



Overseas Development Institute

# HPG

# Report

HUMANITARIAN  
POLICY GROUP

The Humanitarian Policy Group at the Overseas Development Institute is Europe's leading team of independent policy researchers dedicated to improving humanitarian policy and practice in response to conflict, instability and disasters.

## **Politics and Humanitarian Aid: Debates, Dilemmas and Dissension**

Report of a conference organised by  
ODI, POLIS at the University of Leeds and CAFOD,  
London, 1 February 2001

By Devon Curtis

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**Notes on the Author:**

Devon Curtis is a PhD candidate in the Department of International Relations at the London School of Economics and Political Science. She was the coordinator for the 'Politics and Humanitarian Aid' conference on 1 February 2001.

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**Please send comments on this paper to:**

HPG  
Overseas Development Institute  
111 Westminster Bridge Road  
London  
SE1 7JD  
United Kingdom

Tel: +44 (0) 20 7922 0300

Fax: +44 (0) 20 7922 0399

Website: [www.odi.org.uk/hpg](http://www.odi.org.uk/hpg)

Email: [hpgadmin@odi.org.uk](mailto:hpgadmin@odi.org.uk)

A copy of your comments will be sent to the author

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## Acronyms

<b>CAFOD</b>	Catholic Agency for Overseas Development
<b>CIMIC</b>	Civil–Military Cooperation
<b>DEC</b>	Disasters Emergency Committee (UK)
<b>DFID</b>	Department for International Development (UK government)
<b>HPG</b>	Humanitarian Policy Group, ODI
<b>ICRC</b>	International Committee of the Red Cross
<b>MSF</b>	Médecins Sans Frontières
<b>NGO</b>	non-governmental organisation
<b>ODI</b>	Overseas Development Institute
<b>POLIS</b>	Institute for Politics and International Studies (University of Leeds)
<b>UK</b>	United Kingdom
<b>US</b>	United States of America



# Chapter 1

## Introduction

This paper highlights the key themes discussed and debated at a one-day conference examining new dimensions in the relationship between humanitarian aid and politics, held in London on 1 February 2001.

Humanitarian assistance has always been a highly political activity. It has always influenced the political economy of recipient countries, and has always been influenced by the political considerations of donor governments. Despite the pronouncements and practices of humanitarian actors seeking to ensure that their actions confer no military advantage, and are driven solely on the basis of need, the humanitarian principles of neutrality and impartiality are under constant assault. Stark differences between the amount and type of humanitarian assistance given to various countries facing acute crises show that humanitarian aid has never been disbursed solely on the basis of need.<sup>1</sup>

Nonetheless, the relationship between humanitarian aid and politics is changing. The key theme of the conference was how humanitarian action appears to be increasingly tied to new political objectives, and to the overall political response of donor countries to complex emergencies. Humanitarian aid is becoming an integral part of donors' comprehensive strategy to transform conflicts, decrease violence and set the stage for liberal development. This changing role of humanitarian aid is frequently called the 'new humanitarianism'. It has characterised international responses to many recent conflicts, including in Afghanistan, Serbia and Sierra Leone. Examples of the closer integration with political objectives include the forced repatriation of refugees, attempts at conflict resolution in conjunction with humanitarian aid, and the withholding of aid to meet political objectives.

Although an analysis of the interface between humanitarian aid and politics is not new, recent work has outlined and analysed different aspects of the evolving relationship between humanitarian aid and politics. On 4 February 1998, the Disasters Emergency Committee (DEC), Mercurial and the ODI organised a one-day seminar entitled 'The Emperor's New Clothes: The Collapse of Humanitarian Principles'. The goal of the seminar was to understand the growing criticisms of humanitarian aid, and their implications.<sup>2</sup> The ODI has recently conducted extensive research into the consequences of the increasing calls to enhance the coherence of political and humanitarian action.<sup>3</sup> On 3–4 May 2000, ODI and the Centre for Humanitarian Dialogue organised a conference on 'Conditions and Conditionality in Humanitarian Action' to discuss different views on the 'Terms of Engagement' between

humanitarian and political actors.<sup>4</sup> In June 2000, Caritas Europe commissioned a discussion paper on the politicisation of humanitarian aid.<sup>5</sup>

The February 2001 conference continued and expanded the debate raised by earlier discussions and publications. The conference set out to review the changing role of humanitarian assistance, and to understand the implications of this change for aid agencies. The diverse views and reactions of speakers and participants at the conference reflect the wider debate within the humanitarian community about the relevance of traditional humanitarian principles, and the appropriate relationship between humanitarianism and politics.

This paper is not a comprehensive account of the conference proceedings. Rather, it synthesises some of the key themes that emerged from the papers and the discussion. It does not represent a consensus position, as this would not reflect the spirit or substance of the discussions. Instead, it is intended to spark further reflection and debate on some of the most salient themes that emerged from the conference.

While it is clear that many policy-makers and some aid personnel applaud the current form of politicisation of humanitarian action, there are others who raised important questions and concerns. Some of the main questions and areas of contention at the conference included:

- How can we best understand the changing nature of conflict and the general context surrounding the current politicisation of humanitarian action? Should the emphasis be on internal causes of conflict, as suggested by Mark Bowden, or on external factors, as outlined by Mark Duffield and Joanna Macrae?
- Is the new relationship between humanitarian action and politics characterised by the subsuming of humanitarian objectives to foreign-policy objectives, as indicated by Susan Woodward, Duffield and Fiona Fox? Or does it imply an arrangement that complements the roles of different actors in pursuit of common objectives, as described by Bowden? Is military intervention using humanitarian justification an extreme example of the new humanitarianism?
- How important is it to uphold traditional humanitarian principles, such as neutrality, impartiality, independence and universality? Does the new humanitarianism result in a loss of perceived neutrality, which in turn may jeopardise the security and independence of aid personnel?

- From an ethical perspective, should preventing human suffering be the sole justification for humanitarian action, or is it appropriate to engage in social-risk calculations, meaning that aid can be withheld if it is thought to be detrimental to longer-term conflict resolution or development objectives?
- What is the relevance of legal instruments such as international humanitarian law and human rights law? Does one body of law take precedence over another?
- What is the appropriate basis for humanitarian action? Should the intent of humanitarian action be to meet needs, as argued by Fox, or to uphold rights, as argued by Hugo Slim?

This paper does not attempt to answer these questions, but instead highlights the diversity of views associated with them. It is structured around the presentations at the conference, although the issues and discussions often overlap. Section 2 examines the context of the current form of the politicisation of humanitarian action. It looks at the factors and motivations driving this politicisation, including the changing nature of conflict and the perceived failings of humanitarian action in recent emergencies. It looks at how using aid as a strategic tool to fulfil political objectives is sometimes viewed as part of the larger goal of donor countries: to establish a system of liberal global governance.

Section 3 discusses the dynamics, outcomes and implications of the 'coherence agenda' underpinning the new humanitarianism, including the new set of institutional structures that has been established between political, military and humanitarian actors. Section 4 highlights the final erosion of the dividing-line between politics and humanitarianism embodied in the concept of 'humanitarian intervention' or 'humanitarian war'. It discusses concerns related to high levels of civil-military cooperation, as well as other operational dilemmas arising out of changing techniques of aid delivery.

Section 5 reflects the diverging views on what constitute appropriate principles to guide humanitarianism. It asks whether the traditional ones – universality, impartiality, independence and neutrality – have failed, and whether new kinds of problems associated with the new humanitarianism are emerging. Section 6 examines the debate between a needs-based approach to humanitarianism and a rights-based one, and looks at humanitarianism's legal basis.

The paper's concluding section highlights the need for continued discussion and debate on the new humanitarianism, and argues that the implications of the current form of politicisation of humanitarian action

must be well understood. Finally, this paper appeals for absolute clarity in the language of humanitarianism and in the roles, responsibilities and principles underpinning humanitarian action.

The report's annexes contain the abstracts of the papers presented at the conference, the conference programme and the list of participants. The full papers can be found on the ODI website at <[www.odi.org/hpg/aidandpolitics.html](http://www.odi.org/hpg/aidandpolitics.html)>. The papers will also be published in the December 2001 issue of the journal *Disasters*.

### **BOX 1: The Politicisation of Humanitarian Aid and Its Consequences for Afghans**

According to Mohammed Haneef Atmar, current humanitarian aid policies and practices in Afghanistan are determined by Western foreign-policy goals, rather than by the actual conditions required for principled humanitarian action. Humanitarian aid in Afghanistan acts as a 'fig leaf' for political inaction, and as a foreign-policy instrument to isolate the *Taliban*. The humanitarian principles of humanity, impartiality, neutrality and independence are secondary to foreign-policy interests, and are abandoned when they conflict with them. While Afghanistan received the highest per capita aid in its history during the Cold War, humanitarian budgets were cut dramatically after the Russian withdrawal in 1988–89, despite continued human suffering. While donors may have legitimate foreign-policy concerns regarding the *Taliban*, argues Atmar, subordinating humanitarian principles to other political objectives has resulted in the loss of Afghan lives. For instance, Atmar states that, if humanitarian aid agencies were able to receive unconditional humanitarian resources and allowed to work with the public health authorities, they may be able to save the lives of children; one out of four children die before five years of age, and 85,000 die each year from diarrhoea.

In response to the discriminatory policies and practices of the *Taliban*, donors and some aid agencies have imposed punitive conditionalities, including on security, gender equality and development/capacity-building. The net impact has been the restriction of the right to humanitarian assistance, and the inability of the international assistance community to adequately address short-term life-saving needs. According to Atmar, the irony is that donors continue to use punitive conditionalities, even though they have not produced the desired political and social changes, and have had negative humanitarian consequences.



