out a relief action within the meaning of the relevant provision of international humanitarian law.

Are non-governmental organisations excluded from the application of international humanitarian law? Even though the 1989 resolution of the Institute of International Law does not mention them, I would argue that the non-governmental character of an agency should not affect the duty of the State concerned to accept an offer of relief that fulfils the necessary conditions.

3. CONCESSIONS & LIMITS TO STATE SOVEREIGNTY IN THE REGULATION OF INTERNATIONAL RELIEF

Article 70 of Protocol I, as well as the resolution of the Institute of International Law mentioned above, provides for an offer of services. Does this mean that the government concerned has the discretionary power to accept or refuse that offer? Having regard to the relevant provisions of international humanitarian law, the answer is certainly in the negative. The government must agree to the beneficiaries receiving food and medical supplies, if the conditions required by the law are fulfilled.

Is the condition of an offer of services a pointless concession to State sovereignty? If the right interpretation is given regarding the power of the State concerned to refuse the offer, that question should not be answered too quickly.

It is true that no mention of an offer of services is made either in Article 23 or in Article 59 of the Fourth Geneva Convention. But, as we have seen, Article 23 provides only for the free passage of relief supplies and not for a relief operation such as those that are undertaken today. Article 59 is worded in a rather imperative way; but the obligation it creates is aimed at the Occupying Power and governs relations between this authority and a foreign population. However, although the occupying Power seems to have no choice other than to accept the proposed action, insofar as this action is in conformity with the usual conditions laid down by international humanitarian law, due consideration must be given to the fact that, unlike the case with actions undertaken in the State's own territory, supervision of the distribution of relief by the ICRC or the Protecting Power is mandatory.

Notwithstanding these two examples, it is doubtful whether an undertaking on the scale of a relief operation requiring material and human resources such as means of transport, means of communication and personnel involved in the evaluation of needs, and the transport and distribution of relief supplies could take place without the agreement of the local authorities. We can, therefore, conclude that although the condition of the offer of services is included in the law as a concession to State sovereignty, from the practical point of view an undertaking of this type without some form of prior negotiation would seem unthinkable.

The government must accept the offer of services if the action proposed is of a humanitarian, non-discriminatory and impartial nature. It should be noted that the Geneva Conventions of 1949 do not mention these conditions. The fact that they are mentioned in the 1977 must, however, not be considered as a change in the law. indeed, as seen earlier, control of the distribution of relief by an impartial and humanitarian organisation such as the ICRC, or by the protecting Power, is already mandatory in the 1949 text.

Both Article 70 of protocol I, and Article 18 of Protocol II, set the condition that the civilian population must be in need of supplies essential for its survival. This condition must not be given too much importance. On the one hand, an offer that does not correspond to the needs of civilian population would probably not be in accordance with the principle of humanity. On the other hand, as violations of international humanitarian law do unfortunately take place during armed conflicts, such situations usually lead to a rapid deterioration of the population's standard of living. However, present-day possibilities in the field of international relief and the development in the law that have resulted there should not detract from the general duty of the belligerent State to see that its own population is adequately supplied. As Dr. Kouchner has pointed out, international relief is governed by the principle of subsidiarity.

If the proposed action is humanitarian, non-discriminatory and impartial, the offer of services cannot be considered as unlawful intervention in the internal affairs of the State concerned. This principle applies according to the legal experts and to the International Court of Justice (see the "Nicaragua" case), whatever the situation.

It is extremely difficult to define the prohibitions and the injunctions that are implied by each principle separately. Is discriminatory behaviour humanitarian? According to the Commentary on Article 70 of Protocol 1, impartiality is "a moral quality which must be present in the individual or institution called

upon to act for the benefit of those who are suffering" (p.818, para. 2800). Together with the condition of the humanitarian nature of assistance and the principle of non-discrimination, it guarantees that relief work is intended solely for the purpose of assisting the victims according to their needs and of giving priority to the most urgent cases of distress.

Indeed, a relief operation whose purposes are not exclusively humanitarian would not comply with the condition of neutrality and would, therefore, not be in accordance with the said principles.

