

International Non-governmental Organisations in Humanitarian Assistance: the  
Case of Operation Lifeline Sudan

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degree of Masters of Arts.

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## **DECLARATION**

I declare that this thesis is my own unaided work. It is submitted for the degree of Masters of Arts, at the University of Witwatersrand, Johannesburg. It has not been submitted before for any other degree or examination in any other university.

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1<sup>st</sup> day of July 2009

## **ABSTRACT**

The aim of the research is to evaluate the effectiveness of humanitarian INGOs in delivering relief and implementing the relief-to-development approach in complex political emergencies by using the case of Operation Lifeline Sudan from 1994 to 2004. Modern complex emergencies have wrought change to the manner in which INGOs approach CPEs and the nature of the functions they perform. Their involvement has grown in both duration and breadth of activity, and their ideology is moving away from traditional humanitarian principles. This is clear from INGOs accepting the relief-to-development approach. This approach is based on the notion that integrating development and rehabilitation activities into the relief mandate will ameliorate the root causes of violence and contribute to the peace-building process. However, the ability of INGOs to foster development and create self-sufficiency within the context of CPEs is disputed, as the local context may not be conducive to development and rehabilitation. Furthermore, the various weaknesses and problems associated with humanitarian INGOs calls into question their ability to implement this continuum.

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## ABBREVIATIONS

ALNAP	Active Learning Network on Accountability and Performance
CPA	Comprehensive Peace Agreement
CPE	Complex Political Emergency
DHA	Department of Humanitarian Affairs
FAO	United Nations Food and Agricultural Organisation
GNU	Government of National Unity
GoS	Government of Sudan
ICRC	International Committee of the Red Cross
IDP	Internally Displaced Person
INGO	International Humanitarian Non-governmental Organisation
IRC	International Rescue Committee
JEM	Justice and Equality Movement
LoU	Letters of Understanding
MoU	Memorandum of Understanding
MSF	Medicine Sans Frontier
NIF	National Islamic Front
OLS	Operation Lifeline Sudan
SCF	Save the Children Foundation
SLA	Sudanese Liberation Movement
SNGO	Sudanese Non-governmental Organisation
SPLM/A	Sudan People's Liberation Movement/Army
SRRA	Sudan Relief and Rehabilitation Association
UN	United Nations
UNDP	United Nations Development Programme
UNICEF	United Nations Children Fund
USAID	United States Agency for International Development
WFP	World Food Programme

## CHAPTER ONE

### INTRODUCTION

#### 1.1. Setting the Scene for the Study

Since the 1970s, a profound shift has taken place in the roles of the public, private, and nonprofit sectors. In the wake of the fiscal crisis, the end of the Cold War, ideological attacks, and privatization, the scope and capacity of national governments have declined. The sector of nonprofit non-governmental organizations (NGOs) has begun to fill the vacuum left by nation states particularly in the area of international relief and development activities (Bryant and Lindenberg, 2001: 1). Decaying state capacity encouraged the appearance of international welfare safety nets, implemented by international humanitarian non-governmental organizations (hereafter referred to as INGOs). The exponential growth of the humanitarian system and INGOs can be attributed to the proliferation of violent intra-state conflict; the growth of subcontracting (Duffield, 1997: 533); and the watering down of considerations about state sovereignty.

The proliferation of violent intra-state conflicts has challenged those international agencies, assisting people affected by disasters, as the traditional principles of humanitarianism became increasingly difficult to maintain within a complex political emergencies (CPEs). Concerns pertaining to accountability, transparency, lack of local knowledge, problems with monitoring and evaluation, and, importantly, aid that fuels the war economy, have raised questions regarding the effectiveness of INGOs operating in CPEs.

This has led to humanitarian INGOs adopting a “do no harm” approach, whereby relief should embrace rehabilitation and reconstruction by implementing longer-term development programmes. The relief-to-development continuum was first adopted by Operation Lifeline Sudan in 1994, and it placed humanitarian INGOs,

operating under the UN umbrella organization, within the development framework.

## **1.2. Research Problem**

The aim of the thesis is to evaluate the effectiveness of humanitarian INGOs in delivering relief and implementing the relief-to-development approach in complex political emergencies by using the case of Operation Lifeline Sudan (OLS) from 1994 to 2004. Have INGOs succeeded in implementing the relief-to-development continuum within the context of a CPE, and what consequences have this policy had on the peace-building process in Sudan? OLS was a UNICEF-lead consortium established in 1989 as a tripartite agreement of negotiated access among the Government of Sudan (GoS), the Sudan People's Liberation Movement/Army (SPLM/A) and the UN. Even though OLS was created in 1989, the focus of this paper will be from 1994 to 2004, because the relief-to-development continuum was first integrated into the humanitarian mandate of OLS in 1994. It was a conglomerate of more or less forty-five international and indigenous NGOs formed to oversee the coordinated delivery of humanitarian aid in Sudan (Zowe, 2004). Each INGO, which was operational in Sudan, had responsibility for a particular area of the country and worked closely with local Sudanese authorities on either side of the conflict, adhering to strict codes of conduct or "ground rules", based on neutrality (Robinson, 2002). The civil war ended on January 9, 2005 with the signing of the Comprehensive Peace Agreement (Burns and Maxwell, 2008: 7; GoS and SPLM/A, 2005). OLS was superseded by the Integrated Sudanese Country Programme in January 2005 (United Nations, 2008).

While OLS will be studied holistically, because it is an umbrella organization, a sample of INGOs will be taken to illustrate how OLS coordination fits into the humanitarian space. Even though these agencies had the same mission, their mandates differed; and how these differences were integrated in the operation will shed light on the ability of OLS to coordinate the activities of INGOs in the

field. The focus will be on Oxfam, World Vision, CARE International, Save the Children Foundation (SCF), and Medicine sans Frontier (MSF), as these INGOs had been operational in Sudan since the 1980s. Furthermore, because these agencies were large and financially strong enough, it is assumed that their activities and actions should have had an effect on the ground.

### **1.3. Relevance of the Study**

OLS makes for an interesting case study for three reasons. First, from April 1989, through the end of 1993, INGOs involved in OLS focused mainly on saving lives by providing food, shelter, and medical and sanitary services to refugees and internally displaced peoples (IDPs). Attention, however, began to shift towards rehabilitation and reconstruction in 1994. The GoS and the SPLM/A demanded that OLS should adopt a relief-to-development policy (Efuk, 2000). This shift in the operational mandate placed OLS within a peace-building framework. Related to this, five to ten years after implementation, peace-building initiatives should theoretically create conducive conditions for peace (Paffenholz and Spurk, 2006). Thus, by evaluating OLS from 1994 it is possible to determine whether the actions of INGOs have had a positive impact on the peace-building process in Sudan.

Secondly, OLS can shed light on the debate regarding the linkage between aid and development, and the effectiveness of INGOs in implementing relief-to-development policies in protracted CPEs. Within the international humanitarian system, there is disagreement about the potential contribution of the relief-to-development continuum to peace-building processes. Supporters claim that the relief-to-development continuum decreases the risk of beneficiaries becoming dependant on aid, and that development programmes can be successfully implemented during ongoing conflicts. Furthermore, development will address the root cause of conflicts and contribute to the peace-building process. Thus, INGOs should integrate the relief-to-development approach into their relief mandates. Critics argue that the relief-to-development continuum cannot be

implemented within the context of a CPE. It is impossible for relief to link to anything that may foster development because the local infrastructure, the economic markets, the health sector and the agricultural sector have all been destroyed (Bradbury et al. 1997). Furthermore, INGOs are notorious for their lack of analyzing the local environment, suggesting that their development programmes will not meet the needs of their beneficiaries. Thus, INGOs should limit their programmes to the delivery of emergency humanitarian relief. From 1994, INGOs operating under the mandate of OLS delivered both emergency and development relief. Consequently, it is possible to study the effects of both forms of relief within Sudan and shine light on the debate concerning which form of relief should be implemented within the context of a CPE.

Thirdly, OLS was the first humanitarian program that sought to deliver aid to IDPs and war-affected civilians during an ongoing conflict within a sovereign state, as opposed to the refugees beyond its borders. This established a framework whereby the warring parties conceded the principle that civilians caught in the conflict had a right to humanitarian assistance and that the international community had a right to provide it. In 1995, the Agreement on Ground Rules was established to reinforce this framework (Bradbury, Leader and Mackintosh, 2000). Thus, INGOs continually interacted with the domestic actors involved in the conflict in Sudan, while fulfilling their humanitarian mandate (Zowe, 2004). This should have been advantageous to INGOs as they had access to their potential beneficiaries on both sides of the conflict, and this should have given them greater knowledge of the situation on the ground, as well as foster operational learning.

