Humanitarian Space Under Siege
Some Remarks from an Aid Agency's Perspective

Backgroundpaper prepared for the Symposium
„Europe and Humanitarian Aid - What Future? Learning from Crisis",
22 and 23 April 1999 in Bad Neuenahr

Author:
Ulrike von Pilar, Médecins Sans Frontières[1]
(with the collaboration of Pia Prangenberg)

1. Old Confusion in New Contexts

Introduction

What is humanitarian space? The term has appeared in a number of papers and reports, prominently for example in the ECHO document "Security of relief workers and humanitarian space" (1998). But there seems to be no commonly agreed definition or concept. The confusion around the word „humanitarian" which is being used to describe a military intervention as well as medical assistance to wounded people in the middle of a conflict has also caught up with the notion of „humanitarian space". This omnipresent confusion is dangerous – especially for the affected population in need of protection and assistance.

Humanitarian organisations, as always confronted with attempts to restrict and manipulate their „marge de manoeuvre" have to clearly define, explain and defend their action – defend the „humanitarian space". [2] A discussion of the concept of humanitarian space leads to a reflection on the role of humanitarian aid in current political contexts where all too often humanitarian concerns are subordinated to political/military/economic interests or only invoked to justify political action or - even more often - inaction. Humanitarianism is still serving as a fig leaf behind which the lack of political engagement for conflict resolution, protection of populations, the guarantees for International Humanitarian Law (IHL), economical aspects of the dynamic of conflicts or arms trade is hidden. In addition, this abdication from political decision making by the states has led to increased demands on humanitarian organisations. All too often they are asked to focus on issues like development, prevention or good governance which are not core responsabilities of humanitarian action.

The purpose of this paper is to show that a meaningful definition of humanitarian space needs to concentrate on the suffering and the needs of people in acute danger. It has to be based on humanitarian principles and incorporate references to humanitarian action – in the interest of the victims. From this perspective we will then have a brief look at some of the current definitions. Humanitarian space is, and has always been, threatened by multiple factors. A few examples for these threats will be discussed as well as some recent cases, where the absence or curtailing of humanitarian space had dire consequences for the affected population and for the aid agencies.

---

[1] Dr. Ulrike von Pilar is the Executive Director of MSF Germany. However, the views expressed here are personal and do not constitute an official MSF position.

[2] Cf. Rufin, Jean-Christophe, *Le piège humanitaire,* Pluriel 1986.

Erosion of Humanitarian Values

The context of humanitarian aid has drastically changed over the last ten years. This is not the place to describe this change in any detail.[3] The context of today's conflicts and other disasters, after the change of role of the big powers, is most often characterised by the disregard or outright rejection of the respect for human life as well as of the values of tolerance and human dignity. The very people the Geneva Conventions were bound to protect are today's warlords' first targets. The states that have signed these conventions and are responsible for the protection of their population have often collapsed or their central state authority has almost vanished thus creating a legal void. Humanitarian organisations, more and more working in the centre of these fragmented conflicts - where most of the people in need of assistance are -, become targets. Through working for the civilian population, the target of aggression, they are seen to be taking sides. Sometimes aid and equipment can become a tempting source of income for the warring parties or authorities involved.[4] This in turn has contributed to increase the confusion of roles of the actors involved – state actors, donors, UN, NGOs.

But it is not only weak or collapsing governments in poor or conflict ridden countries that fail to respect basic humanitarian principles. Our own Western, rich, stable states who have all signed the Convention on the Prevention and Punishment of the Crime of Genocide (1948) have watched on when the genocide in Rwanda unfolded although they knew what was being prepared. Significantly enough they only responded massively when confronted with the catastrophe in the camps of (then) Zaire after the exodus of over a million people.[5] Significant - because what we have witnessed over the last years is an increasing engagement of state actors in the field of humanitarian assistance, financially as well as directly on the ground. This goes along with, or is a consequence of, a decreasing preparedness to engage in the search for political approaches. Humanitarian aid often seems the only, or at least the most important and the most visible, answer to disasters of any kind. This in turn has also considerably increased the role of NGOs in the field. They have become very visible, rich and sometimes influential, thereby running the risk of being sollicited on problems going well beyond the core activities of humanitarian aid.

2. Humanitarian Action: Basic Principles

The notion of humanitarian space is invariably linked with the humanitarian principles: impartiality, independence and neutrality on which humanitarian action is based.
Rony Brauman summarises the goals of humanitarian action as follows – and this is what we in MSF try to adhere to:

---

[3] See for example Stroun, Jacques, "Principles of Humanitarian Action", in: *Final Report of the Seminar on Humanitarian Action, Perception and Security,* Lisbon, 27. – 28. März 1998 (pp. 14-24), Jean, Francois, "Le redeploiement du système de l'aide", which appeared in the same report (pp. 30-39) as well as Jean, Francois, "Aide Humanitaire et Économie de Guerre", in: Jean, Francois and Jean-Christophe Rufin, *Économie des guerres civiles,* Hachette/Pluriel 1996 (pp. 543-589).

[4] "Une situation tout à fait inédite dans l'histoire de la guerre: celles de zones conflictuelles parcourus par une multitude d'organisations internationales." Jean, Francois, "Le redeploiement du système de l'aide", p. 32.
„Paradoxalement, c'est au moment où les crises politiques sont de plus en plus considérées comme des „urgences humanitaires complexes" que les intervenants humanitaires sont de plus en plus percus comme des acteurs politiques." Ibid., p. 33.

[5] Once the catastrophe of genocide, that demanded a political and possibly military reaction, had ceased, the terrible situation in the refugee camps in Zaire allowed foreign governments and the UN to engage in humanitarian activism. See also: Brauman, Rony, *Devant le mal,* Arléa 1994.

> „Humanitarian action aims to preserve life and human dignity and to restore people's ability to choose.(...) humanitarian aid does not aim to transform society but to help its members to get through a crisis period (...) humanitarian aid is implemented peacefully and without discrimination by independent and impartial organisations (...) .The space for humanitarian action (emphasis added by the author) is thereby indicated by three markers": motivation – humanitarian aid should be guided by concern for others, not the defence of interests; the context – a harsh break with a previous balance; the actors – who must be independent of political or economic or ideological agendas. (Brauman, 1992:7)

The last point of this definition expresses clearly that it is private independent organisations which are called upon to implement humanitarian action. Or to put it differently:

> „ Ce qui différencie les acteurs humanitaires des acteurs politiques c'est qu'ils se déterminent, non pas en fonction d'objectifs mais en fonction de l'intéret des victimes." (Jean, 1998: 34).

Concern for humanity is the overriding imperative for humanitarian action, the aim to assist every person in need without discrimination, persuing no other interest, in respect for human dignity. This implies that humanitarian assistance comprises more than mere distribution of relief items – aid agencies have a responsibility to act impartially and solely in the interest of the victims.

Impartiality of aid and of the organisation is the fundamental principle guaranteeing an approach that is a true reflection of this humanity – assisting people because they are in acute danger, irrespective of their being part of any social, political, ethnic or other group. It includes to ensure that the most needy have priority, and aid is given according to need only.