Article 70 of Protocol I, not only creates an obligation for the State to accept an offer of relief when certain conditions are met it also sets out, together with Article 71, the obligations that derive from its consent. It is interesting to note that, whereas the party to the conflict shall in no way whatsoever delay the forwarding of relief consignments, "except in cases of urgent necessity in the interest of the civilian population concerned", the participation of relief personnel is subject to the approval of the party concerned. Once their participation is accepted, their activity can be limited or their movements restricted - temporarily - only in case of imperative military necessity. The relief personnel, for their part, must not exceed the terms of their mission and shall take account of the security requirements of the party; otherwise their mission may be terminated.

These rules, like other relevant provisions of Protocol I, constitute a prime example of the balance struck by the States between considerations of humanity and military necessity. In general, assistance should not be presented as being in conflict with the sovereignty. Relief operations need the co-operation and the good will of the local authorities. Efforts should be aimed at convincing all concerned that international law reflects sovereignty and that there should be no contradiction between the rule of law and that sovereignty.

4. MEANS OF IMPLEMENTING INTERNATIONAL HUMANITARIAN LAW

The refusal of a relief action in situations where the conditions laid down by the law are fulfilled is an act contrary to international humanitarian law and must be dealt with as such. This leads us to examine what means can be used in order to prevent or repress violations of international humanitarian law.

I am not going to elaborate on the subject of the measures that can or must be taken to prevent violations of humanitarian law. This branch of international law suffers from the fact that there is widespread ignorance of its rules, also among the public.

The United Kingdom, thanks notably to the efforts of the British Red Cross, is one of the few exceptions. Dissemination of humanitarian law should be developed, and anyone complaining about non-observance of its rules should be encouraged to ask for wider dissemination of the Geneva Conventions and their Additional Protocols.

According to the Statutes of the International Red Cross and Red Crescent Movement, which have been approved by the States, the ICRC must work for the faithful application of international humanitarian law applicable in armed conflicts. This sentence reflects in a general way the mandate conferred on the ICRC by international humanitarian law. Indeed, in international armed conflicts, the ICRC has the right to visit prisoners of war and to have access to civilian persons protected by the Fourth Geneva Convention (for example, inhabitants of occupied territory). In exercising these rights, the ICRC is entitled to supervise the application of the Geneva Conventions by the parties to an international conflict. It has also the responsibility to perform the functions of the Central Tracing Agency, i.e. the centralisation of all information regarding prisoners of war and civilians interned or arrested and the forwarding of this information to their countries of origin, so that the authorities can inform their relatives of their whereabouts.

In situations of non-international armed conflict, the ICRC has a right of initiative that allows it to carry out similar tasks in favour of the victims.

Thus we see that the ICRC is entitled by the law to engage, as soon as an armed conflict arises, in activities that are essentially aimed at preventing violations of international humanitarian law. When necessary, it can make representations to the parties to a conflict to encourage them to act in accordance with the rules of international humanitarian law.

Besides the ICRC, the United Nations and, more especially, the bodies that have set up to promote human rights can also contribute to improve respect for humanitarian law. States, for their part, can discourage a third State from violating humanitarian law by exerting diplomatic pressure or taking other measures in conformity with international law. The ICRC is nevertheless the sole body that is expressly entitled to act in favour of the victims of an armed conflict and which has the duty to do so in every situation qualified as an armed conflict. This means that its activities must be based on purely humanitarian considerations and have to respect the principle of impartiality.

Assistance that is not provided in compliance with the principles of humanity, non-discrimination and impartiality does not respect the framework of humanitarian law, and has consequences that endanger the aims of this law as well as the values it sets out to protect. It is, therefore, quite understandable that the rules concerning international assistance to victims of war also provide for the control of the distribution of relief, and that the body the States may ask to exercise such control is the same as the one which is entitled to supervise the application of humanitarian law, that is, the ICRC (and the protecting power, should one have been designated by the parties to the conflict.