#### **1.4. Literature Review**

In general the literature falls into three main categories, namely; reviews of dilemmas and issues that agencies need to take into account when considering appropriate and constructive modes of intervening in conflict zones (Anderson, Doughty and Olson, 2003); second, case studies and analysis of particular

conflicts (Efuk, 2000; Paffenholz, 2003; Goodhand and Lewer, 1999); and third, in-house oriented materials relating to codes of practice, skills-development and training (Aall 2001; Barnes 2005; Pouligny; 2005).

While humanitarianism has always had a presence in international politics, it has never had the salience it enjoys today (Chimni, 2000: 243). This development can be attributed to the watering down of considerations around state sovereignty. The seismic shifts in the global political economy since the 1980s have moulded a new generation of violence and misery. Developing states, especially in Africa, no longer have the support of their Cold War patrons. The withdrawal of this support highlighted the various political and institutional weaknesses present in many states, which contributed to non-state actors challenging the legitimacy of the many governments, resulting in the increase of contemporary intra-state conflicts. Since the 1990s, most violent conflicts have been portrayed as humanitarian crises, which justify foreign intervention in the domestic affairs of sovereign states (Macrae, 2001). Furthermore, CPE are characterized by the deterioration or complete collapse of state capabilities. Where a population is suffering serious harm and the state in question is unwilling or unable to avert the emergency, the principle of non-intervention yields to the international responsibility to protect (Maley, 2002).

The expanded definition of human security allows foreign parties to interfere in the domestic affairs of a nation-state, while still adhering to international law. Traditionally, security was understood in terms of threats to state sovereignty and territory. However, the prevalence of human rights abuses within CPEs have led to the development and advancement of the concept of security to include human security, which refers to such concerns as access to basic foodstuffs, quality of the global environment, and the economic welfare of populations (Thomas and Tow, 2002: 177-178). The unconditional respect of states' sovereignty that had been the foundation of international relations that preceded

even the Cold War became conditional upon states adhering to liberal values and norms of international behaviour (Chimni, 2000).

The expansion of the humanitarian system has relied immensely on the capacity of INGOs to launch large-scale humanitarian operations. Within the very large group of INGOs, a relatively small number dominates humanitarian action. Some 20 European and North American NGOs receive approximately 75% of all public funds spent on emergencies. The increased presence of INGOs is a reflection of the relative growth in resources that they command and the growing relevance of their activities in CPEs. The appearance of large, transnational INGOs has effectively globalised humanitarian responses, as INGOs are able to raise funds in one country, disperse them through an INGO in another, for a third to implement in the field (Macrae, 2001). The expansion of resources has been fostered by the increased proportion of donor government funding for development assistance channeled through INGOs; and the increased amount of development assistance funds directed towards humanitarian relief operations. INGOs have become the main mechanisms through which Northern states respond to CPEs in the South (Abiew and Keating, 1999). This development would have not been possible without the growth of subcontracting in the 1980s. In its basic form, this involves donor governments contacting out their aid programmes to INGOs. This development has made INGOs dependent on donor governments for financial resources. Consequently, INGO activities will be influenced by the interests of donor governments or the prevailing public opinion of the time. This does not only influence the particular CPEs they get involved in, but also the nature of functions they perform (Ranganathan, 2006: 211).

The Geneva Conventions of 1949 and the additional protocols of 1977 are the primary sources of international humanitarian law, and offers guidance for humanitarian assistance by agencies specifically committed to this purpose. Traditionally, the rights and privileges accorded to INGOs are dependent on their adherence to the humanitarian principles of the International Committee of the

Red Cross (ICRC), namely humanity, neutrality, impartiality, and independence. However, these principles can appear inadequate as guidelines for coping with the challenges posed by contemporary intra-state conflicts where belligerents ignore basic humanitarian principles (Ranganathan, 2006; Rigby, 2001). The evolution of forms of conflict in which warring parties have little or no respect for humanitarian principles; the retreat of the international security system from many parts in the world; and the growth in size and number of humanitarian agencies have made the implementation of the traditional humanitarian principles very difficult. Furthermore, humanitarian agencies are questioning whether they should still respect the conditions imposed on them by these principles if warring parties refuse to acknowledge the limits of war. Neutrality is regarded as undesirable, because either it is considered amoral, or it is impossible to achieve in CPEs (Fox, 2001: 227). Thus, INGOs have adopted a human rights based approach to humanitarian action in CPEs. Impartiality implies that all conflict victims should have access to humanitarian relief. However, by subordinating humanitarian objectives to political and strategic ones, some victims may be seen as more deserving than others (Curtis, 2001: 13). Many humanitarian agencies view impartiality only as a desirable goal, not an absolute condition (Ranganathan, 2006: 210). The principle of independence disagrees with the growing coherence between political objectives and humanitarian aid. Many INGOs are dependent on the financial support of donor states, thus violating the independence principle (Curtis, 2001: 13). Of all the humanitarian principles, only the primary commitment to humanity, and to some extent impartiality, carry any degree of immutability (Ranganathan, 2006: 199).

In response, INGOs are modifying the manner in which they approach CPEs and the nature of the functions they perform. Their involvement has grown in both duration and breadth of activity, and their ideology is moving away from traditional humanitarian principles (Ranganathan, 2006: 197). This is clear from INGOs incorporating peace-building, development, and advocacy activities in their relief agendas. Notions of neutrality and non-interference are challenged by

peace-building activities of agencies that publicise and condemn human rights abuses, and engage in capacity-building activities (Rigby, 2001: 958).

Concerned about relief creating dependency; sometimes doing harm and failing to address the root cause of emergencies despite its high costs; support has grown for the concept of development relief. In the context of CPEs, it has been argued that as effective development aid can reduce vulnerability to the impact of natural disasters, so it might also be used to contribute to the process of conflict resolution. Thus, the concept of the relief-to-development continuum became entwined with broader discussions about the contribution of official development assistance to conflict management (Bradbury et al. 1997; Cliffe and White, 2000). Adopting the relief-to-development continuum is a fundamental shift from traditional humanitarian principles as the continuum questions the lasting consequences of humanitarian programmes (Fox, 2001: 28). The relief-to-development continuum is based on the notion that integrating development and rehabilitation activities into the relief mandate will ameliorate the root causes of violence. In other words, this continuum should theoretically address the causes of structural and direct violence and, in so doing, contribute to the peace-building process. Furthermore, capacity-building and rehabilitation will prevent beneficiaries becoming dependent on foreign aid. Closely linked to the relief-to-development continuum is the concept of human rights-based humanitarianism. Human rights have become part of relief programmes, as INGOs are more willing to ignore the principle of neutrality and report human rights abuses. The continuum and the human rights based approach complement each other as both methods attempt to address the root causes of CPEs.

INGOs generally operate on one or more of the following mandates: they seek to provide emergency humanitarian relief; promote long-term economic and social development; encourage respect for human rights; and support peace by encouraging non-violent conflict resolution. These goals are increasingly being viewed as being interrelated and interdependent (Anderson, 1996; and Natsios,

1995). INGOs are increasingly multitasking by integrating development programmes, human rights advocacy and conflict resolution activities into their relief programmes. This development is a response to the multifarious nature of contemporary CPEs.

The literature is critical of the effectiveness of INGOs operating in CPEs. The debate on the performance of INGOs has intensified in response to a number of developments in the humanitarian sector. The growth of the system itself, the prolonged nature of many contemporary conflicts, and the Rwanda genocide in 1994, gradually undermined the relative optimism that INGOs were just doing good. The realization that many of these conflicts were perpetuated by economic interest of the warring factions led to the notion that humanitarian aid, may in fact fuel the conflict (Griekspoor and Sondorp, 2001: 209). Humanitarian aid can often strengthen the predatory forces that sustain conflict when relief is manipulated by warring parties for their own gain. Furthermore, there are concerns pertaining to the belief that relief can create dependency among beneficiary populations. Concerns about INGO accountability casts further doubt on their effectiveness (Anderson, 2004). INGOs are accountable to three different actors: donors (public or private); their board of trustees; and their beneficiaries. This fragmentation of accountability brings into question the motives and effectiveness of INGOs in delivering aid. Critique concerning transparency, institutional amnesia and lack of local knowledge, and monitoring and evaluation incapability are also frequently raised against humanitarian INGOs (Pugh, 1998; Schloms, 2003; Efuk, 2000). Unlike for-profit organisations, INGOs are not required to release their financial or assessment reports to the public. Consumer feedback from beneficiaries are discouraged as negative feedback may potentially weaken an INGO's position towards donors. Furthermore, the positive results INGOs do report on are often exaggerated in order to improve their standing with donors (Rhodes, 2002: 25). INGOs lack of knowledge concerning the local context of a nation suffering from a CPE is hampered by a high staff turn over and their unwillingness to use financial

resources to gather and diffuse knowledge. This results in what is known as institutional amnesia, where the same mistakes are cyclically repeated, the same imported assumptions are used and relief aid is consistently misappropriated (Rhodes, 2002: 11). Observers have noted that INGOs do little to monitor and evaluate the consequences that their relief programmes have on the local context. Effective monitoring and evaluation capacities are crucial to the “do no harm” approach, because this approach is premised on INGOs’ ability to determine whether their programmes have had a negative effect on the peace-building process.

