

RECENT CHANGES IN THE INTERNATIONAL RELIEF SYSTEM

The international relief system is undergoing a twofold process of rapid and fundamental change. First, there are organisational changes aimed at improving the effectiveness and the coordination of the assistance provided, most notably within the UN system but also within the European Community (EC) Commission and the UK Overseas Development Administration (ODA). Second, there are changes in the international community's approach to sovereignty and the 'rights' of humanitarian intervention. Many of these changes were set in train by the Kurdish refugee crisis and the response to it by the international community. Why was that operation catalytic? Where is the process of change leading? This Briefing Paper attempts to answer such questions by establishing the context and origins of these changes and providing an assessment of their likely impact on the effectiveness of the international relief system.

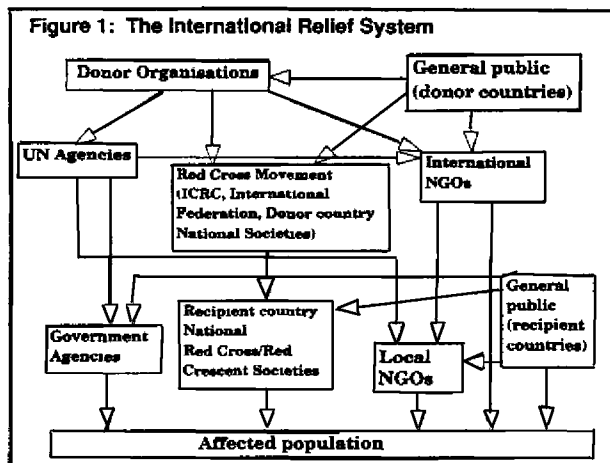
The International Relief System

The international community responds to natural disasters (droughts, cyclones, earthquakes and floods, etc) and 'man-made' disasters (technological accidents, severe political instability, conflict, etc) through the international relief system. Figure 1 shows the principal types of organisation within the system and the direction of resource flows between them. Whilst the mandates and capacities of individual organisations within each organisation type may differ, in many cases they are similar and this leads to a significant element of competition between organisations which is intensified by the high profile, time-pressured nature of relief operations.

Donor agencies of the OECD countries play a crucial role within the system providing the bulk of the relief and rehabilitation resources flowing through it. Thus, in responding to humanitarian emergencies, UN agencies, the Red Cross Movement and NGOs are heavily dependent, though to varying degrees, upon the response by donor agencies to their funding appeals and requests. How the donor agencies 'channel' their resources through the system largely determines the role played by the various organisations.

In the case of natural disasters occurring in countries enjoying political stability and efficient government agencies, the greater part of assistance from the donor agencies is usually provided on a direct government-to-government basis with some support being provided through UN agencies and possibly international NGOs. In areas of severe political instability and conflict, however, the 'channelling' options available to aid agencies are much more constrained. Political instability reduces the efficiency of government agencies and conflict introduces the risk of diversion of assistance from their intended beneficiaries by the combatants. Where sovereignty is disputed and large areas are beyond the effective control of government agencies, alternative channels are needed to reach those in need of relief.

Respect for national sovereignty is central to the UN Charter and the constitutions of the principal UN specialised agencies and programmes involved in humanitarian assistance: the Office of the UN High Commissioner for Refugees (UNHCR), the World Food Programme (WFP), and the UN Children's Fund (UNICEF). As a consequence, their ability to provide assistance in areas of political instability and conflict has, until recently, been severely limited. Furthermore, throughout the Cold War period the capability of the UN Security Council



was virtually paralysed by the veto powers, or threat of their use, by the five permanent members (China, France, the UK, USA, and USSR).

The unique mandate of UNICEF allows it to provide assistance without the prior permission of the government or in areas where the government is not recognised by the General Assembly. UNICEF has thus been able to play an important role in a number of major relief operations. The agency has also been at the forefront of efforts to devise methods to distribute assistance in such areas, for instance through the establishment of temporary cease-fires and 'corridors of tranquillity' in southern Sudan as part of Operation Lifeline - Sudan. However (as shown by the problems experienced by that operation since its initial success in 1988-89) such approaches, which rely on negotiated agreements with the parties to the conflict, are vulnerable. Withdrawal by any one of the parties may prevent the delivery of relief.