5. THE REGULATION OF INTERNATIONAL RELIEF DURING NON-INTERNATIONAL ARMED CONFLICTS

As far as non-international armed conflicts are concerned, the situation is a little different, as there is no institution expressly empowered to monitor the application of humanitarian law by the parties. The ICRC, of course, has a right of initiative and under the Statutes of the International Red Cross and Red Crescent Movement has the duty to do its utmost to ensure respect for humanitarian law, whatever the nature of the conflict. However, even if State practice shows that the principle of the presence of the ICRC in internal armed conflicts is recognised, the means to be employed in ensuring observance of humanitarian rules in such conflicts have yet to be clearly determined.

This situation is paradoxical, since on the one hand these conflicts are now predominant, and on the other, they usually give rise to numerous and grave violations of humanitarian law.

The underdeveloped state - so to speak - of the law applicable to internal armed conflicts is also apparent from the fact that very few rules, in comparison to the hundreds that must be observed in international armed conflicts, govern this type of conflict. Indeed, only Article 3 common to the Geneva Conventions of the 1949 and Protocol II, additional to those Conventions, to which almost a hundred States are now party, apply to these situations,

As this kind of conflict is now the most common, the law applicable to the non-international armed conflicts constitutes the legal framework of most contemporary relief operations in favour of conflict victims. In this respect, Article 18 of Protocol II, which is the sole provision dealing with international relief under the law applicable to non-international armed conflicts, deserves special attention.

This provision is formulated in a very similar way to Article 70 of Protocol 1, and the same general conditions for the legality of an international relief action are laid down. However, Article 18, has been criticised for the fact that the authority that must give its consent to an offer of services is the legal government, even if the action proposed is in favour of the civilian population of an area controlled by rebels. A complete transposition of the rules applicable to international armed conflict seems, however, given the nature of internal armed conflict, difficult. A resolution adopted recently by the Council of Delegates, a body composed of representatives of the ICRC, of the Red Cross and Red Crescent Societies and of the Federation of these Societies, urges the States "to allow free passage of medicines and medical equipment, foodstuffs, clothing and other supplies essential to the survival of the civilian population of another contracting Party, even if the latter is its adversary, it being understood that they are entitled to ensure that the consignments are not diverted from their destination"

These considerations must not obscure the fact that, if consent is not given in a situation where the conditions for relief action are fulfilled, such refusal constitutes a violation of humanitarian law. Means that are compatible with international law and that do not jeopardise its aims and values can be used to convince the party concerned to act in conformity with the law. Refusal to accept a relief action would nevertheless be treated like another breach of humanitarian law. There is no reason for it to give rise to a stronger reaction on the part of the international community than others violations. On the contrary, it could be said that the civilian population is often in need of relief supplies because of previous violations of humanitarian law, leading to dependence on international relief, and frequently those previous violations did not arouse the interest of the international community.

6. CONCLUSION

International relief during armed conflicts enters in a legal framework which ensures that relief benefits only the victims of the armed conflict and does not jeopardise the aims and values safeguarded by the Geneva Conventions and their Additional Protocols. If that is the case, international relief contributes to one of the most generous fields of human activity, that is, alleviating the suffering of the victims of war. The solutions to problems arising out of a situation of armed conflict are as interdependent as the problems themselves. What is needed is a comprehensive approach that takes into account all the factors that hinder, or on the contrary favour, the observance of humanitarian law.

ANNEX 8

RELIEF OPERATIONS IN SITUATIONS OF CONFLICT:

THE LEGAL PROBLEMS AND A SUGGESTION TO CIRCUMVENT THEM

FRANCOISE J. HAMPSON

1. INTRODUCTION

Denise Plattner has explained the bilateral legal relationship between the relief organisation and the receiving State. The non-governmental organisation (NGO) can point to rules of international law which give rise to an entitlement, or at the very least a legitimate expectation, on the part of the NGO that it will be allowed to work, even in a conflict situation. The fact that States create innumerable obstacles and may even deny the NGO the right to operate does not absolve NGOs from the responsibility of putting what pressure they can on the State, invoking the rules of international law.