INGOs have responded to the political effects of their work in three ways: the “mandate blinders” approach, the “aid on our terms approach”, and the “do no harm” approach. INGOs taking the “mandate blinders” approach feel that the intended purpose of their work is sufficiently important to justify them in ignoring the secondary effects of their actions. Such INGOs are usually acting on strong moral imperatives, under pressing time constraints, and they act unilaterally with little input from beneficiaries. INGOs adhering to the “aid on our terms” approach monitor the negative consequences of their relief programmes. If the negative impact begins to outweigh the positive, they may withdraw, offering to return when conditions become more conducive for effective intervention. The “do no harm” approach is premised on the principle of “first, do no harm”. According to this approach, INGOs should take responsibility for the unintended consequences of their actions. They actively seek to understand the consequences of their activities and to improve on their relief programmes. In Sudan, INGOs adopted the “do no harm” approach in an effort to identify the potential negative effects of their aid policies and to increase the efficiency of their relief programmes. Furthermore, some observers argue that INGOs should give up their apolitical stance and their activities should be directed towards supporting and protecting local opposition to war (Anderson, 1996; Okumu, 2003).

The international humanitarian system has experienced exponential growth since the 1980s. The watering down of considerations around state sovereignty has made it possible for INGOs to gain access to nation-states suffering from CPEs. However, the nature of modern CPEs has made it necessary for humanitarian agencies to shift from traditional humanitarianism to human rights-based developmental humanitarianism by adopting the relief-to-development continuum. Furthermore, INGOs' access to financial and material resources have expanded due to donors' tendency to subcontract their relief programmes to INGOs. Despite their growth, various concerns about INGOs delivering humanitarian relief have been raised. These include accountability, transparency, institutional amnesia and lack of local knowledge, and monitoring and evaluation incapability. This has encouraged INGOs to adopt a "do no harm" approach, which requires INGOs to evaluate the long-term impacts of their relief programmes.

### **1.5. Conceptual Framework**

The term complex political emergency has been used to describe situations that share some basic characteristics. A CPE is a multidimensional crisis with profound human suffering; the roots of the conflict are in part political, and may be complicated by natural disasters; and one dimension of the emergency is that the state is contested or has collapsed (Goodhand and Lewer, 1999: 73). The proliferation of CPEs in the 1990s has contributed to the growth of the humanitarian sector and INGOs.

OLS was characterized by an absence of multilateral peacekeeping forces. Thus, the focus of this paper will be non-military humanitarian assistance. Throughout the history of OLS, access to and protection of war-affected populations was not guaranteed by the presence of peacekeeping forces, because negotiated access was obtained through the ratification of OLS by the UN, the SPLM/A, the GoS and the INGOs involved in this initiative.

Using Pamela Aall's definition of NGOs, these organizations are: "private, self-governing, non-profit institutions dedicated to alleviating human suffering, promoting education, economic development, health, environmental protection, human rights, and conflict resolution, and encouraging the establishment of democratic institutions and civil society" (Aall, 2000: 124). Within the international NGO community, humanitarian organizations are by far the most extensive group and comprise some of the largest agencies. Some of these organizations specialize in responding to humanitarian crisis and some divide their attention and resources between relief and development efforts (Aall, 2000: 125).

Peace-building is understood as an overarching term to describe a long-term process covering all activities with the overall objective of preventing violent outbreaks of conflict, or to sustainably transform armed conflict into constructive peaceful ways of managing conflict (Paffenholz and Spurk, 2006: 15). In the peace-building discourse, Galtung, distinguishes two forms of peace, namely negative peace (end of violence) and positive peace (peaceful society at all levels) (Galtung, 1969). Within the peace-building concept, self-sufficiency and sustainable development are seen as possible contributions to the peace process. In the context of OLS, the relief-to-development continuum was implemented as a means to create a positive, lasting peace in Sudan. Thus, the peace-building process refers to the implementation of the relief-to-development continuum. Furthermore, within the context of OLS, peace-building processes were implemented during an ongoing CPE.

## **1.6. Theoretical Framework**

The theoretical underpinnings of this research draw from a multidisciplinary base, including humanitarianism, development, and peace-building. Traditionally these have been treated as separate areas of study, each with their own practice and discourse. However, in recent years there has been a convergence of these paradigms, which has become manifest in the form of a relief-to-development continuum. The increasing realization of the need to respond to CPEs in a more

coherent and coordinated manner with a view to longer-term sustainability and capacity building, created ideas that humanitarian aid can be both developmental and also build long-term capacities for peace (Goodhand and Lewer, 1999: 69).

Within this framework, sustainable development is seen as a possible contribution to peace processes (Pugh, 1998: 7). The long-lasting nature of contemporary CPEs has led to a desire on the part of the international community to move beyond relief and engage in rehabilitation and development even during ongoing conflicts (Harvey, 1998; Rigby, 2001). Thus, humanitarianism obtains a developmental characteristic, which should theoretically contribute to the peace-building process. Peace-building attempts to address the root causes of violence by ameliorating the structural violence present in CPEs. Peace-building is placed within the relief-to-development continuum. Thus, peace-building activities refer to rehabilitation, reconstruction, and local capacity building.

In addition, it is believed that INGOs have a comparative advantage in strengthening a society's capacity for peace. Through their work, humanitarian INGOs gather local knowledge, develop links with local actors, get direct access to war affected populations, and are often respected by all parties as an impartial and neutral actor (Scholms, 2003; Woodhouse, 2000). INGOs are able to implement the relief-to-development approach within states as the international community's responsibility to protect takes precedence over the sovereignty of states. At the global level, the service delivery function of the state has been privatized as Northern governments prefer to respond to CPEs through subcontracting to INGOs. At the national level, the service delivery capacities of states experiencing CPEs are weakened or non-existent. Thus, the watering down of considerations about state sovereignty at the global and national level has enabled INGOs to intervene in CPEs.

The relief-to-development continuum has resulted in a division among humanitarian experts regarding the role of humanitarianism. Many INGOs, such as Oxfam, argue that the new relief agenda should be integrated with conflict resolution, respect for human rights, robust military intervention and with contributions to longer-term development. On the other hand, others believe that humanitarian activities should be restricted to immediate relief for survival, and they draw a line between emergencies that require intervention and sustainable development programs (Pugh, 1998: 7).

The linkage between humanitarian relief and peace-building can be achieved in two, mutually complementary ways. Peace-building can be seen as the final phase of a 'hand-over-process' that begins with relief aid, leads to rehabilitation and development efforts, and ends with the construction of sustainable peace. In addition, peace-building can be viewed as an integrated approach that requires any actor, including INGOs, to integrate peace-building efforts into every state of engagement (Schloms, 2003: 42).

After 1994, the operational mandate of OLS shifted from emergency relief towards rehabilitation and reconstruction at the request of the GoS and the SPLM/A. By evaluating the activities of INGOs within the relief-to-development framework, it is possible to determine whether these agencies have indeed contributed positively to the peace-building process by adopting a development approach to delivering humanitarian relief.

### **1.7. Research Methodology**

A qualitative research methodology is adopted for this study as it is preoccupied with the impact of INGOs on peace-building processes in Sudan. This approach is more adept to the research as the emphasis in qualitative methodology strives for "a rich detailed description of specifics" in attempt to understand actions within a specific context (Babbie and Mouton, 2006: 272). By placing INGO within the context of OLS, qualitative methodology will be used to describe, understand,

and analyze the process. These descriptions will determine whether these agencies were proficient in contributing to the peace-building process, while acting within the relief-to-development continuum.

The research was based on documentary analysis. Primary sources were obtained from international treaties and policy documents. These include UN policy documents and contractual agreements involving the UN, INGOs, GoS and SPLM. Secondary sources were obtained from documentary evidence ranging from books, journals both in print and online, and relevant websites. Secondary sources concerning theoretical frameworks applicable to humanitarianism, emergency and developmental relief and peace-building, as well as information concerning the evolution of the international humanitarian system were obtained from academic journals accessed through Wits' online journal archive. Sources pertaining to Sudan's civil wars and the history and evolution of OLS were obtained from books, available at Wits libraries, and journal articles. Information concerning INGO relief programmes in Sudan was obtained from online sources. These sources include the Humanitarian Policy Group, the Overseas Development Institute, the Global Politics Network, the Sudan Open Archive, the Berghof Research Center for Constructive Conflict Management and the Integrated Regional Information Networks (Relief Web) websites.