## Chapter 2

# The Context of the Current Form of Politicisation of Humanitarian Action

Several speakers at the conference looked at factors explaining why humanitarian assistance is increasingly being used as a strategic tool to fulfil political objectives. These include geopolitical changes; the changing nature of conflict; the redefinition of security that places under-development at the heart of global security concerns; the perceived failings of humanitarian action in recent emergencies; and domestic policy considerations in donor governments.

### 2.1 Geopolitical Changes

Macrae argues that geopolitical changes have set the stage for the reunification of humanitarian aid and politics. The end of the Cold War resulted in the political disengagement of major powers from the geopolitical periphery, often leaving development and humanitarian actors as the sole representatives of the Western powers in countries that had become 'un-strategic'. Developmental and humanitarian assistance were expected to fill the space left by the withdrawal of diplomacy. Furthermore, the end of the Cold War meant a decrease in the respect for state sovereignty, and a more interventionist approach to international relations.

### 2.2 The Changing Nature of Conflict

The changing nature of conflict has had an impact on international response strategies. Yet interpretations of the underlying causes of conflict are contentious. For instance, in his analysis of current African conflicts, Bowden focuses on internal causes, such as economic marginalisation, the lack of secure access to land, and the inability of some African states to provide minimal levels of service delivery. Bowden believes that this has provoked the fragmentation of the state, which in extreme cases has encouraged the formation of splinter groups, which have in turn divided into warring factions.

Bowden believes that factional warfare is different from conventional warfare, and necessitates different kinds of international responses. Conventional wars are fought by regular troops with military and strategic targets, while factionalised struggles are frequently opportunistic, rather than strategic. Factions seek to involve, exploit and control a significant proportion of the civilian population in order to sustain the conflict. The distinction between combatant and non-combatant may thus be eroded. Factional warfare challenges current conceptions of impartiality and neutrality that are critical to the concept of humanitarian space. Furthermore, the scale and fluidity of factional conflict mean that agencies must make choices as to where they operate.

According to Bowden, the international failure to address the causes and consequences of these new kinds of conflicts has led to the belief that intervention can only succeed as part of a wider framework of conflict prevention, reduction and resolution. Under this argument, the causes of conflict are internal, so the external response should address internal factors as part of an overarching strategy. According to this view, humanitarian agencies should be core components of this strategy.

Authors such as Bowden who emphasise the internal causes of conflict generally believe that aid can and should be used as an incentive for peace, since the causes of conflict can be eliminated by changing states' behaviour. Others, such as Macrae and Duffield, question Bowden's characterisation of conflict as being rooted in internal factors such as under-development, and are therefore much less likely to embrace the current form of politicisation of humanitarian action.

### 2.3 New Definitions of Security

The changing nature of conflict has contributed to a new definition of security, where under-development is considered a threat to international security because it can fuel drug-trafficking, the spread of terrorism and increased refugee flows.

This 'repackaging' of security as a development concern means that enhancing security involves changing the behaviour of populations within countries. As outlined by Duffield and Vanessa Pupavac, domestic practices in recipient countries are increasingly seen as potential security threats. This has led to a situation where aspects of these practices, such as domestic economic policy, human rights, the status of women, poverty and psychosocial well-being, are open to monitoring by, and the involvement of, donor states.

### 2.4 The Perceived Failings of Traditional Humanitarian Action

Another factor contributing to the drive to reunite humanitarian aid and politics is the sense that aid agencies have had difficulty in reacting to the changing nature of conflict and security. The well-known criticism that humanitarian aid can prolong or exacerbate war and can help to sustain war economies has fuelled calls for humanitarian assistance to be subject to risk assessments that weigh up short- and long-term levels of risk resulting from it. The withholding of

humanitarian aid can therefore become part of a political strategy of containment, and can be seen as ethically defensible by an appeal to the argument of ‘doing no harm’.<sup>6</sup> If, on the other hand, humanitarian assistance is provided, it should be used as part of a strategy for conflict reduction, thus ensuring that it does not get into the hands of the ‘wrong’ people.

A second criticism of humanitarian assistance is that aid has not helped to reduce the overall vulnerability of populations. This ‘developmentalist’ critique argues that humanitarian relief creates dependency, and reduces the capacity of communities and local groups. Relief does not address under-development. The response to this critique has been a growing tendency to link humanitarian assistance with poverty alleviation, environmental protection and institutional development, in an overall integrated package of conflict management and development.

Interestingly, operational agencies in the United Nations and the non-governmental sector first advocated a stronger role for humanitarian aid in conflict reduction. The growing convergence between humanitarianism and conflict resolution would not have been possible without the active support of a number of aid agencies.

## 2.5 Domestic Policy in Donor Governments

The merging of humanitarian aid and politics also reflects changes in domestic policy in some donor governments. Specifically, Macrae discusses the policy of ‘joined-up government’, which is intended to increase the efficiency and cost-effectiveness of public policy by coordinating and rationalising government activities.

‘Joined-up government’ has extended into the humanitarian sphere. Bowden discusses one UK example, the Africa Conflict Prevention Fund. The fund pools the resources of the Department for International Development (DFID), the Foreign and Commonwealth Office and the Ministry of Defence in support of common conflict-prevention objectives. It outlines specific roles for foreign policy and development and military actors in support of these aims.

In many donor countries, there has also been an important redefinition of national self-interest. Macrae argues that this is no longer narrowly defined in terms of immediate commercial interests and security threats, but in terms of good international citizenship. This has facilitated a more interventionist and integrated approach to humanitarianism and conflict resolution in many recipient countries.

## 2.6 Liberal Global Governance and the Search for Order

For policy-makers and others who define insecurity as under-development, and who believe that the causes of conflict are internal, it is logical to conclude that international responses should address and alter the internal practices of countries undergoing conflict. Nonetheless, as Duffield points out, changing domestic practices in what he calls ‘borderland’ (that is, developing) countries would be beyond the capacity and legitimacy of ‘metropolitan’ (Western developed) states. The convergence of aid and politics brings in the skills and resources of non-state actors and legitimises their growing role. This is the basic rationale for uniting humanitarian aid and politics. As aid evolves and explicitly attempts to change behaviours and attitudes in recipient countries, the social concerns of aid agencies merge with the security concerns of ‘metropolitan’ states.

Duffield believes that this merger is at the heart of an emerging system of liberal international governance. Contrary to popular claims, globalisation and the rise of non-state actors and private associations have not resulted in a weakening of powerful ‘metropolitan’ states. Instead, in response to globalisation, these states have learned to govern in new ways, through non-territorial and public-private networks. The reunification of humanitarian aid with politics is an example of the trend towards the re-exertion of ‘metropolitan’ authority. Humanitarian aid should therefore be seen as a ‘technology’ of government. Viewed in this way, non-state and private associations do not constitute threats to ‘metropolitan’ authority. Rather, they are essential in helping ‘metropolitan’ states govern in new ways.

With such a multiplicity of private actors, governments face the problem of how to achieve policy coherence. Policy-makers have responded by extending the techniques of public management to the new public-private networks of aid. As part of this process, Duffield argues that it has become important to set targets, define standards and cap budgets. The techniques of central control and public management have thus been extended to humanitarian aid practice. Aid agencies have established codes of conduct, and have begun to professionalise and standardise their activities. While many people within aid agencies support and indeed promote this process, Duffield criticises this development, and argues that it exposes aid agencies to the logic of central calculation.

The underlying objective of ‘metropolitan’ states is to promote and create order out of disorder. There is a sense in Western policy circles that disorder stems from new types of conflict and under-development. At least according to the neo-liberal view, order is achieved through free markets and prosperity. If functioning

markets bring about order, it is thus essential to create the conditions that allow them to exist. The rule of law and countering impunity may also be central to the creation of order, although this was a contested issue at the conference. In any case, there was a feeling that for donor states, order cannot be contemplated outside of a liberal framework. From Somalia to Sierra Leone, international action and inaction have reflected the dominant preoccupation with promoting or protecting a state system of integrated capitalism. The consequences do not always correspond to the traditional values of humanitarianism.

## 2.7 Risk Assessment and Risk Management

Under this new system of coherence and privatisation, ‘metropolitan’ states interact with the ‘borderlands’ through mapping their behaviour and analysing risk. Policy decisions are based on the calculation and management of risk. These calculations are also made with respect to humanitarian aid, since it is seen to entail risks, as well as opportunities. When the logic of risk calculation and management is extended to humanitarian

assistance, policy-makers may sometimes decide to do nothing in the face of human suffering, rather than risk the longer-term continuation of the conflict.

As Pupavac outlines, a risk-management approach applies to a range of international policy decisions and interventions, from psychosocial programmes to development strategies. Social risk management questions non-interference in the internal affairs of states and the private lives of individual citizens, and implies a radical reshaping of domestic and international order.

Therefore, Duffield argues that the new humanitarianism, with its focus on risk analysis and integrated liberal development, was put in place as a new way to govern the ‘borderlands’, given the changes in the global context and the perceived failure of traditional humanitarianism in dealing with them. On the other hand, Bowden believes that it was the changing nature of conflict – sparked by unfavourable internal factors and the inability of the international community to adequately respond to these changes – that led to the new strategy. Other participants put the explanatory emphasis on changes in donor governments and declining overseas assistance budgets.

### BOX 2: Psychosocial Intervention

Psychosocial programmes have become an integral part of the international humanitarian response to complex emergencies. Psychosocial activities include trauma counselling, peace education programmes and initiatives to build life skills and self-esteem. Describing a given population as having experienced the trauma of conflict is sufficient for international agencies to judge that they are in need of psychosocial assistance. Under this model, individuals who have witnessed violent conflict are seen as being ‘at risk’ of becoming future perpetrators. Psychosocial intervention is believed to be required to rehabilitate victims and to break the cycle of violence and conflict. Pupavac shows that these types of intervention represent governance at a distance, a form of government through social risk management by a transitory class of global professional consultants.