The chances of success in bilateral negotiations will be enhanced if other bodies, States and inter-governmental organisations (IGOs), are also bringing pressure to bear. Those agencies have considerable leverage, whether in the form of the withholding of benefits or by threatening to apply some form of sanction. The relief agencies need to ensure that pressure is applied and applied effectively. The uttering of noble sentiments by States acting independently of one another is not likely to achieve anything. The pressure must be co-ordinated and it must be applied earlier. If this is left to States themselves, little will be done. They are reluctant to be perceived as intervening. They tend to be so preoccupied with the present crisis that they fail to address the next one when it is still manageable and to prevent altogether the one after that. Left to their own devices, States' responses seem to be based exclusively on political considerations. The thesis of this paper is that those States are themselves under legal obligations when another State refuses to allow a relief organisation to work or imposes unacceptable conditions. If public opinion is mobilised, pressure can be put on donor States. They may feel that they are responding to domestic political pressure but the way that will be expressed is in terms of the legal obligations of the donor State. That should, in turn, make it easier to apply pressure to receiving States. International and bilateral political pressure on its own may appear more unfriendly than appeals, reinforced by the threat of sanctions, to respect legal obligations which the receiving State has itself accepted.

This paper will examine briefly the difficulties in the present international arrangements for conflict prevention and resolution and assuring that relief supplies reach the civilian population. That concerns principally political problems in the United Nations. Two possible ways round those difficulties will then be discussed. If the avenues pursued to date appear to have led to a dead-end, more is likely to be achieved by finding an alternative, albeit longer, route.

Whilst the situation would appear simple enough - people who will die unless they receive relief and organisations wanting to meet that need - in fact the situation is extraordinarily complicated. There are three types of actors involved, each type containing agencies with slightly different characteristics. The situation involves States, IGOs and NGOs. At least four types of international legal regimes are involved: the "traditional" regime whose starting point is the sovereignty of the nation-State; the human rights regime which sets limits on the conduct of a State with regard to those within its jurisdiction, including its own citizens; international humanitarian law, which regulates the conduct of armed conflicts so as to protect to the greatest degree possible the civilian population and the refugee law regime. As if this were not enough, the situation on the ground is exacerbated by the conflict itself. Even if States, IGOs and NGOs were pulling in the same direction and even if all the parties, including the State receiving relief, were eager to ensure that people received relief supplies, the fact of the conflict would make the attainment of the objective more difficult. That is but one of the many reasons why political efforts need to be directed at conflict prevention.

2. THE UNITED NATIONS AND THE PREVENTION OF CONFLICT

One of the purposes of the United Nations is to take effective collective measures for the prevention and removal of threats to the peace. The Security Council is the organ principally charged with the taking of effective action in the face of threats to the peace, breaches of the peace and acts of aggression. The Charter itself contains potentially effective mechanisms, such as provisions on a UN army, which have never been used. Peace-making must not be confused with peace-keeping operations. Every UN member has accepted the obligation to settle any international dispute by peaceful means and to refrain from the threat or use of force against the territorial integrity or political independence of any State.

The weaknesses in the system do not merely arise from the political context, such as the Cold War. There are major difficulties of a substantive and of an institutional character. Votes of the Security Council on non-procedural matters are subject to the veto power of the permanent members. They vote not only to protect their own interests but also those of allies. Perhaps the most important constraint on the United Nations in the field of conflict prevention is the provision in Article 2(7) of the UN Charter that "Nothing contained in the... Charter shall authorise the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State ...". In a period of increasing tension between two States, it can be difficult for the issue to come before the Security Council unless the parties wish to seize the United Nations with the dispute. In the case of increasing tension within a State, it is extraordinarily difficult for the matter to come before the Security Council, on account of the prohibition of interference in internal affairs. The State concerned will not admit its need for help at this stage because that would call into question one of the elements of sovereignty, the ability to exercise effective authority. Other related issues include the State's fear of the tacit recognition of "rebels". Other States are unwilling to raise the matter in the Security Council because, in the same position, they would insist on respect for their own sovereignty. Sovereignty, in other words, takes precedence over human rights. The response to Iraq's invasion of Kuwait was wholly exceptional.