Independence of any political, military or economic power is the essential condition to ensure impartiality of assistance. Independence of the aid organisation is also vital for assuming the role of witness when confronted with massive violations of humanitarian law, human rights or fundamental principles – one important protection element for populations in danger. Although government funding of NGOs does not mean that NGOs are subcontracted by these governments, there certainly is a dangerous development in some organisations with regard to the amount of institutional income. Independence is first of all a state of mind, the insistence on the responsibility towards people in danger as an absolute priority. This implies independence from political influence when formulating priorities, strategies and programmes. But the state of one's mind as well as the resulting actions might be influenced by the content of your purse – therefore the financial aspect is not without importance.

Neutrality, a principle not mentioned in the Geneva conventions as a condition on humanitarian organisations, is important for MSF in the sense that we do not aim to take sides in a conflict or in a political fight. But for us it is not a principle as central to humanitarian action as impartiality. It is much more a condition to the liking of states which are in fear of humanitarian operations turning into political intervention. It is „in order to maintain the confidence of all parties" that the ICRC counts neutrality as one of the basic principles. Partly this is due to the specific mandate of the ICRC. But neutrality has its limits, you can't be neutral in front of a genocide. Neutrality in its strict sense, as well as the confidentiality as practised by the ICRC, are seen by some humanitarian organisations as being an obstacle to the effective protection of victims of a conflict.[6]

---

[6] For a discussion of these principles reflecting also MSF's point of view including neutrality see Jean, Francois, "Le redeploiement du système de l'aide", (pp. 30-39) as well as under entry "Principes Humanitaires" in: Bouchet-Saulnier, Francoise, *Dictionnaire Pratique du Droit Humanitaire*, Paris 1998 (pp. 293-297).

One should never forget that it is in the interest of people in acute danger that these principles have been developed. Their violation usually harms those we are to protect and assist.

Referring to aid agencies' responsibility to act in the interest of victims beyond distribution of relief items, humanitarian action includes witnessing and advocacy which in extreme situations may be the only way left to act. As Rony Brauman remarked in *L'action humanitaire* (1995:103):

> „Lorsque l'espace humanitaire se rétracte sous les coups d'une politique de terreur, la seule arme dont disposent les équipes humanitaires est la liberté de parole. La dénonciation de la captation de l'aide, la description du chantage qu'elle permet d'exercer sur ceux qui en ont besoin constituent la dernière parade, l'ultime ligne de défense des humanitaires, mais aussi, dans ces circonstances particulières, une forme d'action aussi décisive que l'aide materielle."

This need for witnessing and advocacy which for us is at the core of humanitarian action demarks evidently a line of tension with the principle of neutrality.

3. Where or What is Humanitarian Space?

The use of the term „space for humanitarian action" by Rony Brauman (1992:7), which seems to have transformed into „humanitarian space", is to our knowledge the first time this concept appeared, but it has become widespread since – with rather different meanings reflecting different concerns or priorities. (Dind, 1998:11ff)

All too often the term is used without any clear definition.[7] Even the UNHCR seems to lack a definition (Connelly, 1998:6-9). A clearer outline is given by Van Brabant (1998:22ff). He distinguishes three perspectives of how humanitarian space is being understood:

- Respecting the Geneva Conventions in a conflict situation guarantees minimal standards for the protection for all, combatants and non-combatants.
- A physical, geographical space that is protected from fighting (like for example ‚humanitarian corridors')
- The action space for humanitarian organisations.

The first two are defining the framework conditions humanitarian action needs to become effective. They define necessary but not sufficient conditions for humanitarian aid to be meaningful. However, this description is only valid in contexts of conflict whereas for us humanitarian space is needed, and often threatened, also in non-conflict situations. All three aspects represent important elements, but it is the third aspect that expresses best what is essential for humanitarian action (see below).

Much of the confusion around the term „humanitarian space" stems from a lack of distinction between the creation and protection of that space on the one hand and the way humanitarian action can be undertaken within that space on the other hand. While the former is principally a political (including legal and military aspects) responsibility, the latter is largely the responsibility of humanitarian organisations.[8] But humanitarian organisations can only fulfill this

---

[7] See for example the ICRC's statement in the UN General Assembly (ICRC, 1996:10), the UN view expressed in *Humanitarian Imperative* (1997) as well as ECHO's working document (ECHO background, 1998).
[8] For a discussion of the state – NGO relation from the perspective of International Relations compare Eberwein, Wolf-Dieter, *The Politics of Humanitarian Aid – A Conceptual Perspective*, Background paper for the panel

responsibility effectively if the humanitarian principles are accepted and if the humanitarian space is guaranteed by political actors.

Legal Framework Conditions

The duty to react to the denial of basic human rights and acute basic needs has been enshrined in a large body of International Humanitarian Law (IHL) like the Geneva Conventions and their Additional Protocols, the Convention to Prevent Genocide as well as the Refugee Convention. They contain norms which define the framework conditions for humanitarian organisations and minimal standards for their activities, but also specific roles and responsibilities for the UN, for governments, and for the ICRC. It is governments who are signatories to these agreements. They therefore have a legal duty to react to humanitarian needs by enabling, supporting and protecting humanitarian action – or humanitarian space. It is the NGOs' duty to work in that space. Since humanitarian action is not only needed in conflict zones, the legal framework of IHL which is principally restricted to conflict situations is not sufficient to define humanitarian space.

Without respect for IHL norms, hoewever, humanitarian space is always threatened. What is the value of these norms when they regularly fail to prevent suffering or protect victims? As Heike Spieker said in her recent speech (1999:10):

> „(...) [D]ie bloße Existenz dieser Rechtsvorschriften [kann] nicht darüber hinwegtäuschen, daß unter Berufung auf das humanitäre Völkerrecht nicht eine einzige Hilfsoperation rechtzeitig und vollständig gegen den Willen der beteiligten Konfliktparteien an ihr Ziel gelangt.“

However, she points out that without these norms all the criminal acts like refusal of access, starving of populations to death as part of a political or military strategy, or the killing of aid workers etc would be legal. The creation of the Hague and Arusha tribunals and now of the International Criminal Court represent signs of hope – since they create judicial mechanisms to sanction individual responsibility for violations of IHL. But it will be a long and slow process until these courts can contribute to increase a more widespread respect for IHL.

It seems, however, that ‚humanitarian space' is rarely defined in terms of IHL[9] – most often it is reduced to the armed enforcement of access and/or protection of aid workers and victims:

Non-Fighting Zones and Security

Referring to the creation of non-fighting zones, many definitions and uses of the term ‚humanitarian space' are related to the debate about ‚humanitarian corridors' often created and protected by socalled ‚humanitarian intervention'. In this context, humanitarian space is understood as a non-fighting zone,[10] without any reference to humanitarian principles and usually concentrating on the military or security aspects.

“The Politics of Humanitarian Aid”, at the Third Pan-European International Relations Conference and Joint Meeting with the International Studies Association in Vienna, September 16-19, 1998.

[9] Compare however: Dind, Philippe, „Security and Humanitarian Space – The ICRC Perspective", in: *Humanitäres Völkerrecht – Informationsschriften, HuV-I,* Band 11, 1998 (pp. 9-13) p. 12. „Considering the Geneva Conventions, one might say that they define the minimum space for humanitarian action in a time of war."