Pupavac argues that this response is at best unhelpful, and at worst dangerous. It represents unprecedented external regulation of societies and people’s lives. The effect is to construct whole populations as traumatised. Individuals are automatically seen as dysfunctional because they have undergone the experience of war. Yet Pupavac argues that the appearance of a traumatic condition in war is particular, not universal. We do not always know how people express their distress, and some of the mechanisms that have been developed to deal with distress in Western countries may not be relevant in other contexts. Psychosocial intervention may hinder local coping strategies and take away ownership of the process of recovery. The benefits of psychosocial intervention are assumed by aid agencies, rather than backed up by research, and there is a risk that such intervention denies moral capacity and personality to recipient populations.



## Chapter 3

# The Coherence Agenda

The drive for coherence dominates the new humanitarianism. According to Macrae, under a coherence agenda humanitarian action becomes part of a comprehensive political strategy. Advocates of coherence believe that those involved in aid, politics, trade, diplomacy and military activities should work together towards common interests of liberal peace, stability and development. Supporters of the new humanitarianism believe that coherence is the most effective way of achieving stability in the long term.

Critics of coherence argue that its pursuit can mean the abandonment of universality, one of the core principles underlying humanitarianism, in favour of political goals. They claim that the partnership between humanitarianism and politics is not an equal one. According to Atmar, the politicisation of humanitarian aid is the 'pursuit of domestic and foreign policies of donor states by humanitarian means'. The provision of assistance is restricted to countries believed to be following the correct policies – that is, policies that correspond to the poverty reduction and economic and political liberalisation advocated by donors. Non-conforming countries may be excluded from development assistance, shut out of politics and restricted to conditional forms of humanitarian assistance. Responsibility for managing these excluded countries has increasingly been left to humanitarians. As Macrae states, 'the rich get diplomats, the poor get aid workers'.

### 3.1 The Structures of Coherence

A number of structural changes have taken place within the humanitarian system to enable this growing coherence. Many new mechanisms have been established to facilitate cross-agency and cross-departmental discussions regarding international responses to emergencies, such as the creation of Executive Committees in the UN since 1997. Donors are also participating more directly in operational decision-making, which Macrae calls the 'bilateralisation of humanitarian response'. This bilateralisation includes contributions to donor coordination bodies, the earmarking of funds that have been destined for multilateral agencies, the monitoring of donor-partner contracts and the development of donors' own operational capacity. The justification for bilateralisation is rooted in the perceived failure of operational agencies to account for their impact.

### 3.2 Implications and Questions

The emphasis on doing no harm and on conducting risk assessments means identifying the conditions

required for the effective delivery of humanitarian assistance. There are important questions about who has the responsibility and the capacities to determine whether or not those conditions are in place. For instance, are security assessments for field personnel best handled in the field, or in donor capitals? After 1998, the UK government ruled that, because of security concerns, any NGO sending expatriates to Afghanistan would be automatically disqualified from DFID funding. Atmar argues that this restriction was motivated more by the wider policy of the US and UK to isolate the *Taliban*, rather than genuine concerns over security. Macrae states that it is easy for conditions for effective humanitarian action to be seen as political conditionality.

Another problem with risk assessments is that it is difficult to prioritise between short-term humanitarian imperatives, and the longer-term goals of sustainability and peace. The lack of clarity regarding priorities and principles can have negative operational consequences.

There are also important ethical questions. As argued by Macrae, the coherence agenda is assumed to be ethical because it is part of a wider ethical international policy. Nonetheless, there are questions as to whether it results in ethical action. For instance, states Macrae, it may be problematic to assume that not engaging with certain parties because of their human-rights record is an ethical approach. According to Macrae, this can be compared to the formation of consensus on policies such as structural adjustment, where the assumption was that a single economic prescription would necessarily benefit every economy. Countries that did not accept structural adjustment were deemed 'negligent', and so did not deserve to benefit from aid. Macrae argues that the mono-economics of adjustment have been succeeded by the mono-politics of a liberal peace, thereby associating humanitarian assistance with a particular Western political framework. This can be seen in the attitudes of donors towards humanitarian emergencies in the Balkans. As illustrated by Marina Skuric-Prodanovic, the level of suffering of people in the Balkans does not correspond to the level of aid they have received. Rather, aid funds have unevenly followed major population displacements depending on the perceived and portrayed causes of this displacement.

There are also technical problems associated with coherence. It can lead to the abandonment of separate diplomatic and political action by political actors, leaving humanitarianism as the primary form of political engagement in conflict-affected countries. Macrae's research shows that the leverage exerted by aid over the course of a conflict is marginal at best. By leaving aid

workers to deal with conflicts, political actors are ensuring that the political dimensions of conflicts are not adequately addressed. In some situations, humanitarian aid workers are expected to be the primary source of intelligence, as well as conflict-resolution and development specialists. Aid workers do not have the skills and resources to respond to these new demands. Furthermore, the expansion of the roles of humanitarian actors has negative implications for their perceived

neutrality and impartiality. When humanitarian actors cannot rely on international political actors being capable and willing to assume an effective role in managing the political aspects of the crisis, they often find themselves exposed to security risks, and are sometimes even deliberately targeted because of their activities. Thus, without seeing their own legitimacy seriously challenged, humanitarian agencies will find it difficult to fill the vacuum created by the lack of an effective political response.

### **BOX 3: Exclusion in Serbia**

Skuric-Prodanovic shows that the political conditionality of Western aid policy in the Balkans led to distinctions between vulnerable groups that did not correspond to their level of need, and that created patterns of inclusion and exclusion. Some donor governments saw humanitarian assistance to Serbia as being opposed to their foreign-policy interests. They feared that aid would be re-channelled into the hands of the government. Skuric-Prodanovic argues that, for many Western donors, especially NATO members, humanitarian aid was seen as supporting the longevity of the Milosevic regime, and as counter-productive to their decision to intervene in Kosovo. Western governments had difficulty separating the notion of humanitarian assistance from the political situation, when the majority of the population in Serbia seemed to be supporting the Milosevic government.

Even when humanitarian aid was delivered to Serbia, there were examples of inclusion and exclusion. For instance, there was a differentiation between people who had been displaced from Kosovo in 1999 and 2000, and people who had been displaced between 1992 and 1996, even though many lived in very similar conditions, often in the same refugee camps. Likewise, Skuric-Prodanovic shows that, by the second half of 2000, some urban areas in central Serbia received large amounts of humanitarian assistance, while other more remote areas that were mainly controlled by the regime suffered a severe lack of aid. A distinction was also made between displaced and non-displaced people, contributing to the alienation of internally displaced persons and refugees in local communities in Serbia, and causing tensions to rise.

This has led Serbs to see humanitarian aid agencies as tools of Western governments, rather than as neutral or impartial actors. Skuric-Prodanovic believes that the politicisation of humanitarian assistance and the exclusion resulting from it has had a negative effect on the lives of vulnerable groups in Serbia, and has devalued the currency of humanitarianism in the eyes of Serbs.

## Chapter 4

# 'Humanitarian Intervention' and Civil-Military Cooperation

### 4.1 'Humanitarian Intervention'<sup>7</sup>

The dilemmas outlined by critics of the new humanitarianism are particularly acute in emergencies that feature military intervention. 'Humanitarian intervention' or 'humanitarian war' represents an extreme form of coherence. According to Susan Woodward, it marks the final collapse of the distinction between humanitarianism and politics. Woodward argues that the decision to use military force is justified in humanitarian terms. Yet humanitarian interventions cannot be understood or evaluated without analysing the global politics surrounding the conflict. The shift to 'humanitarian wars' such as that in Kosovo should be seen as part of the major powers' struggle to reshape the international regime of peace and security, and a

response to the perceived failure to act in earlier crises. According to Woodward, politics is always at the core of the effort. Despite the language of humanitarianism, Woodward argues that these types of operations are highly political, and are conducted by states whose political interests lead them to humanitarian action.

Woodward argues that, while humanitarian actors remain on the sidelines of decision-making in these international operations, there are important operational implications. The provision of humanitarian assistance depends on the control of airports, the protection of aid workers, the opening of strategic routes and the use of air power to protect them. The coordination between military and civilian actors that is central to these operations raises a number of questions.

#### BOX 4: 'Humanitarian War' in Kosovo

According to Woodward, NATO's 'humanitarian' intervention on behalf of the Albanian population of Kosovo in March–June 1999 represents the final collapse of the divide between humanitarianism and politics, with the general consensus that Operation Allied Force was regrettable, but that there was no alternative.

Woodward questions this acceptance of the use of force in the Kosovo operation, and exposes some of the links between politics and humanitarianism. She says that the stated goal of NATO officials was diplomatic and political – to force Milosevic to sign the Rambouillet accords of February 1999. Furthermore, once NATO had threatened bombing in June 1998, it faced a loss of credibility if it did not take action.

Nonetheless, the situation in Kosovo was deliberately and successfully redefined as a potential humanitarian catastrophe. Woodward claims that the specific approach to conflict resolution undertaken in Kosovo was not a response to Kosovo, but to the perceived failure to act in Bosnia and Rwanda. Lobbyists advocating bombing included human rights organisations and some humanitarians, who did so in the interests of international humanitarian and human rights regimes. Woodward argues that the conflict in Kosovo was only derivatively about human rights, and primarily about the rivalry between Albanians and Serbs over statehood and the right to rule the territory. Second, events in Kosovo show that parties to the conflict learned to emphasise terms such as 'victims of aggression', 'oppressed human rights' and even 'genocide' in order to attract international support for their cause. Third, Woodward states that the decision to call the operation in Kosovo a humanitarian intervention was made at the insistence of Britain, which argued for a legal basis for it. By contrast, the US believed that Milosevic's failure to comply with earlier demands was sufficient grounds to intervene.