As a result of the limitations on action by UN agencies during the Cold War, often the only available channels for relief in such situations were the International Committee of the Red Cross (ICRC) and NGOs. The ICRC was formed in 1863 to provide protection and assistance to victims of conflict and over the years has developed a substantial framework for international humanitarian law through successive Geneva Conventions. These provide rules by which impartial, humanitarian relief actions may be undertaken in a conflict 'subject to the agreement of the parties'. However, these rules are often not respected. In many internal conflicts the ICRC has failed to obtain the agreement of all parties to respect its neutrality and mission and so been prevented from undertaking relief operations.

In the case of Afghanistan, agreement was withheld from one or more parties to the conflict for 8 years. As a result NGOs, often with a less rigid attitude towards impartiality than the ICRC, have often been the only channel available to donor organisations wishing to provide relief assistance in areas of conflict and disputed sovereignty. In Ethiopia, for instance, as much as 80% of the relief assistance provided between 1984-1991 in the Government-held areas and those areas controlled by the Eritrean and Tigrayan liberation movements (through

Box 1 UNDR0

The UN Disaster Relief Organisation (UNDR0) was created in 1971 to mobilize, direct and coordinate the relief activities of the UN system and to coordinate UN assistance with that from other sources (ie. bilateral donors and NGOs), essentially by providing an information-clearing house. However, throughout its 20 years of existence UNDR0 was beset by problems including an uncertain mandate, inadequate staffing and funding, lack of in-country capacity, lack of support from other UN agencies (and on occasion the Secretariat), a long running dispute over whether or not it should be operational (i.e. physically involved in the handling and distribution of assistance), and poor credibility within the donor community. Its performance was regularly criticised in reviews by UN and external reviewers. Perhaps the most fundamental of all of UNDR0's problems was that it was always the poor relation to the other, larger UN agencies who were directly involved in the relief operations. Because UNDR0 did not itself control a major share of the resources being channelled to the affected population, or indeed have a substantial field presence during the response, it is questionable that it could ever have been expected to play an effective coordination role. In April 1992 UNDR0 was absorbed within the newly created Department of Humanitarian Affairs.

cross-border operations mounted from the Sudan) was channelled through NGOs, or some combination of NGOs in conjunction with agencies of the UN, Ethiopian Government or liberation movements. The ability of NGOs to operate in such areas, often at considerable risk to their personnel, substantially enhanced their role in the international relief system during the 1980s.

The UN is expected to coordinate international assistance. It estimates overall resource requirements, attempts to mobilise resources through consolidated appeals, provides a 'clearing house' for information on the current and planned activities of UN agencies and other organisations, and provides a forum for coordination at both the international level and the national level within the affected country. From 1971 until early 1992 the UN Disaster Relief Office (UNDR0) was primarily responsible for undertaking such coordination (see Box 1). However, UNDR0's limited effectiveness led to an increasing reliance upon *ad hoc* mechanisms for the coordination of large and complex relief programmes from the mid-1980s onwards. Such mechanisms generally involved the appointment by the UN Secretary General of 'Special Representatives' heading small, temporary, offices.

The Catalyst For Change

The Kurdish refugee crisis of April 1991 involved the movement of 1.9 million people fleeing repression by Iraqi Government forces. 70% of the refugees were able to cross into Iran where they were comparatively well cared for by the local authorities and the Iranian Red Crescent, but most of those who moved towards Turkey were prevented from crossing the border by the Turkish authorities and were stranded on exposed, high altitude sites on the Iraqi side of the border.

The principal elements of the response by the international community were.

- the passage of Security Council Resolution 688 on 5th April which insisted 'that Iraq allow immediate access by international humanitarian organisations to all those in need of assistance in all parts of Iraq'.
- action by US, British, French and Dutch forces, to establish safe havens within northern Iraq to enable to Kurds to move down to more sheltered sites within Iraq where they were

protected from attack by Iraqi government forces, and the mounting of a massive relief operation in which military forces (principally transport aircraft and helicopters) played a crucial role in delivering assistance, together with the UN agencies international NGOs.

The Kurdish operation established the important precedent that, under certain circumstances, the international community is prepared to use force in support of humanitarian relief operations. In addition, the response sharply exposed the weaknesses in coordination mechanisms and in the ability of the system to rapidly deliver assistance in areas where agencies of the host government could not be used and where few international NGOs operated prior to the intervention.