[10] As in Pugh, Michael, “The Role of Armed Protection in Humanitarian Action”, in: *Final Report of the Seminar on Humanitarian Action, Perception and Security,* Lisbon, 27.-28. March 1998 (pp. 60-71). On page 60 Pugh writes that humanitarian space is merely “(...) the physical, geographical expression of a humanitarian concept."

The most unsatisfactory definition can be found in the European Commission's working document „Die Sicherheit der Mitarbeiter der humanitären Hilfe und der humanitäre Raum" (Echo 1998). Although part of the title, it is said that there is no definition for humanitarian space, but that physical security of aid workers is an essential element. The background paper for this working document (1998:4) is more specific:

> „The present paper views physical security as an intrinsic and necessary part of humanitarian space, if not its very definition."

While security problems which aid organisations are confronted with are posing enormous problems, they are not the only threat to humanitarian action. It is obvious that, from a humanitarian point of view, this definition is grossly inadequate and restricting drastically the concept of humanitarian space.[11]
Other concepts of humanitarian space are mostly concerned with the problem to distinguish the political/military sphere from the purely humanitarian:

> „The concept of humanitarian space represents a classic distancing technique employed to carefully separate military and humanitarian action, and offers considerable potential for effective military-humanitarian synergy when working in conflicts. The role of armed forces in this situation is to provide physical security and freedom of movement for all, such as keeping airports and roads open, and carrying out mine clearance. Such a security framework could enclose a protected zone within which impartial relief agencies would operate in a neutral and independent fashion. It could also involve relief corridors to centres of population. (IFRC, 1997:Chapter 2)

While this takes up the essential tension between the military and the humanitarian sphere, it neglects insisting on aid according to the above mentioned basic principles. It is mainly concerned with access and security and the problem aid organisations have experienced when they have to work alongside with armed troops under a ‚humanitarian' mandate. This is an essential task. But while the confusion of the two is indeed dangerous, it is not in all situations the military that threatens humanitarian action.

A Definition

The assistence which is given to people in need only complies to humanitarian principles if the principles of humanity, impartiality and neutrality are translated into action by the respective independent humanitarian organisation. The legal framework for such action is given in case of conflict by the IHL. Following this concept of shared responsibility, it is political actors who are responsible for the creation and protection of humanitarian space whereas it is in the hands of the aid agencies themselves to implement and guarantee the above-mentioned operational principles.

These principles are only adhered to if there is:

a) Unhindered access to people in danger
b) Independent evualation of their needs
c) Independent and impartial distribution of aid according to the level of need
d) Independent impact monitoring

---

[11] As will be discussed later, there are more problems linked to this ECHO position paper.

ad a) <u>Access</u> being evidently the most important element, it is also one of the biggest prob-lems. The most terrible experience for aid organisations is to know people in disaster situati-ons to be inaccessible. But they have a right to assistance - how then to guarantee or enforce this right has initiated a stormy discussion (see below). Whether access is impossible because of logistical or rather of security reasons, for reasons of political or economic manipulation – access to all people in need is the first concern and something aid organisations constantly need to struggle for. But this is not only their responsibility:

> „We must not forget that under humanitarian law victims have the right to be assisted. Access to vic-tims, however, is all too often not possible in acceptable security conditions, or is even refused. The ICRC believes that the international community should then assume its responsibilities and create the appropriate humanitarian space for the various organizations to conduct their respective activities in a coordinated and complementary manner." (Courten, 1997:3)

It is important to stress that access means much more than creating a non-fighting zone, and it is access to <u>all</u> people in need which is meant. The mere presence of an aid organisation in one corner of a conflict or disaster zone while being denied access to other regions may neglect the fact that the most needy are elsewhere. This may lead to a violation of the prin-ciple of impartiality (see below Korea, Sudan, Sierra Leone, Afghanistan). Another conse-quence of the right to unrestricted access is the possibility for aid workers to move freely and to have unhindered contact with the civilian population.

ad b) But once aid organisations do have access, the assistance needs to be designed in the most efficient and adequate way, responding to the needs of the most vulnerable. Therefore <u>independent evaluation</u> by the aid organisation is vital. The example of Korea (see below) shows how quickly aid can become partial and manipulated if independent evaluation is ren-dered impossible.

ad c) <u>Control of the distribution</u> and ensuring that assistance reaches the right people and all of them in an adequate way is essential to safeguard the impartiality of aid. However, it can only be the responsibility of the aid organisation to implement control mechanisms within the framework of their activity with peaceful means. Deviation of aid by armed factions is diffi-cult to fight against for an aid agency, but they ought not to accept this as inevitable. Expe-riences in Sudan and Goma/Zaire have shown to what extent lack of proper control can harm the population.

ad d) It is through <u>impact monitoring</u> that problems in aid programmes can be diagnosed and followed up. It is vital for ensuring that programmes are designed adequately to respond to the needs and to detect dangerous shortcomings.

<u>How to create humanitarian space by peaceful means</u>

Whether it is by negotiating the creation of a humanitarian space as in the case of Operation Lifeline Sudan (OLS)[12] or through patient, transparent, coherent work on the ground, reenfor-cing respect for IHL and human rights – there are many possibilities for governmental or hu-manitarian organisations to create, increase, and protect humanitarian space with other than military means.[13] Measures that uphold law and order and undermine "cultures of impunity" also contribute to strengthen humanitarian space. NGOs have a huge responsibility of their

---

[12] Cf. the paragraph on South-Sudan below.
[13] See also Dind, Philippe, ibid for the ICRC's position on that issue.

own to contribute to this. And this constitutes a major challenge for us in most crisis situations.

While there has been an extended debate about the political responsibility, including the question of armed enforcement and protection, we feel that other aspects restricting this humanitarian space have not attracted enough attention. This is also in light of the fact that armed intervention in favour of humanitarian space will remain an exception.

4. Humanitarian Space Under Siege

Situations of No Access

One of the most harrowing experiences for humanitarian organisations is the recognition that there has been no humanitarian aid for the victims of some of the most terrible famines, massacres, conflicts of this century. Starting with the genocide of the Armenians and apparently not ending with the genocide in Rwanda, passing by the famine in Ukraine in the thirties, the Nazi extermination camps, Mao's ‚great leap forward' that cost the lives of 30 million Chinese in the sixties, the ‚killing fields' of Cambodia – no humanitarian space whatsoever.

But even today there are countless other, less prominent examples of „white spots" on the map.[14] No access - no aid – no information – no interest: Angola, Sierra Leone, DRCongo, Chechnya, North-Korea, Kosovo today, even parts of Turkey, to name but a few.
NGOs alone have only limited possibilities to increase their action space. No access, no presence of international organisations means no protection, no assistance, no witnesses.[15]

In all these cases the political framework, respect for IHL, respect for the country's civilian population, has broken down or never really existed in the first place. As Rony Brauman wrote in *L'action humanitaire* (1996) humanitarian aid which is based and needs to be based on a shared understanding of humanity and the right to life, has no place in a situation that is characterised by a terrorist regime that aims to destroy the very people we are trying to protect. And yet – in almost all of these situations we think <u>something</u> could have been done. However, it was not humanitarian assistance which was primarily lacking. Political action in the larger sense – creating publicity, lucidity, courage, honesty leading to responsible political decisions would have made a difference. Who really wanted to know what happened in Cambodia? Who really was ready to help in Rwanda when we watched our daily dosis of genocide on TV?