Humanitarian intervention as seen in Kosovo has a number of operational consequences for humanitarians. When an agency becomes a lobbyist for forceful action in support of humanitarian goals, it becomes more difficult to deal with what Woodward calls the 'downside risks'. For instance, she argues, UNHCR and other agencies could not prepare for the possibility that the NATO operation might result in a humanitarian emergency, for fear of sending signals to Yugoslav civilian and military officials that could have undermined the strategy of coercive diplomacy. UNHCR officials announced prior to the bombing campaign that the potential refugee exodus would total between 80,000 and 100,000 people, even though the real figures approached 800,000. Knowing Macedonia's objections to refugee camps on its border, UNHCR wanted to avoid sending signals that would enable Skopje to present obstacles to the NATO operation.

Woodward suggests that humanitarians should accept that the line between the humanitarian and the political was crossed in Kosovo, and should no longer stand behind an apolitical mandate. Rather, she believes that humanitarians are best placed to develop the debate about the options and alternatives for addressing actual or impending humanitarian catastrophes.

## 4.2 Civil–Military Cooperation

While interaction between civilian and military actors has traditionally been marked by a duality of roles and mutual suspicion, civil–military cooperation (CIMIC) is now becoming codified, bureaucratised and institutionalised. Growing cooperation mirrors the increasing coherence under the new humanitarianism. Michael Pugh argues that this growing cooperation could make it more difficult for civil groups to develop non-statist ‘emancipatory’ responses to conflict.

According to Pugh, the separation of civilian and military actors rests on their different philosophical allegiances and their different relationships with the state. These distinctions have limited the extent of cooperation. As described by Pugh, military and police forces are ‘state servants’ with hierarchical structures, regular funding and logistics capabilities. In contrast, many non-governmental agencies have diffuse allegiances and divided loyalties. These have placed them at a disadvantage in the configuration of civil–military relations.

Non-governmental organisations have the potential to work in local communities in ways that reach groups without power, while the military is not concerned with empowering the vulnerable. Pugh therefore argues that civilian organisations represent non-statist, cosmopolitan approaches to humanitarian emergencies. A cosmopolitan approach emphasises individual rights over state interests, and gives voice to groups that are ignored or disadvantaged. Cosmopolitanism is based on civil society networks, epistemic communities and regional associations.

There was disagreement at the conference with the characterisation of civil groups as emancipatory, and the military as hegemonic and hierarchical. One participant asked about the hegemonic tendencies in some non-governmental groups. Pugh believes, however, that even though hegemony does exist in some non-statist organisations, these organisations are still more likely to be able to identify non-statist groups in other countries that could be empowered and given voice. Empowering people who do not have voice is emancipatory in that it can counteract some of the repressive features of states.

Pugh therefore believes that the erosion of the distinction between military and civilian and the increased level of cooperation represent a problem in terms of the emancipatory and cosmopolitan potential of civil organisations. He argues that the institutionalisation of CIMIC has been dominated by military approaches that emerged in the responses to crises in Bosnia and Somalia. When dominated by the military, as in these two cases, coordination is hierarchical and hegemonic. In addition, the military cannot uphold humanitarian principles while simultaneously enforcing a peace, or fighting a war.

Civilian groups have made efforts to professionalise and collaborate with their military counterparts, but this has not resulted in a more cosmopolitan baseline of non-state allegiance. Rather, as outlined by Pugh, Macrae, Woodward and Duffield, humanitarian actors are increasingly co-opted into an aid paradigm dominated by neo-liberal statism and politics.



## Chapter 5

# Humanitarian Principles

At the heart of the debate over the place of politics in humanitarian assistance is the question of which principles should guide humanitarian action. A key issue is whether the traditional principles of humanitarianism have failed, as suggested by Bowden and Slim, or whether there are more serious problems associated with the new principles, as argued by Fox and André Pasquier.

The International Committee of the Red Cross (ICRC) has an ethical framework known as its fundamental principles, or principles of humanitarian action. These principles – universality, impartiality, independence and neutrality – define and delimit the humanitarian space within which the ICRC operates. These Red Cross principles have had a profound impact on wider humanitarianism. Within humanitarian agencies, there has been agreement on the ‘humanitarian imperative’ – the idea that human suffering necessitates a response. There is also wide agreement on the principles of impartiality and universality. The principles of neutrality and independence have also been borrowed by other humanitarian agencies, although more equivocally, and by fewer organisations.<sup>8</sup>

According to Pasquier, the new form of politicisation of humanitarian aid may challenge all four of these principles. Universality and impartiality imply that humanitarian action should reach all conflict victims, no matter where they are, or which side they support. Impartiality means that humanitarian response should be guided by need alone, and that there should be no distinction between ‘good’ and ‘bad’ beneficiaries. Yet by subordinating humanitarian objectives to political and strategic ones, some victims may be seen as more deserving than others, and impartiality is foregone. For instance, Skuric-Prodanovic shows that the level of humanitarian response in Serbia in the second half of 1999 was much lower than in Albania and Macedonia. In Montenegro, humanitarian aid was also more than abundant. These differences did not correspond to different levels of need. Skuric-Prodanovic argues that few donors were willing to fund humanitarian assistance in Serbia, and few international NGOs were willing to face the difficulties of working there, and therefore chose the more prominent and ‘politically correct’ Kosovo, Macedonia, Albania and Montenegro.

The principle of independence contradicts the growing coherence between political objectives and humanitarian aid. Many humanitarian agencies remain dependent on financial support from major donor states, thus violating the independence principle. Yet without independence, Pasquier claims that humanitarian action cannot legitimately assert itself as a moral counterforce *vis-à-vis* the belligerents, and impartial action is made more difficult.

Neutrality is the most debated and contested humanitarian principle; at the conference, there was disagreement about its meaning, effectiveness and morality. The traditional notion of neutrality may have been associated with silence, but agencies such as Médecins Sans Frontières (MSF) claim to work in the ‘spirit of neutrality’. They will denounce parties that breach international humanitarian law and commit human-rights abuses, but will not put themselves into a position of solidarity with any particular side in the conflict.

According to Pasquier, in an operational context neutrality means that humanitarian workers must stand apart from the political issues at stake in a conflict. Yet the expansion of the sphere of humanitarian work to include conflict resolution, peacebuilding and peace enforcement gives rise to ambiguities and necessitates the abandonment of neutrality. Pasquier and others fear that a loss of neutrality risks compromising humanitarian immunity and threatens access to victims. Some participants at the conference believed that humanitarian action might not be possible once neutrality is lost. For instance, Pasquier points out that the neutrality principle does not oblige agencies to remain neutral under all circumstances, but that agencies need to recognise that if neutrality has to be abandoned, doing so signals to governments that other kinds of action beyond the scope of humanitarians are necessary.

However, conference participants who tended to support the move towards increased political and humanitarian coherence felt that agencies should abandon the concept of neutrality altogether, and side with the victims. According to this view, neutrality can actually be an unethical position. But, according to Macrae, the ‘side’ in question is increasingly defined by the ethics of liberal peace.

There was, therefore, agreement at the conference that the traditional principles of humanitarian action do not correspond to the new principles underlying the merging of humanitarian aid and politics. There was disagreement, however, about whether a change in humanitarian principles is necessary and/or desirable. Some participants felt that there was a need to rethink the traditional principles, and to create and clarify new ones based on solidarity and rights. Others believed it necessary to breathe new life into old humanitarian principles, rather than abandon them altogether. Fox, for instance, believes that politicians should do politics, human-rights organisations should do human-rights work, and humanitarian aid should be based on traditional principles of humanity, neutrality and the

universal right to relief. She argues that there may be a need to reform the humanitarian system in response to the changing context of conflict, but not to abandon the principles and values underlying it.

# Chapter 6

## The Needs Versus Rights Debate

### 6.1 The Debate

One of the most contentious issues at the conference was whether responding to needs or upholding rights should be the basic approach governing the work of humanitarians. There are contradictory views on this within the humanitarian community, and many of these divergences were reflected in the discussion. In particular, there was debate about whether humanitarian action should be considered an act of charity, or an internationally and legally agreed obligation.

Slim sees human rights as the appropriate basis for the legitimacy of humanitarianism. He makes a distinction between humanitarianism based on charity and humanitarianism based on rights, and applauds the shift towards a more rights-based approach in the 1990s. He sees this as a 'move from the sentimental, paternalistic and privileged discourse of philanthropy and charity, to the political, egalitarian and empowering ideology of rights and duties'.

According to Slim, grounding humanitarian action in rights, duties and laws, rather than in principles, makes the values of humanitarian work explicit to everyone, and gives humanitarianism an integrated moral, political and legal framework to affirm universal human values. Rights also dignify individuals, rather than patronising them. Victims of conflict become claimants of rights, rather than objects of charity. Therefore, according to Slim, a rights-based approach allows humanitarians to connect with a 'proper politicisation' that goes beyond humanitarian protection, and that is grounded in natural rights and justice.

Fox, on the other hand, lists some concerns around embracing a rights-based approach to humanitarianism. First, she believes that it conflicts with the universal right to relief aid, and can mean that it becomes morally justifiable to leave individuals without aid for political reasons. It creates what Oxfam's Nick Stockton has called 'undeserving victims'. A rights-based approach demands that all humanitarian aid be judged on how it contributes to the protection and promotion of human rights, thus allowing for conditionality in the delivery of relief. The ECHO discussion paper on this subject (ECHO, 1999) states that:

From a rights-based perspective, access to the victims of a humanitarian crisis is not an end in itself, and will therefore not be pursued at any cost. Access will be sought if it is the most effective way to contribute to the human rights situation.<sup>9</sup>

Second, Fox argues that a rights-based approach means abandoning neutrality. Third, such an approach could become a new form of colonialism, whereby humanitarian aid is to transform people, institutions and societies in the image of the West. Lastly, Fox argues that human-rights agencies such as Amnesty International are better placed and better trained to promote human rights.

