Humanitarianism and conflict in a post-Cold War world

by
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THE definitive sign that the Cold War had run its course came, not with the breaching of the Berlin Wall on 9 November 1989, but on 2 August 1990 when Iraq's belligerent leader defied his Arab neighbours and the international community by marching into Kuwait. His rash action was in part the product of anger and impetuosity. But it also reflected a miscalculation, derived from the experience of forty-five years of stalemate between east and west, that he could get away with his act of piracy under the umbrella of mutual restraint which had been provided by this bipolar superpower antagonism. What Saddam Hussein failed to perceive was that the extent to which the Soviet Union could inhibit international counteraction on behalf of it clients had dwindled to no more than a hollow facade, and that in consequence a critical shift had occurred in the equation of global power.

The Cold War equilibrium, maintained under the ominous, yet also stabilizing, shadow of nuclear confrontation, certainly did not avert the outbreak of regional conflicts. At best it contained them to the point where more wholesale hostilities to preserve the margins of the superpowers' ideological empires were prevented. There were occasions when it was touch and go, as over Korea, Cuba and Viet Nam. But in the event the line of mutual deterrence held.

Yet just as the balance exerted a restraint on local combat, it also acted paradoxically as an inhibitor of solutions. The policy of mutual stand-off between the western and eastern power blocs, of which the successive warnings by Presidents Carter and Reagan to the Soviet Union not to interfere with vital American interests in the Persian Gulf offer a

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classic manifestation, may have helped to keep at bay wider warfare, and in this particular case to ensure the flow of oil through the arteries of navigation. But it also tended to permit, indeed encouraged, a situation of political impasse at the diplomatic level, and most frequently in the Security Council, which inhibited meaningful action to prevent or put a stop to outbreaks of localized hostilities, whether trans-frontier or internal in nature. Hence the bystander role, extending surreptitiously to that of auxiliary, played by west and east during the eight years of Iraq's bitter war with Iran. There is a host of other instances where this Cold War stand-off effect contributed towards a perpetuation of inconclusive and recidivist conflicts: the successive Arab-Israel confrontations since 1948; the civil wars of the 1980s in Afghanistan, Lebanon and Nicaragua and particularly across Africa, where local power struggles under the banners of rival political systems erupted with increasing frequency in the wake of decolonization; Ethiopia's bloody revolution of 1977, followed by war with Somalia; Soviet-fostered civil conflict in Angola and in Mozambique; and western endorsement of Mobutu's corrupt despotism in Zaire.

In all these episodes action by the major powers on humanitarian grounds to extinguish the fires of aggression came a clear second to considerations of Cold War influence. The main emphasis was on the containment of conflict, through mechanisms of diplomatic and physical restraint such as United Nations peacekeepers and observer groups. The extensive apparatus of relief agencies, which had been established under the aegis of the United Nations as a result of the human suffering and displacement caused by the Second World War, found itself occupying a supernumerary position to considerations of the power balance.

During this period the International Red Cross and Red Crescent Movement, as a result of the unique role assigned to it by successive Geneva Conventions and its internationally recognized status in war, sought to uphold basic standards of humanity in conflict through the application of international humanitarian law and the protection of victims. This formal mandate was reinforced under the terms of the four Geneva Conventions of 1949. From the 1950s however, international humanitarian law faced an additional challenge in the form of the proliferation of conflicts of a less clear-cut nature in which new techniques of warfare called into question the distinction drawn hitherto between combatants and civilian non-combatants. This led to the two Protocols of 1977, which

increased the protection afforded to civilians against the effects of armed conflict. Yet violations of the Conventions continued, and the International Committee of the Red Cross often found itself denied access to the victims by the parties to conflicts in which Cold War patronage prevailed.

As for privately funded aid agencies, later as non-governmental organizations (NGOs), which were concerned with the victims of conflict, these were still in their infancy. The public emphasis was on economic development and the alleviation of poverty; warfare was a matter for governments. Indeed, when the private charity, Christian Aid, was reported in the late 1970s as having had the temerity to involve itself with (political) liberation movements in certain African countries, there was disapproval not only on the part of western governments but at the public level too. Politics was not a field for charities, and so fundraising stagnated.