It is easier to keep the genie of conflict in the bottle than to put it back once it has escaped. The UN needs to be able to identify situations of potential conflict and to offer practical assistance which will not challenge a State's sovereignty. Where famine is the product of conflict, it may be difficult to anticipate the famine before the outbreak of fighting. Where the fighting is a possible product of drought, however, effective relief schemes need to be established before the situation is exacerbated by conflict.

The UN needs to be able to initiate such proposals and to apply a certain pressure on the State in question. If the only criteria are the needs of people and effectiveness, it is in the area of conflict prevention that most could be achieved. Experience since the end of the Cold War suggests, however, that any such hopes are, for the time being, unrealistic.

3. THE UNITED NATIONS AND THE RESOLUTION OF CONFLICT

In the past, the UN experienced similar difficulties in taking effective action once the conflict had broken out. In some instances, the Security Council was able to pass resolutions but little changed on the ground. The same was true in internal conflicts. With the end of the Cold War, the Secretary-General of the UN has been more willing to consider using his good offices.

He has, for example, dispatched both Cyrus Vance and Marek Gouling to Yugoslavia, the one to try to achieve a cease-fire and the other to determine whether there was a basis for the deployment of peace-keeping forces. The Secretary-General presumably thinks that he has the active or passive acceptance of the Security Council.

The Security Council itself is proceeding very cautiously. In certain instances, four of the five permanent members have been prepared to show a limited flexibility on questions of sovereignty and human rights but the People's Republic of China is particularly reluctant to find itself involved in an internal conflict. The attitude of the non-permanent members of the Security Council varies. This analysis may come as a surprise to those filled with post-Gulf conflict euphoria as to the possibilities of UN action. The international action to protect the Kurds could provide a model for "humanitarian intervention" but there are grounds for doubting that that will be the case. The situation was unique. There had just been an international conflict, the forces were already there and the international community was in a position to dictate terms to Saddam Hussein. The response of the coalition forces was not simply a product of the needs of the Kurds. Those same States had taken no effective action following the use of chemical weapons against the Kurds at Halabja. The presence of the world media brought the plight of the Kurds into people's living rooms, generating political pressure within the coalition States. A further element may have been some sense of responsibility; to some, it appeared that the Iraqis had been urged to stage an insurrection. It should also be noted that certain NGOs are concerned that States should have taken over the provision of relief, using their armed forces. It may run the risk of politicising their own role.

One useful precedent in the situation has been used before and could be used again. As we have seen, the UN can only deal with situations which pose a threat to international peace and security and cannot address the internal affairs of a State. Turkey claimed that the threatened, and then the actual, influx of refugees threatened international peace and the stability of the region. Austria expressed similar concerns during the conflict between "Yugoslavia" and Slovenia. If a threatened trans-border refugee flow is sufficient to constitute a threat to international peace, the Security Council could be seized with many situations, were it not for the risk of the veto and/or political indifference.

The "Yugoslav" model affords only a limited useful precedent. "Yugoslavia" was persuaded or encouraged to seek external assistance. That enabled the Security Council to address the situation but it has proceeded very cautiously. A State seeking help may consider that it will have to pay a considerable political price. They may think that it will involve the implicit recogni-

tion of the status of the fighters or belligerents. A government is only likely to take such a course of action where it believes it cannot win, at least in the sense of returning to the status quo ante. Such appeals are only likely to be made where the parties have already fought and see themselves as having more to lose than gain by continuing to fight. They may need outside help to come with a package which they cannot be seen to propose but may be prepared to accept. That could create the space and time for political discussions. Such an approach is not likely to be effective where there is no will to stop fighting and/or no will to accept political facts. The approach is bound to be ineffective where there is no authority capable of binding anyone, not least because there is no one with the authority to ask for assistance. Such situations arose in Liberia and, more recently, Somalia. There is no precedent for UN involvement in an internal conflict without a request from the State in question, unless the situation gives rise to an international threat. The protection of the Kurds is, for these purposes, to be treated as a postscript to the larger Gulf conflict. The UN cannot impose a solution. It can only help where a solution is more important than victory. That equation is an internal question. External pressure to create the necessary internal conditions, for example by means of financial sanctions and arms embargoes, is not likely to be very effective.