## **1.8. Outline of Chapters**

The study is organised in the following chapter summary.

The purpose of chapter 1 is to place the study within a certain context. The discussion in the thesis will unfold as follows.

Chapter 2 lays down the theoretical foundation of the following the chapters, by engaging in theoretical debates surrounding prevalent issues, namely the changing nature of state sovereignty; the growing need for humanitarianism and

the evolution thereof; and how INGOs, operate within the context of current world politics.

Chapter 3 involves a detailed study of OLS. Evaluating how this operation was designed, identifying the underlying motives for choosing the OLS approach, and the evolution of OLS is the subject of this chapter.

The activities of INGOs operating under the umbrella organization of OLS are studied in chapter 4. The sample, which includes Oxfam, World Vision, CARE International, Save the Children and Medicine Sans Frontier, are evaluated to determine how these different INGOs fit into OLS and the relief-to-development continuum; and their effectiveness and accountability are assessed.

Chapter 5 reviews the central arguments of the thesis, while focusing on the analysis of humanitarian INGOs operation in OLS. What lessons can be learned from their experience with this UN umbrella organization? The findings of the study are reflected in the concluding chapter.

## **CHAPTER TWO**

### **THE EVOLUTION OF THE INTERNATIONAL HUMANITARIAN SYSTEM**

#### **2.1. Introduction**

The post-Cold War era will be remembered as the epoch when intra-state conflicts were transformed, in the popular Western consciousness, and to no less extent in the language of international relations, into humanitarian emergencies. This reflects a collective discourse, which is intended to engender an extension of the international paradigm of security beyond the traditional Westphalian premise (Greenaway, 2000).

Within this context, the humanitarian system has enjoyed exponential growth and development. The evolution of the humanitarian system can be contributed to the watering down of considerations of state sovereignty; the prevalence of intra-state conflicts being labelled as CPEs and humanitarian crises; the development and expansion of the concept of human security; and the withdrawal of diplomacy from states in the periphery by states in the core of international relations.

Within the humanitarian system, the group of humanitarian actors that has grown most substantially is INGOs. INGOs have surfaced to play an increasingly important role alongside multilateral humanitarian operations. This development in the humanitarian sector reflects a greater tendency of globalisation: the changing role of governments and the increasing importance of subcontracting public functions to private actors. From this view, the involvement of INGOs in offering relief would not have been possible without the growth of subcontracting. Negotiated access has become the main means of expanding welfare safety nets in CPEs. Furthermore, INGOs tend to respond more rapidly and creatively to CPEs than international organisations, and this has helped the sector to gain legitimacy among donors and the public.

However, the humanitarian system as a whole, and INGOs specifically, have come under fire as the complex and protracted nature of contemporary intra-state wars have brought to light the potential negative effects that aid may have on the local context. Within the milieu of CPEs, the traditional humanitarian principles, which guided the actions and mandates of humanitarian actors, have become increasingly difficult, even impossible, to implement within this changing environment. Traditional humanitarian principles are no longer applicable in the convoluted nature of CPEs. The humanitarian system has responded to this development by adopting the relief-to-development continuum and rejecting the traditional humanitarian principles of the ICRC. This new approach to humanitarianism has been named neo-humanitarianism.

INGOs realised that their efforts to ameliorate the effects of conflict are limited and may even fuel conflict in various ways. Furthermore, INGOs have been criticised for lacking accountability, transparency and local knowledge, and having problems with monitoring and evaluation. INGOs have responded to these criticisms by rejecting the traditional humanitarian principles, and adopting a relief-to-development approach.

## **2.2. The Changing Nature of State Sovereignty**

The traditional, Westphalian concept of the nation-state has come under fire as the scope and capacity of states to address the challenges arising from globalisation has diminished. The watering down of considerations of state sovereignty is because of the close and dialectical relationship of internal and external influences on statehood (Bryant and Lindenberg, 2001; Hobe, 1998).

Firstly, developing states, especially African states, no longer enjoy political or economic support from their former Cold War patrons. The withdrawal of this support after the Cold War brought to light the various political and institutional weaknesses present in many states, which contributed to non-governmental

actors challenging the legitimacy of many governments, ensuing in the proliferation of contemporary intra-state conflicts. Secondly, the prolonged nature of these conflicts and the prevalence of CPEs undermined already weak state structures. CPEs are characterised by the state losing its monopoly over the use of force; the inability of the state to protect the lives and livelihoods of its citizens; and the blurring of the boundaries between combatants and non-combatants. Thirdly, the expanded definition of human security and the acceptance by the international community of the responsibility to protect allows foreign parties to interfere in the domestic affairs of a nation state, while still adhering to international law. Finally, donor states manipulate the humanitarian system by using humanitarian operations and agencies as an extension of their respective foreign policies.

### **2.2.1. The Changing Nature of Warfare and Complex Political Emergencies**

The changing nature of warfare in the post-Cold War era has had a significant impact on the immutability of the concept of state sovereignty and the principle of non-interference. Furthermore, this development has stimulated the humanitarian sector, resulting in an exponential growth of humanitarian agencies (Wilkinson, 2002: 64). As a result, it is no longer possible to separate humanitarian issues from the wider problems of peace and security. The increased incidence of conflicts generally, and the prevalence of wars within states, as opposed to between states, are often cited as distinguishing features of the “emerging global (dis)order” (Siebert, 2003: 61-62).

Unlike traditional wars, intra-state conflicts do not presuppose the existence of states (Kaldor, 2006). The end of the Cold War and the subtraction of regional superpower interests and the associated ideological pressures permitted new local and regional conflicts to emerge, often characterised by the fragmentation of sovereign states. These kinds of intra-state conflicts have been referred to as complex emergencies or complex political emergencies (CPEs) (Wilkinson, 2002: 64). CPEs are more likely to occur in states with a high dependence on primary

commodity exports such as oil in Sudan (Kent, Lautze, Leaning, Mazurana and Roberts, 2003: 2135).

A CPE is a humanitarian disaster that occurs in a conflict zone and is complicated by, or results from the conflicting interests of the state (Goodhand and Lewer, 1999; Wilkinson, 2002). CPEs involve an intricate web of political, economic, military, and social forces engaged in violence. The term, emerging political complexes, describe new forms of state or non-state networks that create alternatives systems of profit, power, and protection; These networks use globalised trading structures to obtain necessary inputs via shadow and parallel economies; and they provide defence and administrative functions with little bureaucracy (Kent et al. 2003: 2135).

The roots of the conflict are in part political and may be complicated by natural disasters. However, in many cases a marginally subsistent population is precipitated towards disaster by the consequences of militia action. One dimension of the emergency is that the state is contested or has even collapsed (Goodhand and Lewer, 1999; Wilkinson, 2002). CPEs include the fracturing of the state system, large refugee flows, protagonists motivated by psychological and economic factors, rather than ideological, or even racial, ethnic and religious causes. Violence becomes a rational means whereby belligerents seek to achieve their objectives (Pugh, 1998: 2). CPEs occur in the context of the global decline of sovereignty, and the disintegration of state where its monopoly of the legitimate use of violence is increasingly contested (Richmond, 2004: 135).

Violence in CPEs is targeted overwhelmingly at civilians, their livelihood systems and social networks. Although much of the violence seems arbitrary and illogical, violence can be both functional (i.e. violence is useful for those controlling it) and specific (i.e. violence can support economic, political and social causes). Attacks on civilians often lead to widespread impoverishment, vulnerability and powerlessness. Human rights abuses and the destruction of economic and public

institutions combine to create an almost permanent state of insecurity in which the wealth and power of some people are generated at the cost of many people. CPEs are characterised by the absence of distinctions between war, peace, and crime. Furthermore, the division between belligerents and civilians has been watered down (Kent et al. 2003: 2135).

The nature of CPEs has contributed to the growth of the humanitarian sector. CPEs present significant challenges to aid workers who should now more fully understand the political, military and economic dimensions of modern crises. The signing of OLS in March 1989 marked the beginning of the transformation of the international emergency response system's approach to work in violent settings, from basic relief to humanitarian assistance. Political support for the concept of humanitarian governance (the use of humanitarian and human rights instruments to govern the behaviour of state and non-state actors in conflict zones) expanded as observers and aid workers realised that traditional humanitarian assistance was inadequate in the addressing the causes and symptoms of modern CPEs (Kent et al. 2003: 2135-3136).