A new reality of global power

Iraq's invasion of Kuwait, and that country's liberation by a genuinely international alliance eight months later, thus marked a seminal change in the reality of global power. With the discrediting of the communist system and with the United Nations unleashed from the inhibitions of superpower polarity, some analysts were even seduced into believing that conflict arising from the clash of political cultures was now to be a thing of the past. We were entering a world in which tolerance, reason and flexibility, seen as predominant characteristics of the social democracy now supreme in human conduct, would prevail in an environment free from the distortions of ideology, religious rivalry or ethnic partisanship. This faith in the advent of a new age of liberal reason was proclaimed with undue haste by the American political theorist, Francis Fukuyama, in his study "The End of History and the Last Man", an individual whose role was not to put out the lights on mankind but rather to carry the candle of peaceful accord into a New World Order.

The exit, or perhaps merely occultation, of the communist component within the superpower equation indubitably contributed towards the unwinding of certain long-running hostilities which the bipolar umbrella had allowed to rumble on. Bereft of their Soviet-sponsored prop, client parties in a variety of intractable disputes were either toppled, as in Afghanistan and occupied Kuwait, or sought a settlement, with beneficial effects in Lebanon, South Yemen, Namibia, Angola, Mozambique,

Ethiopia and Eritrea, Cambodia, for the peace process in the Middle East and above all the reunification of Germany. The list is impressive.

Yet the euphoria has proved premature. The removal of the equilibrium established by the dualism of the Cold War has left a political vacuum, opening the way to the resurgence of other pressures and antagonisms which have lain masked or latent beneath the artificial stability which an east-west balance tended to enforce. As an Arab proverb has it, when the lions leave the field the hyenas take over. Fresh causes for dispute are now being unleashed which represent a new challenge to the authority, and even the existence, of States. They have their roots in a globalized diversity of grievances deriving from ethnic and tribal rivalries, irredentism, economic pressure, religious sectarianism, the narcotics trade or plain political expediency. Nor are they proving easily susceptible to control, being often anarchic and protean, with forms typical of guerilla warfare and warlordism where it is the civilian community that is most at risk. There are also more sinister ingredients, such as access to weapons of mass destruction and the uncontrolled traffic in arms. Nowhere is this proliferation in instability more graphically demonstrated than by the fact that, in the brief span of nine years between the ending of the Cold War and June 1999, 584 resolutions were passed by the Security Council, almost equal to the total of 659 recorded during the whole forty-five years which preceded them. Moreover, the United Nations is currently involved in a military capacity in some seventeen locations around the world, and in an even wider spread of crisis relief work in conflict situations where the Security Council has not taken a hand in standing guard.

This proliferation of hostilities, not only trans-national but increasingly of an intra-state nature, has been accompanied by, and may in part be a consequence of, serious hesitations on the part of the United States — as the world's first global superpower, and perhaps its last too — to play the role of what Secretary of Defense Richard Cheney defined during the Kuwait crisis as the world's number one gunslinger. Initial signs of readiness to take the lead in global policing of a New World Order took an early knock as a result of military setbacks suffered in the vicious crossfire of Somalia's civil war. The consequent negative effect on American public opinion accounted in large part for the abstention of the United States from direct involvement in United Nations military efforts to protect the citizens of Bosnia from the worst ravages of ethnic and sectarian

civil war during three years of savage conflict before the political will could be mustered to take a diplomatic hand at the table and bring off a precarious accommodation between the exhausted factions at Dayton.

The ending of the Cold War has thus seen the introduction of a new dimension to the responsibility of the global community to take a direct hand in the resolution of disputes involving gross violations of human rights and which threaten to generate wider instability or unacceptable human suffering. This "right" of intervention, extending to a military option, challenges the hitherto cherished principle of national sovereignty. There is a real dilemma here. As UN Secretary-General Kofi Annan has written, "The implications of human rights abuses and refugee (...) flows for international peace and security are forcing us to take a fresh look at sovereignty from a different perspective: sovereignty as a matter of responsibility, not just power".[1] Yet questions will continue to arise over whether and in what circumstances armed military intervention in support of humanitarian ends can be justified. Moreover political factors inevitably dictate a selective and invidious application of the principle.