Advocates of rights-based approaches and advocates of needs-based approaches disagree on accountability. Among supporters of needs-based humanitarianism, there is a belief that rights-based conditionalities can allow donors to get away with any negative humanitarian consequences of politicisation, despite evidence of the ineffectiveness of human-rights conditionality. For example, Atmar argues that aid conditionalities in Afghanistan have made little impact in terms of enhancing rights, but they have had negative humanitarian consequences. Rights advocates, on the other hand, argue that international humanitarian and human rights law are useful tools to hold governments, donors and individuals to account.

There were questions as to what a rights-based approach would mean in practice for humanitarians. Some participants believed that the dichotomy between needs and rights was not necessarily useful, and that this distinction could take the debate backwards, rather than push it forward. While a rights-based approach is frequently associated with coherence, and a needs-based one with traditional humanitarianism, there are problems with this simple distinction. For instance, does the right to humanitarian assistance fall under the category of needs or rights? Under a needs-based approach it is morally unjustifiable to disburse different amounts of aid to different populations facing the same humanitarian needs. Yet likewise, when humanitarianism is grounded in rights, Slim argues that it is impossible to justify withholding aid in favour of some other political purpose, because this violates the right to relief.

There was also a degree of confusion about what kind of rights would be included in a rights-based approach. For instance, does everyone have the right to food, health care and shelter? While most participants seemed to believe that the right to relief was fundamental, there are other more difficult areas. Is protection a key right? Some participants felt that the distinction between needs and rights sometimes makes it difficult to see how humanitarian protection is secured.

The fundamental question about a rights-based approach concerns the problem of what to do when some rights rub up against others. Is there a hierarchy of rights? Do

some rights take precedence over others, and if so, is it the responsibility of humanitarians to work towards the 'higher priority' ones? Who sets the order of priority? Can some rights be traded for others?

According to Slim, the answers to these questions lie in international humanitarian and human rights law. The rights enshrined in these documents should take precedence. Slim acknowledges the risk that 'rights-talk' can be co-opted by other political interests, but believes that this can be rectified if humanitarian agencies are clearer about what is meant by the rights of victims.

## 6.2 Legal Instruments

Slim believes that the foundations for a rights-based approach to humanitarianism lie in international humanitarian and human rights law. He argues that these laws can act as specific standards of practice against which everyone can be held to account. Among advocates of rights-based humanitarianism, there is a belief that gathering communities around these legal instruments is potentially much more powerful than relying on the traditional principles of humanity, impartiality and neutrality which underlie the needs-based approach.

In the case of the ICRC, Pasquier states that moral legitimacy is granted through the set of humanitarian

principles described above, and that legal legitimacy is granted through the legal framework comprising the Geneva Conventions and their Additional Protocols. Humanitarian treaties are the legal expression of the humanitarian principles of humanity, universality and impartiality. According to Pasquier, humanitarian space may need to be redefined, but this should be done through a reworking of the major humanitarian conventions, without deviating from their underlying principles.

In contrast to Slim and some other conference participants, who believe that the distinction between international humanitarian law and human-rights law is potentially counter-productive, Pasquier believes that it is important. Humanitarian law sets limits on violence in war. It defines the responsibilities of states, and the rights of victims and non-state actors, in terms of states pursuing their obligations to provide humanitarian assistance and protection. Human-rights law is primarily a code of behaviour for good governance in peacetime, rather than for the conduct of war. In a conflict, argues Pasquier, priorities are not the same as in peacetime. Thus, even though there is some convergence between humanitarian and human rights regimes, there are essential differences as to their objectives, and the situations to which they apply.

## Chapter 7

# Conclusion

This paper does not intend to present a consensus position, or to offer concrete guidelines for action. This would not be an accurate reflection of the discussion at the conference, where very few concrete proposals and areas of consensus emerged. There was, however, a sense that the discussion and debate around the coherence agenda and the new humanitarianism needed to continue, and that the encroachment of politics into humanitarian space should be noted and understood. No matter what side of the debate one stands on, there is a conflict between the principles of neutrality and impartiality, and conflict management. Humanitarian actors should be conscious of their roles, and should be clear about which principles they wish to uphold.

Some participants believed that there is a need for humanitarian agencies to speak out much more strongly to push back the political voice in the current politicisation of humanitarian assistance. According to this view, humanitarian agencies have a responsibility to craft a renewed consensus on humanitarian principles to counteract the growing politicisation of aid.

Even among those who challenge the growing politicisation of humanitarian aid, there is a belief that humanitarian aid should not be a substitute for effective political action. The debate around the merging of politics with humanitarian aid is not a call for the abandonment of politics. On the contrary, as Macrae argues, politics should be strengthened and the identification of new and effective methods of political intervention should be a priority. There needs to be greater investment in diplomacy in non-strategic areas. The merging of humanitarian aid and politics can mask the absence of political action, but humanitarian aid was never intended to do more than relieve acute suffering until others find a solution to the underlying crisis.

Other participants suggested that the dichotomy between the old and new humanitarianism should be abandoned. Instead, the debate should be thought of in terms of a spectrum, with extreme political dominance over humanitarian issues at one end, and pure humanitarianism, with its emphasis on neutrality and independence, at the other. Each humanitarian agency needs to find its own place on the spectrum according to its mandate and funding sources. An alternative suggestion was to emphasise complementarity, rather than coherence. Complementarity emphasises the different tasks and roles of different actors. There were calls for research to see whether complementarity is possible, and to establish its 'rules'.

Despite the different views on the appropriate place of politics within humanitarianism, there was an overarching call for clarity and understanding. This referred both to the language of humanitarianism, as well as the roles, interests and responsibilities of state and non-state actors. Humanitarian agencies should be more politically conscious of their role. They must decide whether they want to be co-opted by the state, act as a substitute for it where there is a vacuum, or contest its assumptions. Even if organisations engage in activities such as the protection of human rights, conflict resolution or peacebuilding, they need to be clear about who is doing what, and which principles are underlying their work.

Furthermore, humanitarian agencies need to clearly define and delimit their activities so that they can focus on doing their work without compromising the safety of their staff, or the notion of humanitarian space and access. Agencies that adopt a political line could address the factors driving the crisis, as well as political constraints in donor countries. The dilemmas of doing so, however, must be noted. It is difficult for humanitarian agencies to remain operational, while simultaneously conducting activities perceived as political by host governments and warring parties.

The need for clarity also extends to the language of humanitarianism. There was a suggestion at the conference that the word 'humanitarian' should be trademarked, and should refer only to actions that meet humanitarian criteria. Aid should only be called humanitarian when it is provided in accordance with humanitarian principles. Agencies may choose to engage in political and conflict-reduction interventions, but these should not be called humanitarian. Similarly, the term 'humanitarian intervention' really refers to military intervention, and should not be confused with humanitarianism.

Humanitarianism comprises a core set of values, including a shared belief in accountability to the people who are being helped. The key question is how to ensure that this accountability exists, and how to place humanitarian action on a moral footing, based on a respect for humanity. The changing context of conflict, as well as changes in the international system, have led to forms of politicisation of humanitarian action that may be problematic. This report, and the conference on 1 February, have aimed to contribute to the debate on how to respond to such changes in a way that is consistent with humanity, and with the interests of victims

## Endnotes

<sup>1</sup> OXFAM calculated that donor governments gave \$207 for every person in need in response to the UN appeal for Kosovo and the rest of former Yugoslavia in 1999, but only \$16 per capita for targeted beneficiaries in Sierra Leone in response to a UN appeal in the same year (OXFAM, 2000)

<sup>2</sup> See the report on this conference: Dylan Hendrickson, *Humanitarian Action in Protracted Crises: The New Relief Agenda and Its Limits*, RRN Network Paper 25 (London: Relief and Rehabilitation Network, April 1998). The papers from the conference can be found in a special issue of *Disasters*, vol. 22, no. 4, December 1998.

<sup>3</sup> See Joanna Macrae and Nicholas, *Shifting Sands: The Search for Coherence Between Political and Humanitarian Responses to Complex Emergencies*, HPG Report 8 (London: ODI, August 2000).

<sup>4</sup> Nicholas Leader and Joanna Macrae (eds), *Terms of Engagement: Conditions and Conditionality in Humanitarian Action*, HPG Report 6 (London: ODI, July 2000).

<sup>5</sup> Fiona Fox, 'The Politicisation of Humanitarian Aid: A Discussion Paper for Caritas Europe', June 2000.

<sup>6</sup> This phrase gained currency with Mary Anderson, *Do No Harm: Supporting Local Capacities for Peace Through Aid* (Boston, MA: Collaborative for Development, 1996).

<sup>7</sup> The term 'humanitarian intervention' refers to military intervention justified on humanitarian grounds. Some conference participants felt that the term should not be used since it had nothing to do with what they considered to be humanitarian action.

<sup>8</sup> See Nicholas Leader, *The Politics of Principle: The Principles of Humanitarian Action in Practice*, HPG Report 2 (London: ODI, March 2000).

<sup>9</sup> Quoted at the conference by Fox from the ECHO discussion paper *Towards a Human Rights Approach to European Commission Humanitarian Aid* (May 1999).

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# Annex 1

## Abstracts of Conference Papers

The full text of each abstract is available on the HPG website at <[www.odi.org/hpg/aidandpolitics.html](http://www.odi.org/hpg/aidandpolitics.html)>. The papers will be published in a special issue of the journal *Disasters* in December 2001.