If there is no humanitarian space left and if there is a lack of political backing, NGOs are left alone and their action is brought to a standstill – the only thing they are able to do is to protest publicly. Where, however, is the line to be drawn? How do we decide when to leave – or when to denounce? Especially on this question there is rarely an agreement among agencies, even within MSF the discussions are violent. How much compromise on humanitarian space and principles do we accept? There are no general rules – but if humanitarian aid and the presence of aid agencies harms the population more than it helps,[16] when humanitarian space is evaporating, then you cannot go much further. Remember Ethiopia, Goma, Bosnia, Korea.

---

[14] Cf. Rufin, Jean-Christophe, *L'empire et les nouveaux barbares,* Pluriel 1992.

[15] It is as a reaction to such desperate situations that the concept of „humanitarian intervention"appeared.

[16] As it was the case in Liberia for example.

‚Humanitarian Intervention‘:[17] The Militarisation of Humanitarian Space

From the perspective of an aid agency the concept is dangerously misleading: a military intervention can never be a humanitarian action – armies are not humanitarian organisations, and military intervention always has (to have) a political goal, is selectively applied following a political agenda, and is never impartial. This is not necessarily an argument against military intervention as such (we certainly would have welcomed one to prevent the genocide in Rwanda). Insisting on humanitarian principles we cannot accept any military intervention being called humanitarian. The resulting confusion between the humanitarian mandate of aid workers and the socalled 'humanitarian' mandate of armed forces who are both present within the same conflict is extremely dangerous and a serious threat for humanitarian space – not the least because aid workers are drawn into the conflict dynamics, if only in the perception of the local population. Humanitarians are stripped of their independence and thus of their credibility.[18]

This paper does not discuss the need for or legitimacy of armed intervention with a „humanitarian“ objective. However, the experience of the last years has left many very sceptical about the viability of such a concept beyond the use of the term „humanitarian“ as a fig leaf. During the one catastrophe where an intervention would have been not only necessary and possible but even an obligation under international law – the genocide in Rwanda – the UN troops present in the country mostly left while the massacres went on. There was no interest to intervene, no recognition of every country's obligation - and certainly no incling of humanitarian responsibility.

Since 1994 the concept of humanitarian intervention has lost a lot of its charm, even though NATO tries to revive it in Yugoslavia. But there are cases when governments, taking their obligation under IHL to guarantee access or to prevent genocide seriously, may need decide to enforce access by military means – a military intervention to create, and possibly protect, humanitarian space.[19] This should be a political decision which employs political and military means, defined in a way that respects the independence of the humanitarian action. It should be stated clearly that such an intervention is part of a political strategy. The experience so far does not stand the test of any coherent humanitarian agenda in any government's policy. On the contrary – governments do not hesitate to restrict humanitarian space quickly in the interest of other goals.

Situations of Limited Access

Restriction or manipulation of humanitarian space has dire consequences for the affected population. Undoubtedly, lack of security and access are important threats, but not the only ones. While humanitarian organisations can contribute to their security and to the creation of humanitarian space in principle, is not their responsibility as already mentioned. However, they do have a great responsibility in ensuring impartiality of aid. In briefly discussing a few

---

[17] The expression is a contradiction in itself since humanitarian assistance delivered by a humanitarian impartial organisation is covered by IHL. Thus it cannot be considered as an intervention in the sense of violating a state's souvreignty.

[18] "De ce point de vue (confusion regarding mandates – UvP), il n'est pas certain qu'une protection militaire améliore la sécurité des acteurs humanitaires; elle risque au contraire de jeter une ombre sur leur indédependance et leur impartialité et réduire leur espace d'intervention. " Jean, Francois, "Le redeploiement du système de l'aide", p. 33f.

[19] „In extreme cases of chaos, we also consider external intervention to be necessary to ensure the mere existence of this space. Humanitarian action can run parallel to military or political action, but cannot replace it." Dind, Philippe, ibid., p. 13.

contexts where from our perspective humanitarian space was insufficient or restricted we want to show the consequences for the affected population.

North-Korea

This is one of the rare situations whithout a security problem for international aid workers, but where the health and nutritional status of at least part of the population is disastrous.
Aid agencies were invited first in 1995, then again in1996 and 1997 to participate in an emergency programme intended to relieve the consequences of devastating floods which had caused widespread famine. In addition it was found that the health system had completely broken down. MSF like a number of other aid agencies, largely with the help of institutional donors, set up huge programmes of medical distribution, training for health personnel and especially feeding centres.

Although humanitarian space was restricted in so far as aid organisations were refused access to the entire country and had little control over distribution and limited possibilities to evaluate their aid's impact, they compromised, tried to work in the accessible provinces and to open up more operational space. In the year July 1997 until September 1998 MSF had managed to expand its medical assistance progamme to support around 2000 health centres and hospitals assisting seven million people in four provinces with medicines, equipment and training.

Although famine had been declared to be catastrophic and widespread, there was only scarce confirmation in the 34 feeding centres MSF had set up, except for some groups of particularly neglected children. But MSF was never allowed to follow up on these. At the same time there were considerable numbers of Korean refugees in China at the border with Korea many of whom told the same stories of massive famine in their region. They described discriminatory food distribution systems according to social position and party loyalty and spoke of large numbers of homeless children roamimg the countryside looking for food.

However, aid agencies were never given access to these provinces to properly evaluate the situation and the needs. Therefore MSF had to conclude that much pointed into the direction of an emergency situation, but that there was no possibility to have reliable information about who was affected most. If there were people in serious danger, we were not able to reach them.

MSF was negotiating to continue its assistance and to target particularly vulnerable groups of homeless and orphan children. Instead the authorities insisted that the most effective type of medical and nutritional assistance be for „(...) MSF to pay deep attention to provide pharmaceutical raw materials.‘[20] When MSF refused on the ground that they were committed to humanitarian principles and to help people in need directly through medical and nutritional assistance, they were forced to leave.

In conclusion we can say that the North-Korean government is possibly starving a part of its population to death or at least accepting this as the price to be paid for their autonomy. Humanitarian aid, given by donor governments with much less strings attached than development aid, seems to serve not the population in need but an oppressive though weakened government to strengthen its position. Independent organisations bother. Donor governments are clearly aware of this, and some use humanitarian aid as a lever to bring the North-Korean go-

---

[20] Taken from a letter sent to MSF Head of Mission by Mr. Ri Si Hong, Department of External Affairs of the Flood Damage Rehabilitation Committee DPRK, dated Pyongyang August 24, 1998.

vernment to the negotiating table[21] As Francois Jean comments in his article *Corée du Nord: un regime de famine* (1999:19f):

> „ La Corée du Nord est un exemple frappant d'aide en milieu opaque: les rares organisations humanitaires autorisées à travailler dans le pays sont dans l'incapacité d'évaluer l'ampleur de la famine et en sont réduites à distribuer une aide à l'aveugle. (...) elles sont réduites à gérer ce qui, à proprement parler, est une aide économique à la Corée du Nord. La question de l'évaluation des besoins et du contrôle de la distribution est certes au coeur des préoccupations de la communauté internationale mais les pressions exercées restent faibles, ne serait-ce que parceque l'aide humanitaire n'est considérées par les pays donateurs que comme un instrument de leur politique d'engagement. (...) dans les pays donateurs, le label humanitaire a permis de surmonter les réticences à l'égard d'un soutien au régime nord-coréen. (...) C'est ainsi que l'aide humanitaire est devenue un élément clé du jeu diplomatique entre la Corée du Nord et la „communauté internationale" (...)".