At the same time such action can be frustrated for lack of political will on the part of leading States to commit resources, including military forces, to the resolution of disputes which do not directly engage their national security or economic interests. The belated and partial international military action to stem the genocide in Rwanda in 1994 affords one example; some would argue that the laborious mobilization of a bombing campaign adequate to reverse Serbia's action to expel the Albanian population of Kosovo falls into the same category. Indeed, whether or not the objectives of this latest military intervention are achieved, the turbulent and costly experience of that prolonged campaign may well result in international reluctance to replicate the exercise elsewhere. It is one thing to proclaim a moral foreign policy based on human rights, but another to enact it.

A stronger humanitarian commmunity

To an impressive extent, however, this gap between intent and action is being filled, albeit in uncoordinated and often haphazard fashion,

1 Kofi A. Annan, "Peacekeeping, military intervention, and national sovereignty in internal armed conflict", in Jonathan Moore (ed), *Hard Choices*, Rowman and Littlefield, Lanham, Md., 1998, p. 57.

by a force from outside the framework of government intervention in the shape of charitable institutions, acting as an expression of public sympathy for the suffering and hardship of those caught up in the backwash of hostilities. The outburst of antagonisms which has characterized the post-Cold War environment, and the uncivilized violations of international humanitarian law and acute situations of human disaster to which these have given rise, have all had the effect of galvanizing the humanitarian community to an unprecedented level of public consciousness. Here again a moral imperative has been substituted for an earlier political one.

This sense of concern is not just a contemporary phenomenon. Nor is it exclusive to the "Christian" west; it is characteristic of Muslim and Jewish communities as well as oriental societies. The founding of the Red Cross in Geneva 135 years ago was a response to a growing awareness across the world, fostered by more rapid media communication, of the suffering of those caught up in war. The process has, however, accelerated greatly since the Second World War with the proliferation of international agencies and private charities dedicated to the alleviation of suffering caused by warfare or natural disasters. Between 1980 and 1993 alone the number of registered NGOs in the northern hemisphere nearly doubled from 1,600 to 2,970.

It is these bodies which are now in the vanguard of a more forthright and proactive approach, not only through direct and dedicated involvement on the ground with refugees and other victims of conflict, but by mobilizing public sentiment, together with the media, to oblige reluctant governments to take a hand in relief work and protection, and in conflict resolution too. Early milestones in this process were the dambursts of public concern during the mid-1980s at the famine which ravaged the people of Ethiopia, partly in consequence of an interminable civil war, and evoked a global response in the shape of Band Aid; and on a narrower scale at the plight of Palestinian refugees under siege in camps in Lebanon. It was public reaction which led the British government in April 1991 to take a lead in the Security Council over the establishment of a safe haven in northern Iraq to protect Kurds from Saddam Hussein's repression, a concept which we now see being carried to new lengths of formal international protection in the Balkans. In all these instances the media again demonstrated their new-found role of stakeholder by bringing, through the technology of instant television coverage, vivid images of suffering

directly into homes in the west and elsewhere, and arousing a powerful public response.

Today relief agencies are showing an increasing readiness to spread their newly fledged wings, and to arrogate to themselves a role in the mobilization of public opinion. The prominent international medical NGO, *Médecins sans Frontières*, split in two a few years back when its French founder tried to take his brainchild in a more partisan direction than his colleagues were prepared to accept. Since then, however, we have seen an increase in outspoken and coordinated advocacy from the humanitarian quarter over the causes as well as the consequences of human suffering. This intercession has its controversial side and can lead to resentment by governments, who perceive it as meddling in issues of policy. A notable example was the successful campaign, led by a collection of western NGOs including Red Cross Societies, to persuade governments to prohibit the use of anti-personnel landmines and culminating in the agreement signed in Ottawa in the autumn of 1997.

The Red Cross Movement occupies a position of particular significance in this new ferment of activity. In the exercise of its fundamental role to make warfare less inhuman, the International Committee has shown greater readiness to exert its moral authority as a custodian of international humanitarian law and to lead campaigns on a variety of issues, such as the banning of blinding laser weapons and the recruitment of child soldiers, as well as the introduction of stricter controls on the transfer of small arms which play so pernicious a part in fuelling the current rash of local conflicts. It has also joined with other NGOs in the successful advocacy of a permanent war crimes tribunal, as an ultimate sanction against abuses of international humanitarian law and the human rights enshrined therein.