### The Politicisation of Humanitarian Aid and Its Consequences for Afghans

*Mohammed Haneef Atmar*

This paper examines the consequences of the politicisation of humanitarian assistance in Afghanistan. First, it looks at how the West's response to the humanitarian crisis in Afghanistan has been based on narrow domestic and foreign-policy concerns, characterised by a mixture of strategic withdrawal, containment and single-issue aggression. Second, it explains how the principle of the impartiality of humanitarianism in Afghanistan has fallen victim to the political considerations of donor states. Donors have tied their assistance to the *Taliban's* progress on policies and

practice, and issues of terrorism, drugs and peace. Punitive humanitarian conditionalities – including on security, gender equality and development/capacity-building – are only punishing the victims, and have not significantly enhanced the rights of Afghans. Lastly, the paper looks at how the establishment of systemic accountability is key to a change in the current state of affairs in Afghanistan.

*Haneef Atmar works with Norwegian Church Aid in Afghanistan.*

### Responding to Conflict in Africa

*Mark Bowden*

This paper looks at the international response to conflict in Africa, and argues that the current effort to achieve greater complementarity in the response of various government departments and non-governmental organisations is a positive development. The paper argues that the nature of war has changed, and that this has challenged the ways that the international community deals with it. In response to new kinds of factional warfare, aid donors and humanitarian agencies have pursued strongly interventionist policies. These have, however, shown little signs of success. Access for

humanitarian action can rarely be guaranteed by military intervention. Instead, it should be guaranteed by, and based on, negotiation, and on an acceptance of the importance and value of humanitarian assistance. Governments and the international community as a whole need to develop a coherent strategy, while recognising that each actor has a unique role to play.

*Mark Bowden is the Conflict Management Adviser to the Africa Command of the UK's Foreign and Commonwealth Office. He is on secondment from Save the Children (UK), where he was Regional Director for East and Central Africa.*

### Governing the Borderlands

*Mark Duffield*

This paper examines aid as a technology of government – as something that has the power to reorder the relationship between people and things to achieve desired outcomes. Since the 1970s, metropolitan non-state and private actors have greatly increased their economic, social and political influence in the borderlands. Beginning with economic management, this governmental responsibility has progressively deepened to include development, social welfare and, during the 1990s, humanitarian action, governance and security. In many respects, the management of public policy in the 'borderlands' has been significantly internationalised and privatised. At the same time, however, while the nature of their authority has changed,

metropolitan states have not lost influence in this process; on the contrary, they have been innovative in shaping metropolitan-borderland relations. With this in mind, the paper seeks to answer three questions.

1. *Why do non-state actors dominate the internationalisation of public policy, especially at an operational level?* Privatisation as a form of governmental rationality has grown in influence due to the changing nature of security. A new non-state security framework has emerged. Within this paradigm, the threat is not inter-state conflict but instability in the borderlands; the aim is no longer to form alliances with borderland states but to change the behaviour of the people living

within them. Using the weapons of poverty reduction, conflict resolution and social reconstruction, the name of this non-state security framework is development.

2. *What special or particular way of understanding the borderlands best suits the needs of a governmental rationality based on privatisation?* Instability in the borderlands is seen as originating in a developmental malaise of poverty and weak institutions; under-development has become dangerous, and modernisation can no longer be left to chance. Through the development of actuarial forms of analysis, populations are no longer seen as combinations of individuals and social groups, but as hierarchies of risk. The borderlands have been remapped and ranked according to such risk factors.
3. *How do metropolitan states govern the borderlands through non-state actors?* New forms of regulation and professional auditing have been introduced into non-

state organisations and, in particular, into the management of the public-private networks that link state and non-state actors. Performance indicators, codes of conduct and the benchmarking of standards have made professional conduct transparent to outside monitoring and evaluation.

While we can question the effectiveness of development as security, actuarial risk analysis and the new techniques of network management, they all constitute a dynamic framework of inter-connected strategies and technologies through which the borderlands are actively governed, and our common destinies shaped. If such radical and disturbing words as 'freedom' and 'rights' are not to lose their meaning, the certainties and assumptions of international government must be questioned.

*Mark Duffield is Professor of Development, Democratisation and Conflict at the Institute for Politics and International Studies, University of Leeds.*

## The 'New Humanitarianism'

*Fiona Fox*

This paper outlines the changing nature of humanitarian action. It examines features of the 'new humanitarianism', under which humanitarian action has taken on a much more explicit political role. There are two main aspects to the 'new humanitarianism': human rights and developmental relief. The rights-based approach demands that all humanitarian aid be judged on how it contributes to the protection and promotion of human rights. The developmental approach demands that

agencies evaluate their humanitarian-assistance programmes on the basis of how they contribute to longer-term sustainable development and peace. The 'new humanitarianism' differs radically from traditional principles of humanitarian relief, and is a move away from the universal right to relief based on human need. This paper outlines several problems with this new approach.

*Fiona Fox is Head of Media at CAFOD, UK.*

## The Politics of Coherence: The Formation of a New Orthodoxy on Linking Aid and Political Responses to Chronic Political Emergencies

*Joanna Macrae*

In the aftermath of the genocide in Rwanda in 1994, a consensus emerged between donor governments, the UN and many NGOs that there was a need to enhance the 'coherence' between humanitarian and 'political' responses to complex political emergencies. Closer integration between aid and political responses was seen to be necessary in order to address the root causes of conflict-induced crises, and to ensure that aid did not exacerbate political tensions.

This paper explores the theory and practice of coherence as it has evolved over the past decade. It argues that, by sleight of hand, the coherence agenda has been reinterpreted such that humanitarian action has become the primary *form* of political action, rather than merely a substitute for it. This integrationist approach has been

driven by geopolitical events, domestic policy considerations in donor countries and more parochial concerns of aid policy, and is reflected in a number of significant changes in the architecture of the humanitarian system. Many of the tenets of this 'new humanitarianism' have been embraced by the majority of relief agencies, so legitimising it.

The paper concludes that political humanitarianism, as opposed to active engagement by international political and military actors, is flawed ethically and technically. It will provide neither an effective palliative for the ill-effects of war, nor address its causes.

*Joanna Macrae is a Research Fellow at the ODI, working in the Humanitarian Policy Group.*

## Constructing Legitimacy

*André Pasquier*

Today's questioning of the legitimacy of humanitarian action reflects the differences that exist within a humanitarian community which now comprises a very large number of agencies with divergent views as to their role. The resulting confusion can also be seen in their dialogue with political players, who are themselves divided on the question of the role of states in crisis management, and that of humanitarian organisations in the same crises. This situation mirrors a world which now operates in 'deregulation mode', where actions taken by dominant states are governed by a pragmatism dictated by national and security interests, and an ethic characterised by 'variable geography'. Another result of this state of affairs is that the humanitarian organisations either find themselves alone in coping with situations of chaos and unbridled violence that go beyond their capacity for action and far exceed their mandates, or, at the other extreme, see themselves relegated to the sidelines of operations conducted by those same states in conflicts where their own political interests are at stake. Humanitarian action is therefore in danger of being turned into an 'all-purpose' activity which, for lack of a clear framework, fluctuates with the fads and ideologies

of the day, with changes in state interests and with the evolution of conflicts.

To what extent can humanitarian action fill the vacuum created by the lack of a consistent and predictable worldwide political system, without seeing its own legitimacy seriously challenged? This paper looks for answers in the vast accumulated experience of the ICRC, an organisation which has played a key role in the development of the modern concept of humanitarian action and of international humanitarian law. The ICRC's legitimacy in providing humanitarian assistance and protection to war victims has traditionally been upheld by three elements. The first is a set of principles whose *raison d'être* is to mark out and define the humanitarian space within which it operates. The second is a legal framework made up of the 1949 Geneva Conventions and their Additional Protocols of 1977, which enjoys universal acceptance. The third is the product of time, the legitimacy acquired through activities conducted in the long term.

*André Pasquier is Political Adviser at the ICRC.*

## Civil–Military Relations in Peace Support Operations: Hegemony or Emancipation?

*Michael Pugh*

Civilian agencies represent non-statist, even cosmopolitan, approaches to humanitarian emergencies. This distinctiveness safeguards the integrity of emancipatory responses to contemporary conflicts. However, the apparent trends towards the enfeeblement of international organisations and the integration of NGOs into state-based relief efforts is a considerable challenge to the cosmopolitan potential of civilian agencies. The institutionalisation of civil–military cooperation (CIMIC) is one aspect of this trend. It seems

to manifest a military-driven hegemonic approach that emerged from the interventions in Somalia and the Balkans. Practice may not yet demonstrate an overriding state-centric and militarising trend, but CIMIC doctrine and the process of arriving at it implies a weakening of the cosmopolitan project for emancipating civil society from abuse.

*Michael Pugh is Director of the International Studies Research Centre, Department of Politics, University of Plymouth.*

## Psychosocial Intervention: Governing at a Distance?

*Vanessa Pupavac*

This paper analyses psychosocial intervention as a new form of international therapeutic governance based on social risk management. First, it examines the international psychosocial model and its origins in an Anglo–American therapeutic ethos. Second, it argues that psychosocial approaches jeopardise local coping strategies. Third, it highlights the potential political, social

and psychological consequences of the pathologisation of war-affected societies. Finally, the paper concludes that therapeutic governance represents the reduction of politics to administration.

*Vanessa Pupavac is a Lecturer in the Faculty of Law and Social Sciences, University of Nottingham.*

## Serbia: Exclusion and Its Consequences

*Marina Skuric-Prodanovic*

This paper considers the phenomenon of exclusion in the allocation of humanitarian aid to Serbia between the end of the NATO intervention in June 1999 and the October 2000 revolution. During this period, the political conditionality attached to Western aid policy, as well as excessive caution on a number of fronts, led to distinctions being made between vulnerable groups that could not be justified by a comparison of their level of need. The paper considers the comparative exclusion of Serbia in relation to other parts of the Balkans; the levels of exclusion in relation to beneficiary groups and geographical areas within Serbia (and the resulting alienation of vulnerable groups in local communities);

and the discriminatory exclusion and inclusion of local NGOs by drawing a comparison between Serbia and Montenegro. The tools for the inclusion and exclusion of certain groups from humanitarian aid were powerful, and easily manipulated so as to fit stated and unstated political aims. The paper concludes by raising some questions to do with the long-term effects of exclusion, and providing recommendations for the future.