South-Sudan[22]

Through early warning systems a food shortage had been predicted for 1998, but the scale of the famine in Bahr el Ghazal and some other parts of Southern Sudan was not. The famine response revealed the severe limitations of humanitarian relief in the Sudan context. While the responsibility for the famine lies with the warring parties, it is through violation of basic humanitarian principles that the UN, NGOs and donor governments contributed to the totally inadequate reaction.

To address the emergency needs of the people in the civil war in Sudan, a coalition of UN agencies and NGOs known as Operation Lifeline Sudan (OLS) was established in 1989. It was mandated to initiate constructive change by negotiating access to the most vulnerable and interfacing this access with the delivery of humanitarian aid. It operates under a tripartite agreement signed by the Government of Sudan, the rebel movements and the UN, which provides for humanitarian response according to humanitarian principles. These are defined in a number of agreements like for example in the Ground Rules.

Despite the efforts of humanitarian agencies within and beyond OLS, enormous suffering has continued to recur because of fundamental weaknesses in the application of humanitarian principles at the heart of the UN's coordination mechanism.

Assessment, provision and monitoring of relief

The OLS agreements provide that independent aid agencies' should be allowed to assess needs freely, assist on the basis of need alone and monitor assistance without hindrance. This has often not been the case in practice.

The most serious example of abuse of these basic principles in the 1998 famine was the diversion of food aid by the warring parties. In August 1998, a joint OLS/SPLM/SRRA task force investigated the problem and concluded that food diversion was taking place. Because of a lack of consistent post-distribution monitoring, it has been impossible comprehensively to quantify the scale of diversion and its impact on the population. However, MSF nutrition surveys showed that malnutrition rates in Ajiep, Bahr el Ghazal, for example, remained extremely high for many months despite major food relief supplies into this SPLA-controlled area and it is estimated that at least 3000 people died within three months

---

[21] The US government provided 300 000 tons of food aid in October 1998.
[22] The following is a summary of the MSF position paper on Sudan, *Can Another Famine in Sudan Be Prevented?,* February 1999.

As WFP reported, 'the poorest and most marginalised received very little food through the general distribution process and many of the problems identified by the Task Force in August persisted'.[23] The extent of food diversion varied considerably from area to area; however it is clear that in some areas a significant amount of food aid did not reach the people most in need because fundamental operating principles were not respected by local parties or consistently ensured by aid agencies. Responsibility for distributing general food rations was partially given to local parties and committees who often failed to ensure rations reached the most vulnerable (catastrophically so in Ajiep, where over 90% of the population were displaced people and excluded from food distributions.)

Access to people in need

While the OLS agreements provide that relief should be able to reach people in need without hindrance or obstruction, in practice access to populations in danger is severely limited in Sudan. For example in Bahr el Ghazal in January 1998, over 100,000 people were displaced by fighting in Wau, Gogrial and Aweil (Bahr el Ghazal). Their suffering was exacerbated by a ban on relief flights in Bahr el Ghazal imposed by the Government: from 4th to 24th February, no relief flights were allowed.[24] Following this ban, only four sites were cleared until the end of March. This eventually led to massive malnutrition as food relief arrived late and people were further displaced due to the concentration of services in a few locations. By June, malnutrition rates had soared in different places to between 28% and 79%. Access problems were encountered in a number of other regions, in particular in the Nuba mountains.

Security constraints that led to repeated evacuations of aid teams have seriously limited the impact of programmes. Without adequate security and humanitarian access, the risk of famine in 1999 is significantly increased.

Various agreements are in place to allow the provision of aid to the most vulnerable, but they are violated regularly by the parties to the conflict. The fact that these violations of humanitarian principles occur when the population is most vulnerable, e.g. during a famine, calls into question the concern of the conflicting parties for the welfare of their people.

Responsible for applying fundamental operating principles, OLS has not consistently ensured that needs are assessed neutrally and impartially and that aid is provided strictly according to humanitarian needs. OLS should strengthen its independence and capacity to enforce the various agreements to guarantee that humanitarian assistance reaches those most in need. The complexity of the OLS structure limits its efficiency and effectiveness. As pointed out by the 1996 OLS Review, there is an urgent need to separate the political responsibilities of OLS from its humanitarian coordination role in order to safeguard, and place more emphasis on, humanitarian principles.

Neither the implementing UN agencies nor the NGOs were sufficiently responsive to the famine as it emerged, basing plans and budgets on available funds rather than identified needs. NGOs have not been sufficiently strong and consistent in following up abuses of humanitarian

---

[23] EMOP monthly review, November 1998.

[24] For a comment on the ban on relief flights from the legal perspective see Schotten, Gregor, "Der aktuelle Fall: Wiederholtes Verbot für Hilfsflüge durch die sudanesische Regierung – gibt es ein Recht auf Zugang für humanitäre Hilfsorganisationen im nicht-internationalen bewaffneten Konflikt?", in: *Humanitäres Völkerrecht – Informationsschriften, HuV-I,* Band 1, 1999.

principles and have thus contributed to a tendency towards acceptance of these violations. NGOs running feeding programmes need to ensure that post-distribution monitoring is done.

Governments and donors need to hold OLS accountable to humanitarian principles in the implementation of its mandate in Sudan. There has been little serious effort on the part of the international community during this long-lasting civil war to engage with the warring parties to address the underlying causes of the conflict or bring about a peaceful resolution. Humanitarian agencies cannot undertake this role. Political commitment and action by governments are urgently needed to promote and support genuine high-level mediation and negotiations for peace in Sudan.

NGOs are faced with a dilemma: working within the OLS framework the way it functions today, in order to ensure access to populations in South-Sudan, they are forced to compromise on their principles to a degree that some find inacceptable – to the detriment of South-Sudan's population.

Sierra Leone[25]

The largely unreported civil war in Sierra Leone has lasted for more than eight years, claimed thousands of lives, and caused more than 400,000 people to flee to neighboring Guinea, Liberia and elsewhere. The UN estimates that 700,000 more persons have been internally displaced by the fighting. The military offensive started by the rebel forces of the AFRC/RUF in late 1998 and forced the aid organisations to evacuate temporarily. Since the end of January 1999 some organisations, including MSF, are back, at least to Freetown. Most of the rest of the country is as yet inaccessible.

The rebels have embarked again on a campaign of terror – looting, mutilating, raping kidnapping, torturing, killing civilians, often children for no other reason it seems than sowing terror. The rebels routinely use child soldiers who have been forced to carry out executions and mutilations. The UN Observer Mission in Sierra Leone (UNOMSIL) has reported on these violations in detail.