### **2.2.2. Human Security**

The widespread human rights abuses within CPEs have led to the development and expansion of the concept of security. According to Thomas and Tow, “[w]hat is needed today...is not so much territorial security – the security of the state – but human security, the security of the people in their everyday lives” (Thomas and Tow, 2002: 177). Traditionally, security was understood in terms of threats to state sovereignty and territory. During the 1990s, alternative explanations of security politics were introduced, encompassing such concerns as access to basic foodstuffs, quality of the global environment, and the economic welfare of populations inhabiting developing countries. The term human security has been developed as an idea that can be contrasted with national security. Furthermore, it can direct attention to an emerging and wider spectrum of security issues (Thomas and Tow, 2002: 177-178).

The concept of human security recognises that transnational threats to international norms arising from inadequacies in internal state systems make individuals and groups within states more vulnerable. It imposes constraints on state sovereignty because it is the responsibility of international actors to enforce states to comply with humanitarian norms. The humanitarian-based international norms underwriting the human security approach also fostered the belief that the international community was responsible for safeguarding individual rights where individual states failed to do so (Thomas and Tow, 2002: 178-180).

This concept of human security can be linked to the globalisation of a particular model of governance, the liberal market democracy, and international norms regarding human rights. Globalisation has facilitated the transfer of liberal democracy, human rights and human security, and development as solutions to conflict. According to Richmond:

“[t]he contemporary peace-building consensus represents a nascent discourse and practice of both means and ends. This includes methods for the amelioration of conflict through mediation, peacekeeping, humanitarian assistance. Conflict resolution, prevention, and transformation approaches, and development strategies, incorporation of multiple actors in a multidimensional process...The outcome of this process is projected as a construction of liberal democracy, with a free market and globalised economy, progressive development strategies, and guaranteed human rights” (Richmond, 2004: 131-132)

Thus, where a population is suffering serious harm and the state in question is unwilling or unable to avert the emergency, the principle of non-intervention yields to the international responsibility to protect. Furthermore, once the international community fulfils its responsibility through the establishment of

humanitarian and peace-building missions in CPEs, international norms determine what type of peace (or state) will be built, namely a liberal market democracy with development strategies and respect of human rights (Chimni, 2000).

It should be noted that implementing liberal market democracy in states suffering from civil war or CPEs has been severely criticised. Some argue that the establishment of liberal market democracies in the developing world has led to the various CPEs in the first place. Furthermore, this “one-size-fits-all” approach to resolving conflicts disregards the country specific political context of CPEs, indicating that this approach will not be able to identify or resolve the root causes that gave rise to the crisis. This suggests that only a negative peace will be built, while a positive peace remains out of reach.

### **2.2.3. Withdrawal of Diplomacy**

After the end of the Cold War, Western governments became progressively more wary of using traditional military and diplomatic modes of intervening in conflict-affected areas that are perceived as non-threatening to their strategic interests (Rigby, 2001: 957). By the time of the Rwandan genocide in 1994, humanitarian assistance had become the primary, and sometimes only, involvement from developed states in CPEs, particularly in parts of Africa (Kent et al. 2003). Humanitarian assistance became the West’s favoured response to political crisis beyond its borders, opening the space for humanitarian agencies to fill this void (Curtis, 2001; Macrea, 2001). Western governments became unwilling or unable to take comprehensive responsibility for alleviating the impoverishment and instability in crisis regions (Duffield, 1997: 532). Donors, not beneficiary states, are the main customers buying humanitarian services and have driven the enormous expansion in this sector (Greenaway, 2000).

By the 1980s an evident change in government funding policy had occurred, from direct donor assistance to recognised governments in favour of international

support for private, non-governmental sectors (Duffield, 1997: 532). In a parallel development, the humanitarian capacities of the UN were strengthened. This international organisation was now seen as having a central and unique role to play in providing leadership and coordinating the efforts of international humanitarian agencies in delivering humanitarian assistance to disaster-affected populations (Kent, 2004: 865). This has enabled Western states to distance themselves from CPEs: humanitarian aid serves only to appease the Western conscience, and has been used by developed states as a substitute for political engagement to deal with serious issues of poverty, corruption and conflict in the periphery (Siebert, 2003: 67). Humanitarian assistance has become a convenient way to shore up the global image of donor states while at the same time providing a convenient diversion from global responsibilities (Mills, 2005: 167). Thus, humanitarian aid has filled the space left by the withdrawal of diplomacy (Curtis, 2001: 5).

Observers have noted that donor states use humanitarian assistance as an extension of their foreign policy. Within the humanitarian system, donor states have become dependent on non-state actors to implement their foreign policies. UN agencies and INGOs are funded overtly in an explicitly political way. Money is given to support operations in places deemed important to the donors. For example, the humanitarian operation in Bosnia, where European states were afraid of a mass influx of refugees in their respective states, received more resources than the Rwandan operation (Mills, 2005: 167).

The interests of donors do not only influence where humanitarian resources is allocated, but also the scale and type of humanitarian operation that will be operational. Influential donor states are able to influence the domestic politics of states suffering from humanitarian crisis. The selective allocation of humanitarian resources and varying levels of international effort and interest in responding to crises reflect the increasing politicalisation and legalisation of humanitarian

assistance, which threatens to transform humanitarian assistance into interference (Siebert, 2003: 61).

The watering down of considerations of state sovereignty has stimulated the growth of the humanitarian system. Furthermore, it has empowered and enabled INGOs to gain access to states suffering from CPEs. The adverse effect globalisation has had on the immutability of the concept of state sovereignty has allowed humanitarian agencies to move beyond simple relief activities to more complex operations, which involve activities geared towards advancing human rights, development, rehabilitation, and peace-building.

### **2.3. Humanitarian Assistance in Protracted Crises**

The 20<sup>th</sup> century may well be described as the age of humanitarianism. In less than a hundred years, a booming business of humanitarian aid providers developed, comprising a broad variety of actors: governmental, inter-governmental, and non-governmental (Heyse, 2003: 178).

While the core humanitarian values of compassion and benevolence underlying activities to alleviate humanitarian suffering remain as valid today as ever, the image of the humanitarian system, which embodies these values on a global level, has been damaged. In the face of the international community's glaring failure to respond effectively in CPEs, or to learn lessons, which might avert future ones, the role and effectiveness of the humanitarian system has been seriously called into question. Even where initial short-term relief responses have been effective in saving lives, the longer-term assistance required to prevent populations from sliding back into crisis conditions have often not been forthcoming (Hendrickson, 1998: 283-284). In essence, the problem can be understood in terms of the growing incompatibility between the humanitarian responses being proffered by the international community and the kind of crises being addressed (Hendrickson, 1998: 283-284).

The past fifty years of humanitarian aid provision have been characterised by two dominant trends. First, the complexity of the aid provision context increased continuously, thereby creating serious obstacles to effective aid provision. Second, the humanitarian aid community has expanded considerably as a result of the remarkable rise of NGOs in aid provision. This has created a more commercialised, diverse, and difficult to coordinate humanitarian aid sector, which resulted in an extra impediment to effective aid provision (Heyse, 2003: 178).

Numerous potential negative effects of humanitarian assistance in the context of CPEs have been identified. By setting up parallel NGO services, aid can hasten the collapse of already weakened state structures and may, by providing essential services that the state no longer delivers, allow governments to shift resources to military budgets, thus aggravating and prolonging the conflict. Aid can enable belligerents to avoid realising the true cost of the conflict, further undermining their will to return to peaceful coexistence. Humanitarian assistance can become a means for warring parties to sustain themselves, thus prolonging the suffering, and may escalate violence by attacking and raiding civilians. Striking agreements with warlords to permit aid to be delivered may bestow unrepresentative legitimacy on them. Aid can undermine local productive capabilities, thereby delaying the return to economic self-sufficiency and undermine local initiatives. If the distribution of assistance is observed to favour one community over another, animosity between neighbouring peoples and increased inter-factional conflict may result, thus aggravating the already tense situation. Paying economic inducements to protect aid workers may legitimise militias providing such protection. By providing humanitarian aid in crisis zones, there is a risk that parties to conflict may be deflected from assuming responsibility for the welfare of their own citizens (Lange and Quinn, 2003: 10)

Since the first modern humanitarian principles were advanced, the context of humanitarian action has changed dramatically. When Henri Dunant witnessed

the slaughter and the suffering on the battlefield of Solferino in 1859, war was generally fought between two state armies along fixed lines of battle. War was perceived, whether rightly or wrongly, as being within the conduct of civilised, gentlemanly behaviour. Thus, humanitarian action was seen as an act of compassion rather than an act of politics. However, most wars today are not between states, but between a variety of state and non-state actors. It frequently takes place in poor, non-strategic countries. War is not necessarily about power and territory but rather about gaining access to resources. Most casualties are civilians and many combatants reject the logic of the Geneva Conventions. In response to the new complex environments, humanitarian assistance has evolved into neo-humanitarianism (Mills, 2005: 164). Neo-humanitarianism is principled, human rights based, politically sensitive and geared to strengthening those forces that bring peace and stability to the developing world. Neo-humanitarianism is a product of the late 20<sup>th</sup> century crisis of underdevelopment in poor countries, and it offers new solutions to overcome past failures. Above all, neo-humanitarianism is political. It sees apolitical, neutral humanitarian relief as both naïve and morally questionable (Fox, 2001: 275).