*Marina Skuric-Prodanovic is an independent consultant. She has contributed to the work of several local and regional NGOs in Eastern Europe, most recently with the regional network Transitions to Democracy.*

## Not Philanthropy but Right: Rights-based Humanitarianism and the Proper Politicisation of Humanitarian Philosophy

*Hugo Slim*

This paper traces the emergence of rights-based humanitarianism over the past decade. Following Kant, it draws a distinction between philanthropy and rights as two different sources of humanitarian action – the first paternalistic and sentimental, the second political and empowering. It argues in favour of the latter as the preferred practical expression of people's moral and legal rights in the face of organised violence and war. In particular, the paper identifies four main strengths of 'rights-talk' in humanitarian action and diplomacy: it addresses universal values; it dignifies rather than patronises those who claim their rights; it actively engages the duties and responsibilities of others; and it provides objective measures of humanitarian performance by the violent and the humanitarian alike.

The paper also highlights the risks of 'rights-talk' in humanitarianism. It notes five in particular: an unhelpful utopianism; the cultural and political contestation of human rights; their legal bias; their lack of narrative; and their essential contingency when compared to more fundamental and less elaborated values, such as humanity. The paper concludes that the move to rights-based humanitarianism should proceed in earnest to supersede the colonial legacy of humanitarian philanthropy, and help to shape new forms of local political contract to restrain violence in politics and economics. But at the same time, such moves should be accompanied with caution, and with efforts to mitigate the dangers of such an approach.

*Hugo Slim is Senior Lecturer in International Humanitarianism at Oxford Brookes University.*

## 'Humanitarian War'

*Susan Woodward*

The concepts of humanitarian intervention and humanitarian war emerged out of NATO's bombing campaign, Operation Allied Force, against the Federal Republic of Yugoslavia in March–June 1999, as if an invisible barrier had been broken and a precedent set. From Bosnia, by way of Somalia and Rwanda, to Kosovo there has been an evolution in the way the major powers use humanitarian aid and its providers as a tool of power politics, and in the reordering of their relations in a period of international realignment. Most commentary on the military action has focused on its legality and legitimacy. If a precedent has indeed been set, these issues matter. Far less attention has been paid, however, to the operational dilemmas of humanitarian assistance in conditions of war and national conflict, and the evolving techniques of aid delivery by which humanitarian organisations became major actors in this evolution.

the Yugoslav wars and the humanitarian impulse as a better way to determine whether a precedent has indeed been set, and a die cast. Are the concepts of safe havens/areas; the capture of capitals and their airports for aid delivery; the food drops, no-fly zones, blue corridors protected by 'peacekeeping' soldiers, peacekeeping training with representatives of humanitarian agencies; aid conditionality on the grounds of justice; and refugee return to reverse ethnic cleansing all now part of the accepted tool kit? Has their use as instruments of war been analysed sufficiently? What are the consequences of the role of humanitarian agencies and NGOs in implementing ceasefire agreements, peace agreements and post-war nation-building?

*Susan Woodward is Professor of Political Science at the City University of New York's Graduate School and University Center; a Senior Visiting Fellow at the International Institute for Strategic Studies, London; and a Visiting Fellow at the London School of Economics and Political Science.*

This paper describes and analyses the relation between

## Annex 2

# Conference Agenda

### 9.00–9.30 Registration

### 9.30–9.45 Opening Remarks by the Organisers

Simon Maxwell, ODI

Mark Duffield, POLIS, University of Leeds

Matthew Carter, CAFOD/Caritas

### 9.45–10.30 Session 1: Tales of the Unexpected

Fiona Fox, CAFOD/Caritas

The seminar will open with an overview of the politicisation of humanitarian aid and its wider implications. Politicisation is not new. The issue, therefore, is not *whether* humanitarian aid is political, but *how* it is political, with an analysis of how it is being pushed into new political roles. This session will explore some of the unexpected and surprising connections of such terms as ‘ethical humanitarianism’, ‘do no harm’ and a ‘rights-based approach’ with the emergence of punitive aid conditionality, which can mean that humanitarian aid becomes donors’ principal form of engagement with some of the world’s poorest countries.

### 10.30–11.15 Session 2: The Politics of Coherence

Joanna Macrae, ODI

Mark Bowden, Save the Children UK

This session will explore the implications of attempts to forge greater coherence between humanitarian and political action. As a result of the concern to better integrate political, military and humanitarian responses, to what extent is humanitarian aid being used as a strategic tool to fulfil political objectives? Is it appropriate to use humanitarian aid as a means of managing conflict? What are the implications for the traditional responsibilities and institutional divisions between humanitarian aid and foreign-policy departments? What should be the appropriate responses to address conflict?

### 11.15–11.45 Coffee/Tea Break

### 11.45–12.30 Session 3: Governing at a Distance

Mark Duffield, POLIS, University of Leeds

Vanessa Pupavac, Nottingham University

Aid – both developmental and humanitarian – is associated with techniques for ordering relations between people and things to achieve desired aims. As a strategic tool, aid has found itself increasingly part of a new system of surveillance and risk management. Rather than helping under-developed countries to ‘catch up’, is aid now more concerned with equipping households and communities with the skills to survive scarcity and balance competing demands in the interests of peace? What are the implications of using humanitarian assistance to support conflict resolution and social reconstruction? This session will explore these and other issues.

### 12.30–12.45 Summary/Morning Wrap-up

Paul Smith-Lomas, Oxfam GB

### 12.45–2.00 Lunch

## **2.00–2.45 Session 4: ‘Humanitarian’ War**

Michael Pugh, Plymouth University

Susan Woodward, City University of New York

Recent wars have brought together state and non-state actors in new ways. There has been much analysis of so-called war economies, based upon licit and illicit trans-border networks, as a means of survival and profit-seeking. More recently, we have witnessed ‘wars of value’, for example in Kosovo. What does this mean for the reworking of public–private and civil–military relations? Specifically, what are the implications for humanitarian actors in terms of how they are organised and mobilised? These developments go beyond our conventional understanding of what war is and how it is fought. They will be explored in this session.

## **2.45–3.30 Session 5: Constructing Legitimacy**

André Pasquier, ICRC

Hugo Slim, Oxford Brooks University

The legitimacy of humanitarian action can no longer be taken for granted. On the contested terrain of aid and conflict, ideas of neutrality and rights struggle to create an ethical framework for intervention. Constructing legitimacy – often by trying to establish the limits of the political – has become increasingly difficult. What are the implications of this for humanitarian space? Is the principle of neutrality still valid, and worth striving for? How can rights be established and protected?

## **3.30–4.00 Coffee/Tea Break**

## **4.00–4.45 Session 6: Living with Exclusion**

Haneef Atmar, Norwegian Church Aid, Afghanistan

Marina Skuric-Prodanovic, Independent Consultant/Transitions to Democracy

The consequence of development aid being used as a strategic tool to bring about political change, for example through punitive conditionality, is that certain population groups are deemed fit for inclusion within international aid flows – while others are implicitly or explicitly excluded. At the extreme, in the form of sanctions and attempts to control the movement of people, whole countries and their populations are contained and denied access to conventional economic, civic and political networks. What are the implications of this for the people in those countries?

## **4.45–5.30 Session 7: Conclusion – Refusing the Expected**

John Ryle, Independent Consultant (Moderator)

The concluding session allows for a more sustained response from the audience. The intention is to draw the various strands of the day together and to sketch the new politics of humanitarian aid and its consequences. The main concern is to launch an informed debate aimed at establishing the limits of responsibility and dissent, and thus to begin to explore how humanitarian agencies might respond to the changing political context.

## **5.30–7.30 Closing Reception**

There will be a closing reception hosted by the Department for International Development (DFID). **Mr. Christopher Mullin**, Parliamentary Under-Secretary of State for International Development, will give a short address.

## Annex 3

# List of Conference Participants

- Dahlia Abbas**  
Research and Programme Associate  
International Alert, UK
- Remi Ajibewa**  
Research and Training  
Co-ordinator  
Centre for Democracy and  
Development, UK
- Tim Aldred**  
Emergencies Co-financing Officer  
CAFOD, UK
- Robert Archer**  
Director  
International Council on Human  
Rights Policy, Switzerland
- Mohammed Hanneef Atmar**  
Programme Manager  
Afghanistan Programme  
Norwegian Church Aid, Pakistan
- Tamsin Ayliffe**  
Senior Civil Society Specialist  
Conflict and Humanitarian Affairs  
Department  
DFID, UK
- David Banks**  
Postgraduate research student  
School of Oriental and African  
Studies, UK
- Mikael Barfod**  
Head of Unit  
Policy Coordination  
ECHO, Belgium
- Jose Antonio Bastos**  
Operational Director  
MSF-Holland, The Netherlands
- Claes Benedich**  
Senior Evaluation Officer  
Department for Evaluation and  
Internal Audit  
SIDA, Sweden
- William Benson**  
Committee Specialist  
International Development  
Committee, UK
- Kimberly Boer**  
Epidemiologist  
London School of Hygiene and  
Tropical Medicine, UK
- John Borton**  
Coordinator  
ALNAP Secretariat  
ODI, UK
- Mark Bowden**  
Africa and Commonwealth  
Department  
Foreign and Commonwealth  
Office, UK (also SC-UK)
- Mark Bradbury**  
Independent Consultant, UK
- Stephanie Brigden**  
Programme Manager  
Children in Crisis, UK
- Jenny Brown**  
Programme Funding Officer  
International Alert, UK
- Maggie Brown**  
Consultant  
Sphere Implementation Team  
Sphere Project, UK
- Margie Buchanan-Smith**  
Coordinator  
Humanitarian Policy Group  
ODI, UK
- David Campbell**  
Professor of International Politics  
Department of Politics  
University of Newcastle, UK
- Matthew Carter**  
Head, Emergencies Support  
Section  
CAFOD, UK
- Lucy Carver**  
Database and Website Manager  
ALNAP  
ODI, UK
- Jean-François Cautin**  
Representative  
Bioforce, France
- David Chandler**  
Research Fellow  
Policy Research Institute  
Leeds Metropolitan University, UK
- Sarah Collinson**  
Research Fellow  
Humanitarian Policy Group  
ODI, UK
- Cathy Corcoran**  
Head of External Relations  
CAFOD, UK
- Alex Costy**  
Independent Consultant, Italy
- Dominic Crowley**  
Emergency Preparedness  
Co-ordinator  
Emergencies Unit  
Concern Worldwide, Ireland
- Mary Cullen**  
Head of Communications and  
Education  
Scottish Catholic International Aid  
Fund, UK
- Devon Curtis**  
Conference Coordinator and  
Rapporteur  
ODI, UK
- Mark Cutts**  
Senior Research Officer  
UNHCR, Switzerland
- Alyoscia D'Onofrio**  
Director  
International Rescue Committee,  
UK
- Nicola Dahrendorf**  
Senior Research Fellow, Conflict,  
Security and Development Group  
Centre for Defence Studies  
King's College, UK
- Florence Daunis**  
Executive Director  
Action Against Hunger, UK