This operation created precedents because of the context in which it occurred. The collapse of the former Soviet Union and the ending of the Cold War witnessed a convergence of US and Russian interests on many foreign policy issues, simultaneously reducing the need for Russia to use its veto powers in the Security Council and increasing the costs to it of doing so. This has radically enhanced the capacity of the Security Council to address and act upon international security and humanitarian issues. The coalition of military forces assembled to repel Iraq's invasion of Kuwait was the strongest expression to date of this new-found power.

Other factors also contributed to the intervention to assist the Kurds. Some western leaders had exhorted the population of Iraq to rise up against the regime of Saddam Hussein and it was the failure of the Kurdish uprising and the resultant Iraqi campaign of repression that caused the exodus, exerting considerable moral pressure on those same leaders. The proximity of western military forces in Turkey (a member of NATO) and in West Asia generally as a result of the Gulf War, provided the capacity to intervene and to create the safe havens. Finally, western public opinion was heavily influenced by the extensive media coverage of the harrowing scenes from the Turkish/Iraqi border.

Changing Attitudes To Armed Intervention

Whilst Resolution 688 established an important precedent, subsequent events indicate a continuing struggle between those favouring a more interventionist approach and those arguing against it on the grounds of national sovereignty. Within the General Assembly the former group have faced considerable opposition. Thus, initial drafts of General Assembly Resolution 46/182 of December 1992 aimed at improving the UN's coordination of the international relief system (see below), sought to sustain the impetus for the more interventionist approach resulting from Resolution 688. However, that part of the text relating to intervention was watered down before its adoption by the General Assembly. Many in the G77 expressed concern at the threat to national sovereignty posed by interventions taking place without the permission of the national government but sanctioned by the Security Council. The final text of General Assembly Resolution 46/182 aimed at improving the UN's coordination of relief states:

'The sovereignty, territorial integrity and national unity of states must be fully respected in accordance with the Charter of the United Nations. In this context, humanitarian assistance should be provided with the consent of the affected country and in principle on the basis of an appeal by the affected country'

The text leaves some room for humanitarian intervention. Its use of the phrases 'should be' and 'in principle' allows for instances when assistance can be provided *without* an appeal by the affected state or even without its consent

For the most part the balance between the interventionists and those wishing to preserve national sovereignty is being determined on a case by case basis within the Security Council. The principal test cases for military intervention in support of humanitarian objectives that have arisen since the Kurdish operation have been Somalia and Bosnia.

Somalia: Here the Security Council was slow to recognise the severity of the problem. Despite the need for international humanitarian action in Somalia since early 1991 the Security Council did not discuss the situation until January 1992 when it adopted Resolution 733. The weaker stance of this Resolution with regard to sovereignty contrasted starkly with 688, for it asked for a commitment from the warring factions to permit the distribution of humanitarian assistance, urged that they ensure the safety of relief workers and called upon the Secretary General to 'undertake the necessary actions to increase humanitarian assistance'. At the end of July 1992 the Security Council approved the dispatch of 500 security personnel with a narrowly defined mandate. Only in November when the US offered to make 30,000 troops available for an intervention under UN auspices (but on condition that they were under US command) was there a convincing commitment to use force in support of the severely hampered and dangerous relief operations being undertaken largely by the ICRC and international NGOs supported by some UN agencies.

Bosnia: Here the Security Council and its members were noticeably quicker to commit military forces, but aware of the greater military and political difficulties involved in this case, they have been more cautious in giving those forces a mandate to use force to deter attacks on civilians, relief convoys and UN peace-keeping troops. An aspect of both cases has been the extent to which the UN, without standing military forces of its own, has been dependent upon the outcome of diplomatic, military and domestic political considerations in a handful of member states, principally the five permanent members of the Security Council.

Organisational Changes

The performance of UN agencies involved in the provision and coordination of relief during the Kurdish operation was criticised by some western governments, during and after the operation. Such criticisms focused upon the slow response of the principal UN agencies to the opportunities created by the passage of Resolution 688, the lack of inter-agency coordination and the lack of leadership provided by the UN system to the numerous other agencies (donor, NGO and intergovernmental) involved in the response.

In an unprecedented move, the G7 Summit held in London in July 1991 indicated those areas where it felt the UN system should be strengthened, namely: the designation of a 'high level official answerable only to the UN Secretary General' to be responsible for coordinating the international response to emergencies; and more effective resource mobilisation arrangements within the UN and the international community for responding to urgent humanitarian needs.