A final point relating to the provision of relief in conflict situations concerns the role of the media. They appear only to be able to concentrate on one conflict at a time. One may speculate whether the lack of internal authority is sufficient explanation for apparent UN inaction in the face of the deteriorating conflicts in Liberia and Somalia. It may be relevant that the press, in Western Europe at least, was preoccupied by the situation in the Gulf and the conflicts in Eastern Europe at the same time.

4. THE UN, INTERNAL CONFLICTS AND RELIEF OPERATIONS

The focus of NGOs is on getting relief to people in need. The other actors, IGOs, donor States and the receiving State, have other concerns at least as high on their individual agenda. The legal/political question of sovereignty and the recognition of "rebels", which preoccupies the receiving State, is compounded by the difficulty of negotiating with "rebel" groups and getting agreements to stick. Renamo provides but one, notorious example. Donor states are concerned by the high proportion of relief which disappears through corruption. There is domestic political pressure to seek value for money. At best, this affects how, rather than whether, they provide assistance. The UK, for example, favours using NGOs to distribute relief. Possible grass-roots support in donor States is subject to the risk of donor fatigue, particularly where the same States are in recurrent need of assistance. This is exacerbated where the people are seen as

responsible for their situation, as in the case with certain conflicts as opposed to natural disasters. The IGOs tend to have specific concerns, such as health or refugees, and may, to some extent, be in competition with one another.

The effective provision of relief requires the avoidance of duplication, adequate resources and pressure to be put on parties to the conflict.

The appointment of a UN relief co-ordinator should help to avoid some problems of duplication. The NGOs and IGOs are already used to co-operating with other organisations in the same category but a senior UN official may assist them in working more closely with one another. One contribution which would be of considerable significance would be the integration of rehabilitation into relief programmes. The relief co-ordinator is, however, likely to be frustrated by two problems over which he has neither control nor authority. He cannot make the political problems disappear. Nor can he deliver the necessary resources. Co-ordination can make a little stretch further but it cannot make it enough. Only States can provide the resources and the political developments required. They can be encouraged to do so by, for example, pointing out that rehabilitation promotes self-sufficiency (economic self-interest) and that refugee flows need to be prevented if States are not prepared to cope with the result (political self-interest). States can also be subjected to internal political pressure and external legal pressure. This will be discussed further below.

The UN relief co-ordinator only has a hope of improving the delivery of relief if other elements are present. This would suggest that his appointment may be useful but that he is not, at present, capable of achieving much. There is, however, one risk in the creation of the post. Everything to do with the UN is to a greater or lesser degree politicised. Co-operation between NGOs and the co-ordinator may run the risk of appearing to politicise previously neutral humanitarian initiatives. It is particularly important that any such appearance be avoided if the co-ordinator is not to preside over increasing difficulties in the provision of relief.

This situation is likely to be particularly frustrating for NGOs. There are millions in need of relief and NGOs want to meet that need. They find themselves prevented from doing so by forces outside their control. The conflict itself produces such obstacles but more important are the political factors. NGOs have to become pressure groups whilst the starving die. NGOs have a proven record in being able to tackle practical problems but these difficulties are of a different order. They dilute the efforts of NGOs and may lead to discouragement within the organisations. NGOs need to be able to feel that they are doing

something to address the problems. This is principally to improve the delivery of relief but also to restore to NGOs the sense of being able to contribute to the shaping of events.

5. PROSPECTS FOR POLITICAL CHANGE

At present, it seems fairly safe to predict changes in the international system but whether they will have any bearing on the problems surrounding relief operations is open to question. There is no reason for NGOs to believe that the difficulties will be adequately addressed by others. It is therefore up to the NGOs themselves to seek ways round the problems. Experience suggests that the attempted use of direct political pressure is ineffective. States are better at it than NGOs and there is the risk that NGOs will prejudice their exclusively humanitarian character. The organisations therefore need to explore the possibility of using international law to put pressure on both donor and receiving States. A successful outcome would produce political changes but the means would be non-political.