The vast majority of human rights and humanitarian law violations have been committed by rebel forces. Nonetheless, ECOMOG and local Civilian Defence Forces have also been implicated in serious abuses of human rights. Of particular concern has been the extra-judicial execution of alleged RUF-combatants in ECOMOG custody. For example on January 12, ECOMOG forces reportedly summarily executed 20 hospital patients who had been identified by them as rebels. Until March 1999 there has been no evidence that ECOMOG has taken legal or displinary action against any of the soldiers implicated in serious abuses.

The biggest concern is the fate of the population in the inaccessible interior of the country. No one knows today what is really going on inside Sierra Leone. While insecurity is the main threat, ECOMOG has done little that would indicate concern for this problem: Rather than facilitating access by international humanitarian organisations, ECOMOG has sometimes hindered it. For several weeks, organisations were deprived of their communication equipment (needed for logistics and security).[26] In January 1999 ECOMOG took into custody and physi-

---

[25] The following is a summary of the MSF position paper „The Humanitarian Crisis in Sierra Leone", March 1999.
[26] Meanwhile this issue has been resolved.

cally mistreated several local staff members of humanitarian agencies on unsubstantiated grounds that they were rebel collaborators. ICRC has been expelled from the country.

While it is foreign governments' responsibility to pressure the government of Sierra Leone and the UN mandated ECOMOG to ensure access and humanitarian space to independent humanitarian organisations, they need to support the UN in order to negotiate relief to reach rebel held areas. Donor countries funding ECOMOG need to insist on their abiding by IHL – this would considerably increase security and humanitarian space for the aid organisations and therefore for the population.

Rwanda

Without wanting to repeat an outline of the recent history of Rwanda and the civil war in Zaire/Congo,[27] we cannot ignore that this provides us with the most pessimistic view about the possibilities to insist on humanitarian space.

From the decision of the UN to largely withdraw their troops while the genocide was happening, through the inaction and de facto collusion with the criminal camp leaders around Goma up to the total lack of any reflection on the humanitarian situation during the Civil War in Zaire/Congo 1996-1997, IHL has been absent and ignored by anyone involved.[28] As Fennell writes (Fennel, 1997:7):

> „It is well known to those who worked in Kisangani that the health crisis among refugees was a direct consequence of the denial of ‚humanitarian space‘ required to prevent humanitarian disasters. [...] As has been pointed out with reference to other recent African wars, the denial of ‚humanitarian space‘ appears to be a cornerstone of military strategy.“

Coordination Mechanisms And Confusion Of Roles

There is a tendency in some intergovernmental organisations like ECHO or the UN to <u>impose rules</u> and coordination mechanisms on NGOs. One example is ECHO's security paper (ECHO background paper, 1998) which had been mentioned because it seems to equate the physical security of aid workers with the existence of humanitarian space. ECHO in this document concentrates largely on the NGOs' duty to improve security measures and proposes to condition funding to NGOs on their participation in ECHO security coordination mechanisms. This is extremely problematic for several reasons:

- ECHO is a donor organisation and not a humanitarian organisation. It therefore has different interests, means and constraints. They regularly fail to clearly make this distinction. They argue from a donor point of view.
- ECHO is, and is perceived, as part of the European Commission, sometimes even as a part of the EU's foreign policy department. If NGOs agree to be part of EU coordination mechanisms they loose their independence – de facto and in the perception of host countries and populations.
- While security is a difficult and complex problem, the ECHO approach is very technocratic. The lack of proximity to populations, the confusion of the political with the humanita-

---

[27] For a brief outline see Fennell, James, "Hope suspended: Morality, Politics, and War in Central Africa", in: RRN Newsletter, No 9, November 1997 (pp. 5-7).
[28] See also the two Zaire reports issued by MSF: *Bukavu – Shabunda (South Kivu, Zaire),* MSF report 1997 and *Forced Flight: A Brutal Strategy of Elimination in Eastern Zaire,* MSF Report, May 1997.

rian sphere, the absence of political strategies to guarantee humanitarian space are hardly discussed.
- The main responsibility for their security seems to be put on the NGOs themselves, which seriously restricts their action space.

Evidently NGOs have a great responsibility in developing adequate security strategies. But working in conflict zones is not possible without taking risks. It needs to remain the responsibility of the NGO, present and experienced in the field, to decide which risk to take and where to draw a line.

A different example for the difficulties the lack of distinction between the UN, donor governments and NGOs can cause is the recent trouble in Afghanistan. Here only a few brief remarks: Humanitarian space has always been very restricted in Afghanistan, but somehow it subsists. MSF had been able to continue programmes in almost all regions of the country until August 1998, when the teams had to evacuate for security reasons.
In a problematic context like Afghanistan under the Taliban with civil war continuing in the North it is essential for humanitarian aid to not be seen as part of any political camp. This is important for security reasons, but also to maintain credibility for an impartial approach to aid. However, this attempt by some NGOs to remain true to humanitarian principles has been jeopardised by UN organisations and donor governments:

- WHO's support for the Rabbia Balkhi hospital in September 1997. The joint donor-WHO fact-finding mission concluded that the WHO strategy endorsed the gender discrimination policy regarding access to health care applied by the Kabul Ministry of Health.
- Some donors' suspension of funding for Kabul programmes, later in all Afghanistan. Restart of funding was subject to respect for principles by the Afghan authorities. The consequence was suppression of funding for NGOs, therefore reduction of aid to the population. No impact on the authorities.
- Some donors apparently went so far as to condition their aid on the absence of expatriate staff. There was no humanitarian reason for this decision. The only effect was retardation of assistance.
- Public statements that were critical of Afghan society and Taliban rule by European politicians who called themselves ‚humanitarian' has caused widespread confusion and enormous suspicion in Afghanistan as to the presumed neutrality of humanitarian aid. This was not only inadmissible, but also dangerous for humanitarian staff.
- The UNOCHA initiated ‚Common Principled Programming', presented in 1998 as an indispensable tool to improve humanitarian aid in Afghanistan. Today it has become clear that instead of reenforcing humanitarin principles this coordination mechanism is trying to impose inacceptable rules on NGOs (like no return for expats to Afghanistan as long as the UNOCHA so decides). In addition it creates this all to wellknown amalgam between the UN, donors and NGOs that is so detrimental to safeguarding the NGOs independence and therefore humanitarian principles. The Memorandum of Understanding signed between OCHA and the Taliban authorities in October 1998 is compromising repeatedly the NGOs independence.

It is inacceptable that the UN, followed by some donors, tries to impose a unique, centralised, integrated approach to aid, especially in such a highly politicised context. There are several examples of such attempts – including the imposition of working rules and quality standards, the attempted imposition of new codes of conduct. While we are not against discussing and developing meaningful professional standards, we are strongly opposed to be subordinated to them no matter what the context and the challenges. We agree to coordinate <u>with</u>, but are not

prepared to be coordinated <u>by</u> other agencies. Otherwise violation of our independence would be the result. Humanitarian space under siege, indeed.