The changes in this balance of engagement have also had the effect of giving the United Nations' own family of humanitarian agencies a new lease of life. Hitherto held at arm's length by the Security Council apparatus and often at odds with each other, these agencies have benefitted from the emergence of the humanitarian agenda as a motor for political action. The budget of the UN High Commissionner for Refugees multiplied from $570m in 1989 to $1,430m in 1996.[2] The issue of the agencies'

2 Adam Roberts, "The role of humanitarian issues in international politics in the 1990s", *IRRC*, No. 833, March 1999, p. 22.

relationship with the UN's political apparatus came to a head in the early stages of the crisis in Somalia when Mohamed Sahnoun, the Algerian diplomat who was serving as the Secretary-General's representative on the ground, resigned over the lack of effective coordination between the organization's political and humanitarian wings. This experience, followed by the intensive involvement of the agencies in Bosnia and elsewhere in the Balkans, prompted overdue action through the creation of a Department for Humanitarian Affairs to bring their operations into closer harmony with each other as well as with the objectives set by the Security Council. The initiative soon ran aground on the shoals of vested interests within the Organization, and has since been given a less formal profile.[3] It marks, however, a step in the right direction.

This access of confidence on the part of the humanitarian community is even producing a new frontier in the shape of NGOs dedicated specifically to the prevention and the resolution of conflicts through a facilitating role. It is understandable that members of the NGO fraternity should feel frustration at the unending stream of relief operations and what is seen as reluctance or incapability on the part of governments to forestall the disputes which underlie them. Accordingly, some groups are turning their attention not just to the exposure of political and human rights abuses, as in the case of Amnesty International, but to setting their own agendas for peace by seeking to tackle the causes of the conflicts themselves. The record so far, however, has been discouraging, despite real commitment on the part of those engaged in mediation. Useful work has been undertaken at grassroots level, for example in Rwanda by the London-based NGO, International Alert, to foster a sense of intercommunal partnership. A Rome-based Catholic foundation, *Santo Egidio*, played a significant part in reconciling the warring factions in Mozambique. To engage in actual conflict resolution, however, requires political authority, and sometimes battalions too, to buttress conciliation resolution. Moreover, it depends crucially on preserving an image of impartiality. Private intercession can also cut across behind-the-scenes efforts at mediation by governments. All in all it is difficult to see NGOs arrogating to themselves a significant primary role in the resolution of factional strife.

3 Office for the Coordination of Humanitarian Affairs (OCHA)

Calls have also emerged for the traditional humanitarian agencies to take a hand in this more political arena, for example by providing an early warning system for potential unrest or conflict within communities where they are conducting relief operations. Such firsthand intelligence might, for example, have helped alert the international community to the impending orgy of bloodletting which has marked the past seven years within the Great Lakes region of Africa. It goes without saying that all NGOs involved with humanitarian work share a concern to see conflict averted. But to institutionalize such a role once again puts at risk the crucial image of impartiality.

The new prominence achieved by the humanitarian community, whether official or private, over the past ten years is nevertheless here to stay. Contrary to suggestions that the humanitarian approach to crises may have peaked,[4] one lesson of the Kosovo experience may be once again to boost recourse to indirect action through economic and humanitarian measures in preference to military options. Governments, and the European Commission too, are themselves helping to consolidate the trend through the growing use they make of NGOs as channels for the distribution of relief. In 1980 emergency humanitarian relief constituted a mere 1.5% of total spending by governments on overseas aid; by 1994 the proportion had grown to around 10%.[5] The British Red Cross has seen the funds channelled through it by government for the Movement's humanitarian purposes rise fivefold since 1990 to a total of some £25.5m last year. Yet relief itself can prove a two-edged affair; humanitarian activity has what has been called its "dark side", with a capacity to fuel conflict as well as to alleviate its effects if its application is not integrated into a broader political strategy.