6. USING INTERNATIONAL LAW TO PRESSURISE STATES INTO ENSURING THAT THOSE IN NEED RECEIVE RELIEF

Two bodies of law offer possibilities to NGOs - humanitarian law, also known as the law of armed conflicts, and international human rights law. Denise Plattner has examined the obligations of parties to the conflict to reach agreements with relief organisations to ensure that the essential needs of the civilian population are met. Objects indispensable to the survival of the civilian population cannot be attacked. The more detailed rules which regulate the conduct of international conflicts expressly exclude such attacks except where the food or water is used solely for the members of armed forces. Even then, the civilian population cannot be left with inadequate supplies. There is provision for a scorched policy but only in national territory and in exceptional circumstances. The conduct of non-international conflicts is not regulated in as much detail but the obligation to protect civilians extends to a prohibition of attacks on objects indispensable to their survival. The rules therefore address the problem from both ends - the conduct of hostilities and the provision of relief. Severe difficulties have, however, been experienced in practice. Roads may be impassable or not secure from attacks. Negotiations between an NGO and the "rebels" to ensure the safe transit of a relief convoy may be seen by the State authorities as assistance to the "rebels". The State may also claim that, whilst the food is intended for civilians, in fact it will be used to feed fighters. Donor States need to be able to bring pressure to bear on the receiving State. If the forces of third States handle the operation, as in the case of Iraqi Kurds, there is the appearance of intervention. That is reduced if convoys are escorted by the

"blue berets" - forces serving as part of a UN operation - but it hardly looks like a peace-keeping operation. The better solution is for the parties to agree to the passage of a relief convoy.

States parties to the Geneva Conventions have only only undertaken to respect the Conventions themselves but also to ensure respect for the Conventions in all circumstances. This does not just mean that they must ensure that their own forces act in compliance with the rules, for that would be included within the States obligation to respect the rules itself. Every State has therefore undertaken the obligation to ensure that every other State respects the rules. This is reinforced by the provisions on criminal liability, which require every State to try a person within its jurisdiction who is alleged to have committed "grave breaches" of the Conventions, wherever the actions were performed. The UK not only can enquire what a State is doing to respect the rules without it being regarded as intervention but is under an obligation to do so. States are notoriously unwilling to take effective measures to remind other States of their legal obligations, as was seen during the Iran-Iraq conflict. They are, however, vulnerable to domestic political pressure. There is a material difference between the enquiry "What are you doing to meet the needs of the starving in X?" and "What are you doing to give effect to your legal obligation to ensure that NGOs can provide relief in X?" The first assumes that relief should be provided. It opens the way to moral, economic and political argument, as well as to bland responses pointing to undeniable practical problems. The second takes as its starting point a fact - the ratification of a treaty. The test of the government's respect for its obligation is that the receiving State in turn respects its obligation. That includes the requirement that it give consent to NGO relief operations and not attack foodstuffs or crops. If that is not happening, the donor State is in breach of its obligation to ensure that it does happen.

In most situations, being realistic, this is the principal way in which respect for the Geneva Conventions could be improved, so as to ensure the provision of relief. It is a medium-term strategy which could create its own momentum. Once used in relation to one conflict, parties would come to expect it to be used. The United States has recently announced the suspension of landing rights for the "Yugoslav" national airline on account of the taking hostage by Serbs of a group consisting principally of women and children in Bosnia. In the long-term, it might nip in the bud potential problems with the delivery of relief. NGOs need to co-ordinate this sort of strategy to ensure that governments are being pressurised from all quarters. Co-ordinated approaches to all national Western European governments could, for example, be reinforced by pressure from the European Parliament. The effectiveness of NGO approaches to Foreign Ministries would be dramatically enhanced if their supporters were putting pres-

sure on their Members of Parliament. This is not a party-political issue. Five hundred letters to different MPs which were forwarded to the Foreign Office, at the same time as a meeting was held between the Foreign Office and a co-ordinating committee of relief NGOs, would be more likely to achieve a positive result than the meeting on its own.

The international human rights law regime offers a greater variety of possibilities for action but without the advantage of a legal obligation on the part of third States to ensure respect for the rules by offending States. In this case, the third States need to be shamed into action. There are two approaches which the relief agencies can adopt.