The impetus created by the G7 Summit was maintained by the preparation of a joint Anglo-German draft resolution for the General Assembly Meeting in late 1991, which with some modification (notably on the issue of sovereignty and the right of intervention) was passed as Resolution 46/182 in December 1991. The principal innovations in the Resolution related to the appointment of an official to improve coordination and the creation of a Central Emergency Revolving Fund (CERF) of US\$ 50 million to facilitate the rapid and coordinated response by the UN system. The Resolution did not specify the rank of the official, this being the prerogative of the Secretary General.

In the event a new UN Department of Humanitarian Affairs was created absorbing UNDRO, the new Department being referred to as DHA-UNDRO. It is headed by an Under-Secretary-General for Humanitarian Affairs (currently Mr Jan Eliasson, a Swedish diplomat who took up his post in April 1992). Whilst the Under-Secretary-General and a small staff are located in the Secretariat building in New York, the bulk of the staff are currently located in the former UNDRO offices in Geneva under a Director for Humanitarian Affairs.

Since the establishment of DHA-UNDRO a number of new coordination mechanisms have been created between UN

Box 2 The UK's Overseas Development Administration (ODA)

During the initial response period in northern Iraq, specialist advisers within ODA felt that the capacity of NGOs and UN agencies on the ground was insufficient. ODA therefore decided to recruit skilled volunteers to assist in the provision of clean water supplies, sanitation, health care and shelter. 165 people were recruited and organised into Relief Teams which worked in Turkey and northern Iraq during May and June 1991. The bulk of the funding for the Relief Teams was provided by the EC's Emergency Aid Service within DF-VIII. At no time in the past had ODA been directly operational in a relief operation, so the Relief Teams represented a significant innovation in ODA's approach to the provision of humanitarian assistance.

ODA then decided to have a standing operational capacity to respond to disasters. This formed the main component of ODA's Disaster Relief Initiative (DRI) announced by the Minister for Overseas Development in August 1991 as follows:

- initial assessments of need would be undertaken by ODA assessors despatched to the affected area from London;
- ODA would take a more active role in coordination, possibly by sending its own field coordinator to provide on-the-spot management of ODA's own relief effort and provide reports on the progress of the efforts and changes in needs;
- where necessary, skilled personnel would be deployed to work in ODA Relief Teams. To effect this a register of such available personnel was set up and training programmes instituted.

Simultaneously, the separate Disaster and Refugee Units within ODA were merged to form a new Emergency Aid Department with a staff of twelve.

Following the announcement of the DRI, UK NGOs expressed concern that their autonomy and level of relief funding available from ODA would be threatened. They were assured that ODA would both continue to rely heavily on NGOs (long-term emergency operations in the Horn of Africa were cited as an example of where this reliance would continue), and seek to involve NGOs in decisions leading up to the deployment of Disaster Relief Teams.

The first test of the DRI came in March 1992 when an earthquake struck eastern Turkey killing approximately 500 people and making tens of thousands homeless. ODA made immediate grants to the Red Cross Movement and despatched an Assessor who reported that the immediate relief needs were already being well covered by the Turkish authorities, the Turkish Red Crescent and other international and local NGOs and that there was therefore no need to mobilise a Relief Team. Since then ODA Assessors have been used in Bosnia and Egypt and ODA has fielded its own fleet of lorries with British drivers in the former Yugoslavia to transport relief supplies under the supervision of the UN.

agencies, the ICRC and the larger international NGOs. In addition to these changes within the UN system, donor agencies including the EC Commission and ODA have also made organisational changes (see Boxes 2 and 3).

A Provisional Assessment

The changes may be seen as the adaptation of international relief system to the ending of the Cold War and the collapse of the Soviet Union - events which have simultaneously enhanced the capacity of the Security Council to undertake armed intervention in support of humanitarian objectives.

removed the capacity for central control over a host of newly unleashed ethnic tensions and opened up new roles for armed forces built up during the Cold War period. Within this new context the power of the richer western governments to influence the pace and direction of change within the international relief system has been significantly enlarged, by virtue of their central role in resourcing the international relief system and, in the case of France, UK and USA, through their membership of the Security Council. The enhanced role of the Security Council increases the likelihood that relief assistance will be provided to civilian populations in zones of conflict. However, an apparent lesson from the cases of Somalia and Bosnia is that armed interventions in support of humanitarian relief objectives are likely to be crucially dependent upon the prevailing attitudes and concerns of the richer western governments, especially the US.