As these few examples show: humanitarian space is threatened by much more than security problems; neglect and the violation of principles, which are often sacrificed on the altar of political calcul are causing most of the harm.

Just a brief remark on recent cases of <u>conditioning aid,</u> as already mentioned in the case of Afghanistan. Following the „Do No Harm" debate[29] some donors seem to have taken this literally and have suspended humanitarian aid to countries with undesirable governments – like Afghanistan and Sierra Leone. In Sierra Leone in 1997/98 it seemed that the restriction of humanitarian aid by the UK government was part of a strategy to fight the junta.[30]

In using the argument that relief fuels war donors have justified their providing lower levels of humanitarian assistance. This amounts to the instrumentalisation of relief as part of a political or military strategy. The suffering victims of this or that conflict or terrorist regime are punished twice: first by the violence around them, second by the denial of their right to humanitarian assistance. The consequences can be disastrous. It may even help an oppressive government to tighten the grip on their population further, while there seems to be little evidence that reduction of humanitarian aid can change the course of a conflict – on the contrary, this may allow an oppressive regime to terrorise even more the affected population.

In this context another attack on basic principles is coming from an unexpected side:

> „The non-political nature of humanitarian assistance is in part predicated on the notion of the innocent, non-political victim. This, however, is often a fictitious concept. Often the „victims" are not passive, apolitical or neutral. Instead they are involved and part of the struggle, or they have become hostages to political and military forces. As UNHCR witnessed in the Great Lakes region, many times the borderline between the perpetrators and the victims of conflict is blurred or invisible." (Vieira de Mello, 1998:47)

Well, Henri Dunant would turn in his grave. Nowhere is the concept of the innocent victim to be found – innocence is not constitutive for being entitled to humanitarian aid. Reviving the concept of good and bad victims, or of the ‚undeserving disaster victim‘, and to put this responsibility on the shoulders of the humanitarian organisations is inacceptable. We are committed to impartiality – which does not mean we are blind to deviation and abuse of aid. On the contrary – some organisations including MSF have been very vocal about the inacceptable situation in the camps around Goma or the problems in South-Sudan and pointed out the responsabilities for the aid abuse. But we are not the ‚humanitarian police‘ – this is a political responsibility.
Humanitarian organisations are working in highly politicised contexts. They must be aware of the risks of diversion and abuse of aid in order to be complementary to alternative actions. However, it is alternative action that must be applied in addition and in separation from humanitarian action to address the causes of a crisis and protect the impartiality of the humanitarian response.

NGOs evidently have a huge responsibility to defend humanitarian space. They are often part of the problem themselves:

---

[29] The expression and the debate was initiated by Mary Anderson.
[30] Compare Hendrickson, Dylan, "Humanitarian Action in Protracted Crises: The New Relief 'Agenda' and its Limits", in: RRN network paper, no. 25, April 1998, for a more substantial criticism of the ‚new relief agenda'.

- Too many organisations with different concepts and priorities. There is an amalgam with UN and state actors – this confuses not only the local population, but also the authorities. Therefore, more transparency and modesty is needed.
- Too much equipment and material which become a target of looting. The perceived ‚wealth' of organisations distances them from the local population (Try to implement „smart aid"!).
- There is too little effort to work close to the local population.[31]
- There is too little courage for advocacy and defence of humanitarian principles.

5. The Confusion Goes On

The most recent example of the great semantic confusion regarding NATO's activities is NATO taking over the de facto coordination of support to the Kosovar refugees in Macedonia and apparently in Albania, thus bypassing UNHCR and NGOs.[32] NATO's logistical support is indispensable, but they don't have the mandate nor the competence to take over UNHCR's responsibility. Our governments' concern should be to strenghten UNHCR and the NGOs, respecting their independence in their own interest– not to use the suffering of people in order to strengthen NATO. As so often the reaction to the terrible suffering of people is subjected to the military strategy.

Although the question of distribution of tasks and the different roles and responsabilities bet-ween all the actors in the field of humanitarian aid is very complex, there is one basic issue that should be clear, but all too often is not:

1. Il n'y a qu'une seule solution à la guerre. C'est la restauration de la paix, la sécurité et la justice. Et ce-la n'est pas le travail des humanitaires, mais celui des politiques.
2. L'action humanitaire qui ne s'attaque pas aux causes des conflits n'est qu'une réponse incomplète et temporaire, meme si elle peut parfois contribuer à réduire durablement les tensions.
3. Cette action humanitaire est pourtant indispensable pour éviter que la paix, que les politiques ont la lourde tâche de promouvoir, ne soit en fin de compte que la paix des cimetières. (Stroun, 1998:26)

Therefore we do not agree with Sergio Viera de Mello when he writes (1998:47f):

> „Humanitarian action could even be described as a form of political action: that is, political action that puts the saving of lives, human rights, good governance, and prevention before all other". (...)

While humanitarian organisations should be, and are, aware of human rights as well as pre-vention issues we don't see those concerns on a par with the core of humanitarian action. But even worse in the following quote Viera de Mello attempts to entirely instrumentalize huma-nitarian aid:

> "Humanitarian agencies have now become an important instrument at the disposal of the international community to undertake what is as much a political as a humanitarian task: the containment of crises."

---

[31] In a recent evaluation of MSF's image in Rwanda the result was rather shocking for MSF – too rich, too arro-gant, too distant, too ignorant about the country, too little listening. Cf. Sacré, Carol, *Rwanda – Un pays pas comme les autres, Evaluation des besoins en communication opérationnelle*, Bruxelles 1998.

[32] Becker, Elizabeth, "With Aid Effort Overwhelmed, NATO Will Take Over Coordination", in: *New York Times,* 6 April 1999, p.4.

If humanitarian action, and therefore humanitarian organisations, is seen merely as an instrument of containment policy then this means death of the independence of humanitarian action. Political actors should have as political goal what the Geneva Conventions stipulate, namely to guarantee the independence of aid organisations.

When representatives of ECHO or OCHA[33] regularly say „We, the humanitarian community" and subsume UN and private organisations under the common term „agencies" without differentiation as regard to role, mandates and means, then they contribute to the dangerous blurr of perceptions, neglect their political responsibility and put demands on NGOs which these are simply not able to satisfy.

ECHO is not an NGO, and why should they want to be one? They have a very important role as the major and in some ways the most efficient institutional donor worldwide. But they are an integral part of a powerful political structure, and although ECHO is probably to a higher degree impartial in its funding than any national government, it still remains a governmental structure and should be valued as that.

But it is the failure of governments to take political action that leads to these enormous demands on humanitarian organisations: conflict and disaster prevention, protection of human rights, capacity building, developmental concerns, conflict management and resolution, peace building. Humanitarian organisations are held to be responsible for everything. All these concerns evidently touch humanitarian action – but they are not the aid agencies' prime responsibility. These inflated demands constitute an additional restriction on humanitarian space.

The most difficult challenge for humanitarian organisations today is to remain close to populations in acute danger and help them to survive. Too many are left completely alone, they are out of reach – because basically they are not interesting. Security, manipulation and many other difficulties most often prevent NGOs from bringing meaningful assistance – not to mention protection.