The first involves putting pressure on third States, in the ways already discussed, to raise the issue of the compliance of the receiving State with its human rights obligations in Human Rights Commission. This body's mandate derives from the human rights provisions in the UN Charter and the Commission reports to ECOSOC, which in turn reports to the General Assembly. The Commission consists of the representatives of states serving in that capacity. It is therefore a political body handling sensitive political issues. This is best illustrated by its response to the human rights situation in Iraq. The Sub-Commission, composed of independent experts, passed a resolution on the use of chemical weapons against the Kurds. The Commission decided to take no action. That was during the Iran-Iraq conflict. Following the conflict over Kuwait, the Commission had no difficulty in appointing a Special Rapporteur on Iraq. This does not mean that there is no point in trying to raise the issue of relief operations in situations of conflict with the Commission and Sub-Commission. The former would have to be done by asking national governments represented on the Commission to raise the matter. The latter could be done by direct approaches to members of Sub-Commission. The request should be both for the appointment of a Rapporteur to produce a study on the problem as a whole (thematic Rapporteur) and for the appointment of a country Rapporteur to produce a Report on the situation in a particular country where difficulties raised by the State are seriously impeding relief operations. Again, it is vital that such approaches be co-ordinated, both between the NGOs themselves and in relation to the States targeted. The involvement of supporters would be beneficial.

It must be conceded that the condemnation of the Human Rights Commission may have little impact on a State in the throes of a civil war. It may, however, provide a context for future assistance, from the IMF for example, and it puts other States on notice. It is most likely to be effective where a State is drifting towards increasingly repressive measures or where an entity aspires to membership of certain organisations.

The other mechanism which relief organisations could exploit is much more legally and less politically orientated. It appears to involve only the State where the conflict is taking place but third States can be indirectly involved, through their membership of the UN. The mechanisms in question are the reporting systems contained in a variety of human rights treaties. Under the International Covenant on Civil and Political Rights (ICCPR), States are obligated to submit periodic reports on compliance to the Human Rights Committee. States have established a broadly similar system to monitor compliance with the International Covenant on Economic, Social and Cultural Rights (ICESCR). Whilst food supplies and the conditions of life fall principally within the ICESCR, the longer-established Human Rights Committee under the ICCPR can also consider the issue under the obligation to protect the right to life. It must be emphasised that human rights law obligations are those of the State. They are not obligations of individuals or groups inter se. The issue of compliance by "rebel" groups cannot be raised except in the context of the State's own obligation. What the monitoring bodies need is alternative Reports. The Committees indicate in advance which State Reports they will be examining. Relief agencies need to produce their own, preferably co-ordinated, reports on those States and to circulate them to members of the Committee. This will enable the Committee to subject the State's Report to more effective constructive criticism. The object is a dialogue with the State and not merely its condemnation. States are to be led rather than pushed in the right direction. Reports submitted by NGOs need to contain facts and not allegations. They need to be written in the context of the treaty obligation in question. The Human Rights Committee submits an annual Report on its work to the General Assembly of the UN. In this way, the information gets into the UN system and provides an opportunity for NGOs to lobby States to take up the issue at the Human Rights Commission.

7. CONCLUSION

It seems that, at present, there is little scope for addressing the underlying legal and political difficulties which relief agencies experience in ensuring that those in need receive relief supplies in conflict situations. The organisations can only continue with their patient negotiations with the parties to the conflict, in a way designed to meet each particular situation. It is vital that the agencies themselves should be seen as neutral, impartial and exclusively humanitarian organisations. There are, nevertheless, ways in which NGOs can bring indirect pressure to bear on the parties by exerting pressure on donor States. As a strategy, it requires effort, co-ordination and will not yield rapid results. It may, however, contribute to creating a climate in which relief operations are accepted by all parties as humanitarian and in which parties have more to lose than to gain from placing illegitimate obstacles in the way of

the relief agencies. Such a strategy does not offer a solution to the difficulties, but for the suffering victims of conflict, it is better than nothing.

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