**Larry de Boice**

Deputy Director  
ERD  
UNDP, USA

**Chris Dolan**

International Research Officer  
ACORD, UK

**Antonio Donini**

Director  
UN OCHA Afghanistan  
Pakistan

**Mark Duffield**

Professor of Development and  
Conflict  
Institute for Politics and  
International Studies  
University of Leeds, UK

**Alastair Dutton**

CAFOD, UK

**Paul English**

Chief Executive  
Penal Reform International, UK

**Helen Foakes**

Policy Officer  
World Vision, UK

**Matthew Foley**

Deputy Coordinator  
HPN  
ODI, UK

**Fiona Fox**

CAFOD, UK

**Pierre Gallien**

International Liaison Officer  
Action Against Hunger, France

**Judith Gardner**

Regional Manager for Africa and  
Middle East  
ICD Department  
CIIR, UK

**Neill Garvie**

Emergency Unit  
Christian Aid, UK

**George Gelber**

CAFOD, UK

**Carolina Gottardo**

CAFOD, UK

**Paul Grady**

Lecturer  
International Commonwealth  
Studies  
London University, UK

**Martin Griffiths**

Director  
Henry Dunant Centre for  
Humanitarian Dialogue,  
Switzerland

**François Grunewald**

Manager  
Groupe Urgence-Réhabilitation-  
Développement, France

**Valerie Guarnieri**

Senior Policy Analyst  
Strategy and Policy Division  
World Food Programme, Italy

**Karl Joakim Gundel**

Research Fellow  
Centre for Development Research,  
Denmark

**Mary Hallaway**

CAFOD, UK

**Kate Harrisson**

Desk Officer  
UND  
Foreign and Commonwealth  
Office, UK

**Mary Healy**

Coordinator – Emergencies and  
Co-financing Overseas  
Trocaire, Ireland

**Dylan Hendrickson**

Research Fellow, Conflict, Security  
and Development Group  
Centre for Defence Studies  
King's College, UK

**Caroline Hughes**

Leverhulme Trust Special Research  
Fellow  
School of Politics  
University of Nottingham, UK

**Karim Hussein**

Research Fellow  
Rural Policy and Environment  
Group  
ODI, UK

**Josephine Hutton**

School of Oriental and African  
Studies, UK

**Pat Jones**

Deputy Director  
CAFOD, UK

**Puthycheary Juita**

Henry Dunant Centre for  
Humanitarian Dialogue,  
Switzerland

**David Keen**

Development Studies  
London School of Economics and  
Political Science, UK

**Carolyn Kerr**

Assistant to Secretary General  
International Alert, UK

**Lesley Anne Knight**

CAFOD, UK

**Robert Lambert**

Director  
RedR, UK

**Nicholas Leader**

Independent Consultant, UK

**Kirk Leech**

Assistant Director  
WORLDwrite, UK

**Jurgen Lieser**

Head of Department  
Emergency Aid Coordination  
Caritas, Germany

**Sean Loughna**

Consultant Researcher  
UNHCR, UK

**Rebecca Lovelace**

Project Administrator, HPN  
Humanitarian Policy Group  
ODI, UK



**Sean Lowrie**

Sphere Training Manager  
c/o CARE International, UK

**David Loyn**

Journalist  
BBC World Affairs Unit  
BBC, UK

**Barbara Luckhurst**

RedR, UK

**Margaret Lynch**

Head of Overseas Programmes  
Scottish Catholic International Aid  
Fund, UK

**Neil MacFarlane**

Professor of International  
Relations  
Oxford University, UK

**Wayne Macdonald**

Head  
Planning, Monitoring and  
Evaluation  
ICRC, Switzerland

**Norman Macdonnell**

Chief of Operations  
International Humanitarian  
Assistance Division  
CIDA, Canada

**Joanna Macrae**

Research Fellow  
Humanitarian Policy Group  
ODI, UK

**Camilla Madsen**

Relief Officer/HMA Policy  
Relief Department  
DanChurchAid, Denmark

**Simon Maxwell**

Director  
ODI, UK

**Joel McClellan**

Executive Secretary  
Steering Committee for  
Humanitarian Response,  
Switzerland

**Maurice McPartland**

Head of Africa Section  
CAFOD, UK

**Anita Menghetti**

NGO/IO/Donor Coordinator,  
Office of Foreign Disaster  
Assistance  
Bureau of Humanitarian Response  
USAID, USA

**Luis Morago-Nicolas**

Research and Programme Learning  
Officer  
ActionAid, UK

**Kylie Morris**

Journalist  
BBC World Service, UK

**Lucy Morris**

HPG Group Administrator  
ODI, UK

**Chris Mullin MP**

Undersecretary of State for  
International Development  
House of Commons, UK

**Victor Nylund**

Project Officer, Humanitarian  
Principles  
Office of Emergency Programmes  
UNICEF, USA

**Steph O'Connell**

Asia Programme Officer  
CAFOD, UK

**Fiona O'Reilly**

Coordinator, Emergency Nutrition  
Network  
Department of Community Health  
and General Practice  
Trinity College, Ireland

**James Orbinski**

Former President of MSF  
International, France

**Anne Paludan**

Independent Consultant, Denmark

**Alison Pickup**

Researcher  
Rights and Humanity, UK

**Sylvia Pivetta**

Independent Consultant, UK

**Geoff Prescott**

Independent Consultant, UK

**Michael Pugh**

University of Plymouth, UK

**Vanessa Pupavac**

School of Politics  
University of Nottingham, UK

**Nicola Reindorp**

Research Fellow  
Humanitarian Policy Group  
ODI, UK

**Dieter Reinhardt**

University of Osnabruck, Germany

**Erich Riedler**

Head  
Department of Humanitarian Aid  
Ministry of Foreign Affairs,  
Germany

**Nik Rilko**

Research and Development/  
Advocacy Department  
International Alert, UK

**Sylvie Robert**

Independent Consultant, France

**Kate Robertson**

ALNAP Network Administrator  
ODI, UK

**Richard Rumsey**

Programme Funding Team Leader  
World Vision, UK

**Peter Runge**

Coordinator  
VENRO, Germany

**John Ryle**

Independent Consultant, UK

**Tomoko Sato**

Assistant Resident Representative  
Japan International Cooperation  
Agency, UK

**Kevin Savage**

School of Oriental and African  
Studies, UK

**Johan Schaar**

Head of Division  
Division for Humanitarian  
Assistance and NGOs  
SIDA, Sweden

**Jim Simmons**

Head of International Division  
CAFOD, UK

**Marina Skuric-Prodanovic**

Independent Consultant/  
Transitions to Democracy, Croatia

**Hugo Slim**

Centre for Development and  
Emergency Practice  
Oxford Brookes University, UK

**Paul Smith-Lomas**

Director  
Humanitarian Department  
OXFAM GB, UK

**Egbert Sondorp**

Senior Lecturer, Public Health and  
Humanitarian Aid  
Health Policy Unit  
London School of Health and  
Tropical Medicine, UK

**Nick Southern**

Regional Manager  
Care International, UK

**Howard Standen**

Policy Advisor, Humanitarian  
Assistance  
Programmes  
CARE International, UK

**Frances Stevenson**

Coordinator  
HPN  
ODI, UK

**Stephen Tull**

Humanitarian Affairs Officer  
OCHA, Switzerland

**Ulrike von Pilar**

Executive Director  
MSF, Germany

**Graham Walker**

Editor  
The World Today, UK

**Anne Walsh**

Programme Director  
Children's Aid Direct, UK

**Joanna Wells**

Emergencies Officer  
Emergencies Unit – International  
Division  
CAFOD, UK

**Philip White**

Research Officer  
School of Geography  
University of Leeds, UK

**Peter Wiles**

Independent Consultant, UK

**Andrew Wilson**

Eastern Europe Programme Officer  
CAFOD, UK

**Elizabeth Winter**

Independent Consultant, UK

**Susan Woodward**

Professor of Political Science  
City University of New York, USA

**Deepali Yadav**

Researcher  
Rights and Humanity, UK

**Roger Yates**

Head of Emergencies  
ActionAid, UK

**Karel Zelenka**

Head, International Cooperation  
Department  
Caritas International, Italy

**Anthony Zwi**

Senior Lecturer, Health Policy Unit  
Department of Public Health and  
Policy  
London School of Hygiene and  
Tropical Medicine, UK