Humanitarian organisations do

- <u>create</u> access and <u>protect</u> humanitarian space – through negotiation, competent assistance, proximity to populations, neutrality, disinterest and humanistic engagement;

- <u>prevent</u> even more disastrous consequences of violence. But in most cases where prevention of the political kind is asked for like in Rwanda, Zaire/DRCongo, Kosovo, Somalia, Sudan nobody wants to listen. The current talk about prevention is the most hypocritical discourse we know: interests against prevention are definitely stronger than those in favour of prevention;

- <u>protect</u> the specific human „right to life" as well as other rights related to their activity proper through their work and through operational action. Nevertheless, they are not human rights organisations in the activist sense like amnesty international or Human Rights Watch. Their foremost duty is not to accuse human rights violation but to assist people in danger to survive;

---

[33] For example Sergio Vieira de Mello, as Under-Secretary – General for Humanitarian Affairs and Emergency Relief Coordinator (OCHA): „My own view, put succinctly, is that humanitarian action and political action are not opposites. Humanitarian action must be seen in broader, more inclusive context and must pay greater attention to social, political, human rights, and economic factors considerations." Vieira de Mello, ibid, p. 48.

- <u>build</u> local capacities through numerous training programmes and creation of infrastucture for example in post-emergency situations.

If it is the states' duty to combat violence, then it is the humanitarian organisations' duty to combat the consequences of violence. Their responsibility is to assist people in acute danger to survive. Their responsability is to work strictly based on humanitarian principles and as competently as possible. They have a duty to be close to the people they serve. If this is not possible, if the humanitarian space is restricted or manipulated, then their responsability is to speak out and address these shortcomings. They have a responsability to avoid the abuse of humanitarian assistance within the framework of their possibilities. Their responsability is to remain independent in order to safeguard the humanitarian space they work in, to remain independent in their minds and in their analysis and committed to humanity.

Let them do <u>their</u> job.

Bibliography:

Becker, Elizabeth, "With Aid Effort Overwhelmed, NATO Will Take Over Coordination", in: *New York Times,* 6 April 1999, p 4.

Bouchet-Saulnier, Francoise, *Dictionnaire Pratique du Droit Humanitaire*, Paris 1998.

Brauman, Rony, *Devant le mal*, Arléa 1994.

----------, *L'action humanitaire*, Dominos 1995.

----------, „Introduction", in: Jean, Francois (Ed.), *Populations in danger*, London 1992. (S. 3-9)

Connelly, Maureen, „Security and Humanitarian Space – The UNHCR Perspective", in: *Humanitäres Völkerrecht – Informationsschriften,* HuV-I, Band 11, 1998 (pp. 6-9).

Dind, Philippe, „Security and Humanitarian Space - The ICRC Perspective", in: *Humanitäres Völkerrecht - Informationsschriften*, HuV-I, Band 11, 1998 (S. 9-13).

de Courten, Jean, *The new humanitarian challenges*, Keynote address by Mr. Jean de Courten (ICRC), Director of Operations, to the Heads of military training, Geneva, 14-17 October 1997.

Eberwein, Wolf-Dieter, *The Politics of Humanitarian Aid – A conceptual perspective,* Background paper for the panel „The Politics of Humanitarian aid", at the Third Pan-European International Relations Conference and Joint Meeting with the International Studies Association in Vienna, September 16-19, 1998.

European Commission, *Security of relief workers and humanitarian space*, 1998. (quoted as ECHO 1998)

Fennel, James, „Hope Suspended: Morality, Politics and War in Central Africa", in: *RRN Newsletter*, No 9, November 1997 (pp. 5-7).

Greenaway, Sean, *Security of relief workers and humanitarian space*, ECHO background paper, Brussels 1998. (quoted as ECHO background paper 1998)

Hendrickson, Dylan, "Humanitarian Action in Protracted Crises: The New Relief 'Agenda' and its Limits", in: *RRN network paper*, no. 25, April 1998.

International Federation of Red Cross and Red Crescent Societies, *World Disasters Report 1997*, Oxford University Press, 1997 and under: http://www.ifrc/org/pubs/wdr/97ch2.htm. (quoted as IFRC 1997)

Jean, Francois, „Corée du Nord: un régime de famine", in: *Esprit*, February 1999.

----------, „Le redeploiement du système de l'aide", in: *Final Report of the Seminar on Humanitarian Action, Perception and Security*, Lisbon, 27.-28. March 1998 (S. 30-39).

----------, Aide Humanitaire et Économie de Guerre", in: Jean, Francois and Jean-Christophe Rufin, *Économie des guerres civiles*, Hachette/Pluriel 1996. (S. 543-589).

----------, *Populations in danger,* London 1992.

Letter from General Director of MSF France Karim Laouabdia to Kofi Annan, Secretary General, United Nations, Paris 19 July 1998. (including Commentary on the Memorandum of Understanding between the Islamic Emirate of Afghanistan and the United Nations, July 1998)

MSF Position Paper, *The Humanitarian Crisis in Sierra Leone*, 17 March 1999.

MSF Position Paper, *Can Another Famine in Sudan Be Prevented?,* 1999.

MSF report, *Forced Flight: A Brutal Strategy of Elimination in Eastern Zaire*, May 1997.

MSF report, *Bukavu-Shabunda (South Kivu, Zaire)*, 1997.

Pugh, Michael, „The Role of Armed Protection in Humanitarian Action", in: *Final Report of the Seminar on Humanitarian Action, Perception and Security*, Lisbon, 27.-28. March 1998 (S. 60-71).

Rufin, Jean-Christophe, *Le piège humanitaire,* Pluriel 1986.

----------, *L'empire et les nouveaux barbares*, Pluriel 1992.

Sacré, Carol, *Rwanda – Un pays pas comme les autres, Evaluation des besoins en communication opérationnelle*, Bruxelles 1998.

Schotten, Gregor, „Der aktuelle Fall: Wiederholtes Verbot für Hilfsflüge durch die sudanesische Regierung – gibt es ein Recht auf Zugang für humanitäre Hilfsorganisationen im nicht-internationalen bewaffneten Konflikt?", in: *Humanitäres Völkerrecht – Informationsschriften*, HuV-I, Band 1, 1999.

Spieker, Heike, „Humanitäres Völkerrecht – Humanitäre Hilfe" Rede anläßlich 900 Jahre Johanniter Unfallhilfe e.V. am 15.03.1999.

Stroun, Jacques, „Principles of Humanitarian Action", in: *Final Report of the Seminar on Humanitarian Action, Perception and Security*, Lisbon, 27.-28. March 1998 (S. 24-30).

United Nations, *General Assembly 51st session, Fourth Committee, Agenda item 86*, Statement by the International Committee of the Red Cross (ICRC), New York, 18 November 1996. (quoted as ICRC 1996)

Van Brabant, Koenraad, „Security and Humanitarian Space – Perspective of an Aid Agency", in: *Humanitäres Völkerrecht – Informationsschriften,* HuV-I, Band 11, 1998 (S. 14-24).

Vieira de Mello, Sergio, „Politics and Humanitarian Action", in: *Final Report of the Seminar on Humanitarian Action, Perception and Security*, Lisbon, 27.-28. March 1998 (S. 46-51).