Many of the changes stem directly from the experience of these governments in responding to the Kurdish crisis of April 1991. One of the lessons was that they could not rely on NGOs to serve as channels in areas where they did not have a well-established presence. Consequently, donor organisations such as the ODA and the EC Commission have been developing their own directly operational relief capacity. Thus in Eastern Europe and the former Soviet Union it is unlikely that international NGOs will be called upon by donor organisations to play more than a complementary role to the activities of the principal UN agencies and donor organisation Relief Teams or their equivalent. In parts of Africa, where international NGOs have played a central role in large scale relief operations since the mid-1980s, their role is unlikely to change significantly although a closer, more professional, working relationship with UN agencies and, in some cases, military intervention forces, will probably be required.

It is too early to assess the effectiveness of the new arrangements involving the Under-Secretary-General and DHA/UNDRO but the prospects are not encouraging. Central to the approach recommended by the G7 was the notion of a supremo with sufficient status to force greater cooperation amongst the various specialised agencies and programmes of the UN system. This implied an appointment at the Deputy Secretary-General level. However, the first head of DHA-UNDRO was appointed at the less senior Under-Secretary-General level.

The G7 proposals also appear to have taken insufficient account of the fundamental problems of inter-agency coordination within the UN. The main barriers to more effective coordination have long been identified to be the related problems of the substantial degree of autonomy of the principal agencies, and the substantial overlap in their mandates (see ODI Briefing Paper *The UN and the Future of Multilateralism*, October 1987). Yet neither of these problems were addressed by the G7 approach. The presumption that control over funding would strengthen DHA-UNDRO's ability to coordinate and mobilise assistance was correct, but the \$50 million within CERF is not sufficiently large in relation to the overall resource flows to the principal UN agencies and NGOs to have much impact. Funds are sought first from donor agencies and CERF is only used as a fall-back source of funds. Thus DHA-UNDRO remains the poor relation of the donors and principal agencies, and its capacity to achieve much in the way of coordination is severely limited.

In the longer run, relief coordination may require more fundamental reforms. These could include merging agencies with substantially overlapping mandates, reducing their overall autonomy and making them more amenable to central direction. Ensuring greater responsiveness to such direction may require locating the coordination responsibility within one

Box 3 Changes in the EC

Before 1992, the EC's emergency aid activities (emergency aid, emergency food aid and refugee aid) were spread between different parts of the Directorate General for Development, DG VIII (responsible for Africa, Caribbean and Pacific, signatories of the Lomé Conventions) and the Directorate-General for External Relations, DG I. Responses involving DG VIII were generally funded from the Lomé Budgets and those involving DG I from the main budget of the Commission.

Following the EC's experience during the Kurdish refugee crisis and the Bangladesh cyclone disaster, a Task Force was established within the Commission to examine ways of creating a unified framework for managing and financing the EC's emergency aid activities and enhancing their visibility. The report recommended the creation of what became the EC Humanitarian Office (ECHO).

ECHO began functioning in April 1992 with an initial core of personnel and responsibilities based largely on the former DG VIII Emergency Unit. Additional staff and responsibilities have subsequently been added. The current Director is Sr Santiago Gomez-Reino. It is planned that the substantial emergency food aid component of the EC Food Aid Programme will eventually be transferred to ECHO, though this transfer has yet to find full approval within the EC Commission and among Member States.

Since ECHO's creation, concerns have been expressed by some Member States and European NGOs about ECHO's reporting structure, the criteria to be used for allocating assistance and the extent to which it will undertake a directly operational role in relief operations. The reporting structure issue has been resolved with the merging of the development assistance part of DG I with DG VIII's responsibilities under Commissioner Marin as from 1st January 1993 but ECHO's increasingly operational role is seen by NGOs as a threat to the important role they have traditionally performed as a channel for EC relief assistance. They also see ECHO's allocation criteria as hampering an effective EC response to chronic, complex emergencies, such as those in the Horn of Africa, Liberia and southern Africa, which require a closer operation of relief, rehabilitation and development activities.

of the principal UN relief agencies, such as WFP or UNHCR. Another requirement is to make the UN system and its interactions within member states more transparent and accountable. Such solutions will require not only donor resources but also their political support and consistency of voting behaviour in the Security Council and on the governing bodies of UN agencies.

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