For all their vaunted rediscovery of an ethical dimension to foreign policy, there is also unease on the part of governments at the NGOs' growing predilection to act as pressure groups. The latter's forthright part in the recent campaign over landmines may have accentuated this caution. In the case of the British government, some latent resentment may have underlain a claim, in connection with last year's appeal for food aid for southern Sudan, that NGOs, including the Red Cross, were straining public sympathy by exaggerating the scale of

4 Roberts, *op. cit.*, p. 25.

5 See the statistics of the UK Department of International Development.

crises, and in effect acquiring a stake in disaster. The massive public support, within the United Kingdom and across the world, to appeals on behalf of those forced into exile from Kosovo serves to contradict this assertion and bears eloquent witness to the power of humanity in today's society.

For their part the relief agencies themselves, while readily accepting official funding, remain wary of being used as instruments for the politicization of aid. To some degree, the official resources they secure are bound to be conditioned by priorities of foreign policy rather than criteria of absolute need. There is always the temptation for governments, and warring parties too, to see humanitarian assistance as a respectable substitute for political involvement in disputes. To go a step further, it has been uncharitably suggested in quarters opposed to the NATO bombing of Serbia that the generous humanitarian resources disbursed through NGOs to support the Kosovars amount to a cynical salve for government consciences. Agencies and governments need to work out paths to accommodate this inherent dissonance and focus on common objectives; they cannot have it both ways.

The humanitarian dimension as a political factor

The humanitarian dimension has thus achieved the status of an influential factor in the international league of power politics. It reflects a new and genuine degree of public concern and sympathy towards those who suffer deprivation or dislocation as a consequence of local conflict. It has also, however, introduced new complexities. One persistent problem to have emerged is the damaging effect which international military protection and peacekeeping activity can have on local perceptions of the agencies whose relief operations these forces are there to safeguard. Experience in Somalia and in Bosnia has demonstrated that synergy of operation is not easy to sustain here. An international protection regime in Kosovo may afford a yet greater test. "Defence diplomacy" has become a fashionable way for governments to describe the international protection and security role for which armed forces are being retailored. It has a downside, however. A military presence dedicated to holding the ring between two warring factions can all too easily find itself drawn into confrontation with one side or the other. At this point its impartiality is called into question and its capacity for deter-

rence loses credibility. Inexorably protection and peacekeeping can slide into peace enforcement.

Meanwhile, humanitarian agencies find their neutrality put at risk and the immunity of their operations caught in the crossfire as the result of their association with the very forces intended to facilitate their activities. The light blue flag becomes a liability instead of an asset and relief operations have to be suspended. Yet experience in Somalia and elsewhere of the alternative of paying local militias to ride shotgun on aid deliveries has proved to have its negative side. Faced with this quandary, the ICRC has favoured the policy of going it alone under the Red Cross flag, relying on respect for the emblem and on the status of the Movement to see it through. This is a courageous option, but a quixotic one too, where aid workers run grave personal, even mortal risks. In Bosnia the emblem itself became a liability, when taken by Muslims for a Christian symbol rather than an inversion of the Swiss flag.

Furthermore, their presence in the vanguard of relief and protection can pose a moral dilemma for the agencies themselves. Impartiality is essential as a guiding principle, but becomes a platitude when humanitarian work comes up against persecution or flagrant abuses of human rights by one or more parties, as in Bosnia and in Afghanistan, or instances where the blunt instrument of sanctions leads to suffering among the civilian population, as in Iraq. To the five key ingredients of humanitarian relief — provision of food, water, shelter, medical care and physical security — is now being added the moral, and legal, obligation of respect for human rights. The reconciliation presents a particularly acute issue for the Red Cross, for which impartiality and neutrality constitute principles it is perilous to jeopardize, yet which is also committed to assist all victims of conflict. Moreover, there is a distinction between international humanitarian law and the norms of human rights treaties, though the two are increasingly coming to overlap. Should a blind eye be turned in the interests of continued relief operations? Or does a measure of partiality become inescapable if the organisation's credibility is to be sustained, despite the cost to the relief work in hand? Recent studies into the outlook for humanitarian aid have detected a growing readiness on the part of agencies to take a more forthright stand. Among British commentators, Adam Roberts has pointed up how the need to ensure protection for victims may require

departures from the unsullied principles of impartiality and neutrality,[6] while Hugo Slim has spoken of a "hardened impartiality".[7] Yet this has to be a course of last resort.