### **2.3.1. Traditional Humanitarianism**

At the outset, humanitarian assistance was envisaged as the provision of immediate, short-term relief for the wounded during armed conflict. Humanitarianism, when not bound to any specific context, is a rather general concept that can be explained as “concern for humanitarian welfare especially as manifested through philanthropy” (Ranganathan, 2006: 195). International law practices however have conferred a secondary meaning upon the term humanitarian, as a label to be applied in certain specific situations. Thus by convention, international humanitarian law (IHL) is the law prescribing the conduct of state-parties during armed conflict. Humanitarian assistance describes the actions taken to provide relief and limited protection to persons affected by the conduct of hostilities (Ranganathan, 2006: 196).

The Geneva Conventions of 1949 and the Additional Protocols of 1977 are the primary sources of international humanitarian law, and provide guidance for humanitarian assistance by agencies specifically committed to this purpose and displaying certain characteristics. The traditional understanding of humanitarianism is further entrenched in the conduct of the ICRC and the Fundamental Principles of the Red Cross that summarise the organisation's operational ideology that consists of commitment to humanity, impartiality, neutrality and independence. (Ranganathan, 2006: 197). Following these principles allow humanitarian agencies the guarantees of access, safety from attack, and assistance from parties in conflict.

The idea of humanitarian principles is simply that war has limits. The Geneva Conventions and the Additional Protocols set out, in considerable detail the limits of war (Leader, 2000: 6). These principles do not legally bind other agencies, but have served as prudential rules to guide their conduct. It has thus been popularly held that the rights and privileges accorded to humanitarian agencies are conditioned upon their adherence to these principles in carrying out prescribed tasks. These principles have described the humanitarian ideology as much as relief and protection have defined the humanitarian mandate. What is immediately striking about this conception is its ideological simplification of the role agencies must play. They must, in short, deliver material assistance, and pay no heed to the broader political environment (Ranganathan, 2006: 197).

Short-term material assistance includes caring for the sick and wounded; supply of foodstuffs; medical supplies and clothing; distribution of materials for educational, recreational or religious purposes; assistance to captive persons; and measures to protect civilians and assist them to recover from the immediate effects of hostilities or disasters, and also to provide conditions necessary for its survival. While consent of the parties to the conflict is a prerequisite for undertaking protection and relief work, agencies adhering to the core principles of humanitarianism have a right to offer assistance to the parties. There is

general rebuke to the effect that parties must not regard acts of impartial humanitarian agencies as either interfering with their sovereignty or as unfriendly acts. Thus, they must not put forth impediments because of political motives or reasons related to the conflict (Ranganathan, 2006: 201).

The principle of humanity, considered to be the primary principle, essentially contains three elements: to prevent and alleviate suffering; to protect life and health; and to ensure respect for the individual. These three elements must not only be the primary objectives of relief agencies, but traditional humanitarianism requires that these must also be the only objectives (Ranganathan, 2006: 195).

The principle of impartiality implies essentially two things: non-discrimination, such that all persons are equal in suffering, without regard to which “side” they belong to, or once they are combatants, what their status has been in the conflict; and, proportionality, which is a distributional principle implying that between persons assistance shall be allocated to their degree of need, with priority being given to those whose need is the greatest. Furthermore, impartiality implies the removal of all subjective discrimination, i.e. non-distinction between persons even of the same group, on any basis, other than need (Ranganathan, 2006: 203).

The ICRC definition of neutrality has two components: ideological neutrality and non-participation in hostilities (Leader, 2000: 22). In a traditional understanding of neutrality, aid must not take sides and it must remain equally distant from all parties and actors involved. In other words, neutrality requires aid to ensure that the economy is not benefiting in any significant way: more “do no good” than “do not harm” (Scholms, 2003: 46). According to the principle of neutrality, humanitarian agencies should make no distinction between good wars and bad wars, between just and unjust causes, or even between aggressors and innocents. Included in this principle are military neutrality, taking no sides in hostilities; political neutrality, and not engaging in controversies of a political,

racial, religious, or ideological nature. While the principle of impartiality allows humanitarian agencies to speak publicly during a conflict as long as they apply equal terms to all warring parties, neutrality actually demands that agencies remain silent and abstain from the politics of a crisis (Fox, 2001: 277).

The principle of independence requires humanitarian action to be dissociated from political, financial, or military pressures. This appears straightforward but actually has been the least realised for most humanitarian agencies because budgetary constraints, concurrent government initiatives, the primacy of military relief have often called for these agencies to act with a certain degree of cohesion with, and even supervision of the government and the military (Ranganathan, 2006: 203).

Humanitarian principles can be seen as a deal whereby the warring parties to a conflict agree to respect humanitarian principles and humanitarians will not interfere in the conflict. Thus, the principles of humanitarian action are in a sense dependent on broader humanitarian principles. However, several developments have led to the questioning of this ethical framework. Most importantly, in many current CPEs the warring parties appear to have rejected the very notion that war has limits. Direct attacks on civilians and other IHL abuses are often a deliberate strategy. Furthermore, aid has been accused of exacerbating and prolonging conflicts. This has led to the questioning of the applicability of traditional humanitarian principles in modern CPEs (Leader, 2000: 2).

### **2.3.2. Neo-humanitarianism**

The development of forms of conflict in which belligerents have little or no respect for humanitarian principles; the retreat of the international security system from many parts in the world; and the growth in size and number of humanitarian agencies have made the implementation of humanitarian principles very difficult. In genocidal or ethnically driven conflicts, the very idea of universal humanity, or that war has limits, is denied by the belligerents. In a situation where

attacks on civilians are the objective, merely delivering aid to civilians is perceived as a political rather than humanitarian act, as it frequently runs counter to factional objectives. Impartiality is difficult at the local level where access is denied. At the global level, donor priorities skew resources towards areas of security concerns away from countries in much greater need. Independence is increasingly difficult now that many agencies are dependent on government funding. Governments increasingly appear to want to use aid as part of a broader foreign policy goal. Furthermore, division and competition between agencies makes their manipulation that much easier. The essential point is that, in this changed context, adhering to humanitarian principles is considered by many agencies to be inappropriate, maybe even impossible (Leader, 2000: 21).

The changing nature of conflict in the post-Cold War era has resulted in many humanitarian agencies questioning the traditional principles of humanitarian action. Where belligerents refuse to acknowledge the limits of war, many humanitarian agencies are questioning whether they should still respect the conditions imposed on them by these principles (Leader, 2000: 15).

The paradoxes of humanitarian relief and the role it may play in fuelling conflict are all too evident. A second set of factors further undermines classical humanitarianism's basis of moral incontestability: that providing humanitarian aid during situations of armed conflict is always a good thing. Humanitarian agencies and relief operations no longer occupy the moral high ground as criticisms from academics, journalists and relief workers themselves have multiplied since the 1990s. A commitment to participate only in relief work, without paying heed to the political milieu or other factors, often undercuts the importance of human rights. Viewing aid as conditioned not on the right of the victims, but on their needs is disempowering them in the long-term. In addition, in situations where one party is at fault, not questioning, publicising or openly condemning its policies does little to either discourage its activities or avert a destructive cycle of retaliation from setting in (Ranganathan, 2006: 204-205).

Neo-humanitarianism bears little resemblance to the classical version or its ideals, apart from the basic commitment to relief work. It is principled, ethical and human rights based. It will withhold aid if to deliver it could prolong conflict and undermine human rights. It rejects the traditional humanitarian principle of neutrality as on the one hand morally repugnant, and on the other hand, unachievable in the CPEs. The principles of neutrality and independence have been more or less expressly sidelined by most agencies in a number of crises. Impartiality in the distribution of aid has also received a blow as humanitarian agencies have been pressured to provide their services to one side when they are unable to correspond with the other (Ranganathan, 2006: 207).

From the point of view of absolute morality it could be argued that it does not matter if aid influences a war. Humanitarian aid, it could be reasoned, should be judged by its moral rather than its practical impact: it is simply the right thing to do and that is enough; aid is a value not a policy. Although this absolute moral concept was the implicit underpinning of humanitarianism for many years, today few humanitarian agencies cling to this position. Many agencies take the view that ethical responsibility now means that they must somehow judge the net benefit of their work. According to Leader, This is a significant development in the philosophy of humanitarianism “as it represents the introduction of a utilitarian ethic into what was hitherto an absolute morality” (Leader, 2000: 22).

In the new moral, human rights culture of international politics, the whole notion of neutrality has become more and more controversial. Neo-humanitarianism sees war as a moral violation and key barrier to development and rejects the ICRC’s view that war is inevitable. For these agencies, humanitarian action should be seized on as a tool to promote peace and justice. Today, neutrality is seen as undesirable, because it is either considered amoral (remaining silent in the face of human rights abuses), or the central role of INGOs in CPEs make it impossible to achieve (Fox, 2001: 277). This has resulted in humanitarian

agencies adopting a human rights based approach to humanitarian action in CPEs.

The development of a rights-based approach to humanitarian issues is often located in INGO responses to the Biafran famine in 1968 wherein the ICRC's doctrine of neutrality and silence was questioned. Many INGOs working in the field argued that breaking from this position "was the only ethical way of assisting the population". As a result, in 1971, one of its leading critics, Bernard Koucher, established Medicine Sans Frontier. This organisation has since symbolised the rebellious humanitarian cause. In a public statement they have said that they "are not sure that words can always save lives, but we know that silence can certainly kill". The shift from a needs based to a rights-based framework in many ways reflects the deeper notion of humanitarianism that includes both protection and assistance activities and is a human rights-based humanitarianism (Siebert, 2003: 64-65).

Impartiality implies that humanitarian action should reach all conflict victims, no matter where they are, or which side they support. According to this principle, 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 forgone. For instance, the level of humanitarian response in Serbia in the second half of 1999 was much lower than in Albania, Macedonia and Montenegro. These differences did not correspond to different levels of need. Few donors were willing to fund humanitarian assistance in Serbia, and few INGOs were willing to face the difficulties of working there, and therefore chose the more prominent and politically correct Kosovo, Macedonia, Albania and Montenegro (Curtis, 2001: 13).

Furthermore, in many conflicts, the fact that aid cannot be offered across both sides is not always an argument for withdrawing it completely. Some agencies see impartiality only as a desirable goal, not an absolute condition (Ranganathan, 2006: 210). This is especially problematic when considered in conjunction with the watering down of considerations about neutrality. Critiques of neo-humanitarianism have noted that neutrality is essential to ensuring access to people in need. Thus, the rejection of the principle of neutrality has had an adverse effect on the principle of impartiality whereby needs of victims of war are no longer a prerequisite for the delivery of humanitarian aid (Kent, 2004: 865).

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 (Curtis, 2001: 13). With the increase in the number of humanitarian crises, budgets have naturally expanded, making obtainment of funding a matter of great concern. Leaning on states for greater contributions reduces the independence of humanitarian agencies, for their involvement may be modified as per their donor states' wishes (Ranganathan, 2007: 211). Without independence, humanitarian assistance cannot legitimately assert itself as the moral counterforce vis-à-vis the belligerents, and impartial action is made more difficult (Curtis, 2001: 13).

Neo-humanitarianism goes beyond the traditional humanitarian mandate and objectives by including activities that fosters development and rehabilitation; protects and cultivates respect for human rights; and implements peace-building initiatives. This approach has been labelled as the relief-to-development continuum.

### **2.3.3. The Relief-to-Development Continuum**

Closely linked to the new human rights-based humanitarianism is the concept of developmental relief. During the Cold War, relief and development were

considered to be distinct and discrete. However, the protracted and complex nature of many of today's wars has forced humanitarians to rethink the link between the two. From the late 1980s onwards, many agencies began to think beyond straightforward relief, and of their interventions based on how they could contribute to long-term, sustainable development, as well as promoting the prospects for positive peace and justice. There clearly is a broad trend towards an increase in the use of humanitarian assistance as part of a more comprehensive strategy to transform conflicts and decrease violence. The trend is partly a response to the accusation that humanitarian assistance can prolong war and exacerbate conflict (Fox, 2001: 279). Driven by concerns about relief creating dependence; sometimes doing harm and failing to address root causes of emergencies despite its high cost; pursuit of both relief and development has become a dominant paradigm among humanitarian agencies in CPEs. A third objective of peace-building has emerged, along with the logic that development can itself help prevent or resolve conflict and sustain peace (Cliffe and White, 2000: 314).

The idea that relief and development should be mutually reinforcing was launched into the mainstream of humanitarian affairs in 1991 with UN General Assembly Resolution 46/182 (Cliffe and White, 2000: 316). According to this resolution:

“Emergency assistance must be provided in ways that will be supportive of recovery and long-term development [and] international cooperation and support for rehabilitation and reconstruction should continue with sustained intensity after the initial relief stage” (UN, 1991b).

Developmental relief marks a fundamental shift from traditional humanitarian principles. Unlike traditional humanitarianism, which had a minimal aim of saving lives, developmental neo-humanitarianism questions the long-term

consequences of intervening to save lives (Fox, 2001: 28). According to Hugo Slim, a new humanitarianism has developed that bases actions (or inactions) on the presumed good or bad consequences of a given intervention in relation to wider developmental aims (Slim, 1997). Relief and development constitutes the poles of a continuum, the centre ground of which is occupied by rehabilitation (Cliffe and White, 2000: 315). This development has made the relief-to-development continuum the principle approach of humanitarian agencies operating in CPEs.

The basic objectives of development policy are: a sound policy framework encouraging stable, growing economies with full scope for a vigorous private sector and an adequate fiscal base; investment in social development, especially education, primary health care, and population activities; enhanced participation of all people, and notably women, in economic and political life, and the reduction of social inequalities; good governance and public management, democratic accountability, the protection of human rights and the rule of law; sustained environmental practices; and addressing root causes of potential conflicts, limiting military expenditure, and targeting reconstruction and peace-building efforts towards longer term reconciliation and development (Wood, 2001).

The relief-to-development approach to humanitarian aid is premised on the notion that including developmental and rehabilitation activities within the relief mandate will ameliorate the root causes of violence. In other words, the relief-to-development continuum will address the causes of structural and direct violence and will usher in positive peace.

The relief-to-development continuum is a non-linear process as both relief activities and development programmes can take place at the same time. Furthermore, the distinction between relief and development is not always clear cut. Many forms of aid inhabit the grey area between relief, development and peace-building. For instance, support for livelihoods, especially agricultural

livelihoods. Sometimes this is included in the broadened definition of relief. The UN Food and Agriculture Organisation (FAO), for example, has a Special Relief Operations Service which provides what it calls agricultural relief (seeds, tools, fertilisers, livestock and veterinary supplies, and fighting gear) on an emergency short-term basis in order to restore assets and food production. Rather than an effort to restore agricultural systems to normal, this may simply be a temporary stop gap, and so does not fit neatly into either relief or rehabilitation categories. Food can result in relief when used for immediate survival support, or rehabilitation when used to enable herd recovery, or development when used in a food-for-work or school feeding programme, or all three at once. Rehabilitation of port facilities or roads to facilitate the delivery of humanitarian aid may logically fall into relief, but may well be developmental. When considering the difficulties inherent in assigning the diverse forms of aid intervention to one or other of the categories of relief, rehabilitation, development or peace-building, it becomes clear that these definitions can be more meaningfully applied to objectives or outcomes of aid programming rather than its content or modalities. A given form of intervention can further more than one outcome (Cliffe and White, 2000: 323).

The relief-to-development continuum was developed to address the perceived perverse effects that aid may have within the context of CPEs. The human rights based approach and the relief-to-development continuum complement each other as both methods attempt to ameliorate the negative effects of humanitarian relief as well as address the root causes of CPEs.

#### **2.4. Humanitarian INGOs**

The group of humanitarian actors that increased most substantially in the past fifty years is the non-governmental community (Heyse, 2003: 178). Humanitarian INGOs have emerged to play an increasingly significant role in multilateral humanitarian operations, particularly since the end of the Cold War. The activities of humanitarian INGOs now cut across all phases of the peacekeeping process, from advocates and advisors to governments and international organisations; to

close contact in field operations; to unintentional but very real sources of conflict in contested settings. INGOs have become significant players in all aspects of so called second-generation peacekeeping operations from early warning to peace-building initiatives (Abiew and Keating, 1999: 89).

The INGO sector has evolved through processes of institutionalisation of humanitarian principles and action. The performance of the INGO sector differed substantially from the performance of international organisations. INGOs responded more rapidly and innovatively in humanitarian crises. This has helped the sector gain legitimacy among donor governments and the public, which led to an increase in funding, facilitating the development and professionalisation of this sector (Heyse, 2003: 178). However, the protracted nature of contemporary intrastate conflicts has raised doubts pertaining to the effectiveness of INGOs operating in CPEs. These concerns relate to problems to do with accountability, transparency, institutional amnesia and lack of local knowledge, problems with monitoring and evaluation, and aid that fuels the war economy.