This new humanitarian agenda has created a market place in which agencies find themselves competing for funds and duplicating activity in the field. Crises that are in the eye of the television camera lens can also acquire a factitious fashion among agencies and their donors, at the expense of less visible but equally deserving causes. This can skew aid priorities. Characteristic of today's intractable yet media-neglected emergencies are the acute upheavals in Liberia, Sri Lanka and Sierra Leone, with their massive displacement of communities, and the legacy of indiscriminate mine-laying in parts of Africa and south-east Asia. The decision by the British government to shift a higher proportion of official aid away from humanitarian work towards longer-term development makes some sense in relief terms, but it will intensify competition among the emergency NGOs. This aid *mêlée* has led to outbreaks of turf warfare between individual agencies, amateur and professional, engaged on the same humanitarian playing-field. In Central Africa's pandemic refugee crisis there have even been operational rivalries between the two wings of the Red Cross Movement itself.

The situation calls out for regulation. The United Nations agencies, and the Red Cross and Red Crescent Movement too, have now pledged themselves to coordinate their activities in a more systematic fashion. The inter-agency Sphere Project represents an important step towards the setting of universal standards.[8] For its part the Red Cross has devised a Code of Conduct for agencies engaged in international operations,[9] and under the "Seville Agreement"[10] seeks to eradicate competition between its components in theatres of activity. There is also a British initiative to

6 Adam Roberts, *Humanitarian Action in War*, Adelphi Paper 305, International Institute for Strategic Studies, Oxford University Press, 1996.

7 Hugo Slim, "International humanitarianism's engagement with civil war in the 1990s: A glance at evolving practice and theory", a briefing paper for Actionaid UK, December 1997.

8 See Peter Walker, "Victims of natural disaster and the right to humanitarian assistance: A practitioner's view", *IRRC*, No. 325, December 1998, p. 615.

9 "Code of conduct for the International Red Cross and Red Crescent Movement and NGOs in disaster relief", *IRRC*, No. 310, January-February 1996, p. 119.

10 "Agreement on the Organization of the International Activities of the Components of the International Red Cross and Red Crescent Movement", *IRRC*, No. 322, March 1998, p. 159.

create an "ombudsman" to oversee humanitarian aid activities and introduce an element of accountability that has so far been lacking.[11] Too much regulation, however, risks stifling that inspirational spirit of voluntarism which the changes in today's international environment have released. It may be that the tensions which are evident between the humanitarian agendas of the autonomous agencies, and the objectives of the political authorities engaged, whether local or international, have to be accepted as an untidy but intrinsic feature of a new anarchic power equation. What is clear is that the forces which are creating this unprecedented demand for humanitarian assistance show no sign of abating as the world shakes itself out of the Cold War's monolithic mould.

An ongoing task

I recently visited a refugee camp in Malawi, a country which remains an oasis of stability in a region of turbulence. The tens of thousands of Mozambicans who took refuge from their civil war have mercifully returned home. But the residue in the camp was symptomatic of the intractability of Africa's tensions. They came from Rwanda, Burundi, the Congo, Angola, and even as far afield as Somalia and Sudan, all victims of the penumbra of conflict. They personified the Cold War's uncovenanted legacy of upheaval, and an international response which, while reflecting credit on the power of public compassion, has yet proved erratic and discordant.

11 A proposal emanating from the World Disaster Forum of 1997.

Résumé

L'humanitaire et les conflits dans le monde de l'après-guerre froide

par ALAN MUNRO

La fin de la guerre froide, caractérisée entre autres, par des relations relativement stables entre les super-puissances, a laissé un vacuum dans les rapports internationaux. Dans certaines parties du monde, les conflits font rage. Cette situation accroît les responsabilités de tous les acteurs sur la scène internationale — États, Nations Unies, organisations non gouvernementales —, en vue de résoudre ces tensions. Les organisations à but humanitaire jouent un rôle plus important à cet égard et ont acquis une légitimité internationale, en même temps qu'une position de force. Mais pour elles aussi, les données ont changé. Dans son article, l'auteur examine le nouvel environnement dans lequel ces organisations doivent trouver leur chemin. Le rôle du Mouvement international de la Croix-Rouge et du Croissant-Rouge est particulièrement mis en évidence.