The increased presence of INGOs operating within CPEs is a reflection of the relative growth in resources that they command and the growing relevance of their activities in CPEs. The expansion of resources has been fostered by two converging developments: the increase in proportion of donor government funding for development assistance that has been channelled through INGOs; and the increased amount of development assistance funds directed to humanitarian relief operations (Abiew and Keating, 1999: 92).

According to Duffield, relief in war zones provides a metaphor for the post-Cold War era, because external relief is concerned with the changing role of governments and the increasing importance of subcontracting public functions to private firms or NGOs. By the mid-1980s, a noticeable change in donor funding policy had occurred, from direct donor assistance to recognised governments, in favour of international support for private, INGO sectors. According to this view,

the involvement of INGOs in offering humanitarian assistance would not have been possible without the growth of subcontracting. In its essential form, this involves donor governments contracting out their aid programmes to INGOs (Duffield, 1997: 527-533).

Within this subcontracting arrangement, lines of funding and accountability usually reside between donors and the INGOs concerned (Duffield, 1997: 533). Towards the end of the 1980s, Western governments were channelling significant levels of resources through INGOs. Structures of host governments suffering from CPEs were habitually rendered ineffective as a result of the conflict in that they did not cover areas of the country controlled by rebel groups or, within those areas of rebel control, could not be relied upon to distribute assistance fairly to those in need. As a result, the humanitarian system was forced to make greater use of INGOs as implementing partners and increasingly INGOs entered contractual relief delivery relationships with the UN and donor governments (Apthorpe, Borton and Woods, 2001: 9). Subcontracting has also allowed donor states to distance themselves from the CPEs in the periphery. The extent to which individual INGOs are dependent on donor funding can vary. However, within large emergency operations, such as OLS, donor funding is critical (Duffield, 1997: 533). Subcontracting has raised concerns pertaining to the accountability of INGOs offering humanitarian assistance. Are INGOs accountable to their donors, their board of trustees, or their beneficiaries? This division of accountability brings into question the effectiveness and motives of INGOs (Pugh, 1998; Scholms, 2003; Efuk, 2000).

Negotiated access has become the principle means of expanding welfare safety nets in internal wars. Basically this entails gaining the consent of warring parties for the movement and delivery of humanitarian aid to civilian populations (Duffield, 1997: 534). In order to gain access to civilian victims, INGOs must dabble in diplomacy as they negotiate with warring parties to guarantee the safe passage of relief food, medicine and equipment. To gain access to those in need,

they have been forced to negotiate with the perpetrators of violence. In the process, humanitarian INGOs have been coerced into making concessions, ranging from recognition in the case of Southern Sudanese rebels, to provisions of vehicles to armed intermediaries who deliver food in Somalia. INGOs are caught in a quandary: to be allowed to feed the civilians who are virtually held hostage by the warring parties they have made provisions for the belligerents too; and to gain access to civilians under the control of rebel and government forces, they have to strike a deal with some of the most notorious warlords in the world (Okumu, 2003: 121). Negotiated access has become the principle means of establishing internationally mandated relief operations that cover all sides in an ongoing conflict. It has provided a framework within which integrated multi-sectoral humanitarian programmes have been created. While remaining operationally problematic, it has legitimised cross-border type programmes that were formerly out of bound for most agencies. An early example of this approach was the UN's OLS (Duffield, 1997: 534).

Unlike many for-profit firms, INGOs are not obliged to make public their financial or assessment reports. This has raised doubts concerning their transparency. Humanitarian organisations seek to discourage consumer feedback from beneficiaries, because any doubt that is expressed with regard to a certain practice or approach potentially weakens an agency's position towards donors. However, INGOs do report on the positive results of their aid programmes, but these results are often exaggerated in order to improve INGOs' standing with donors. This suggests that INGOs are more likely to satisfy the needs of donors than their beneficiaries (Efuk, 2000: 62).

It is crucial for INGOs to understand the political environment in which they act in order to address the problems and obstacles they are confronted with in their humanitarian work. However, the capacity to analyse the political context of aid is often described as the weakest link in humanitarianism. Three basic observations can be made that suggest a lack of analytical capacity among INGOs. First, it is

in the very nature of humanitarianism to be reactive; it is purely a response to the needs of a population. Therefore, humanitarian staff has to cope with fast-evolving ad hoc situations that hardly leave time for reflection that limits their capacity to gather knowledge. Second, high staff turnover is a characteristic of the vast majority of aid organisations. It is difficult to find senior aid workers who have spent all their working lives in one single institution. Finally, the unwillingness to dedicate financial resources in order to store and diffuse knowledge hits at the fundamental obstacle to learning processes inside humanitarianism: the perception of responsibility (Schloms, 2003: 50). In addition, INGOs often argue that every crisis is unique. To a certain extent, this point is legitimate, but each crisis involves a similar set of aid institutions (UN, ICRC, INGOs) that have to deal with a similar set of problems and obstacles (Schloms, 2003: 48-49).

Within the INGO sector, monitoring and evaluation capabilities present a difficult challenge. The financial measures that exist for the for-profit sector are explicitly not useful here, since INGOs are not in the business of increasing revenue and maximising shareholder value. Harder still, is to attribute any element of societal change to the activities of a specific organisation. Furthermore, INGOs do not adhere to any professional code of conduct that might be used to assess them, nor do they have the kind of professional output that can be easily tested or published (Dail and Spar, 2002: 176). However, by implementing the “do no harm” approach, INGOs are able to identify the specific relief programmes that are ineffective or even those that exacerbate the situation by strengthening dividers between communities. Thus, in order for INGOs to be effective they must be able to identify unsuccessful programmes and avoid making the same mistakes in the future. Thus, the “do no harm” approach can be utilised as a method to evaluate the effectiveness of INGOs (Anderson, 2004).

## **2.5. Enhancing the Quality of Humanitarian INGOs**

The prolonged nature of contemporary intra-state conflicts has made INGOs realise their limitations to improve the lives of victims by only providing immediate relief. Depending on their analysis of root causes of conflict, various INGOs began to combine service delivery with other activities, including advocacy work, development and poverty reduction, and peace-building. Furthermore, internal and external pressures, and technical and political factors led to demands for better performance and increased accountability of humanitarian responses. Several new initiatives have developed in recent years. Some humanitarian agencies want to move towards greater standardisation and regulation, whereas other agencies place priority on the aspect of learning, retaining flexibility, and innovative approaches. Three prominent initiatives have come to the fore: the Sphere project, the Active Learning Network on Accountability and Performance (ANLAP), and the “do no harm approach” (Griekspoor and Sondorp, 2001: 209-210). Within the context of OLS, INGOs adopted the “do no harm” approach in an attempt to increase their efficiency.

The Sphere project came into being because of the Rwandan genocide in 1994. The evaluation done in its aftermath coincided with a drive to find ways to improve INGO performance and establish means of accountability. The result was a Handbook of Minimum Standards; a Humanitarian charter; the adoption of the Red Cross Codes of Conduct by participating INGOs; and the establishment of the Humanitarian Ombudsman Project – now the Humanitarian Accountability Project International (Tong, 2004: 176). Sphere has been criticised for being too prescriptive, leaving little room for contextual adaptation. Many of the defined technical standards, interventions and key indicators are minimalist and only applicable in an ideal refugee and displacement camp (Tong, 2004: 182). Four prerequisites need to be met for Sphere minimum standards to be applicable: everyone involved in humanitarian assistance should share a common goal; there should be access to the affected population; sufficient funds should be available; and everyone should be committed to meet minimum standards. In

Sudan, none of these underlying assumptions were met, which suggests that INGOs could not effectively implement the standards proposed by Sphere (Griekspoor and Collins, 2001: 741).

However, it is important to note that the use of standards is much broader than Sphere. Individual agencies have elaborate manuals, policies and instructions regarding a large range of aspects of their work. Country specific coordination and agreements have been developed to better understand and adapt to the specific political context of a CPE. For example, the Sudan Ground Rules and Letters of Understanding are examples of a country specific agreement on standards (Hilhorst, 2002: 201).

ALNAP was established as a forum to promote learning in the humanitarian sector. It is a unique forum in which a wide variety of topics have been taken forward. Among others, the network maintains a database of evaluation reports and related publications on accountability or participation of beneficiaries (Griekspoor and Sondorp, 2001: 211).

The “do no harm approach” is premised on the recognition that aid can prolong war. The “do no harm” principles allows agencies to analyse how their activities may positively or negatively influence conflict resolution (Griekspoor and Sondorp, 2001: 211). This approach offers a framework for INGO to prevent them from doing harm when delivering aid. Firstly, should aid have a negative effect, this approach proposes that INGOs retract their assistance. By identifying the relief activities that can exacerbate conflict, INGOs can and should avoid those activities. Secondly, international assistance can worsen conflict when it reinforces inter-group divisions and tensions, and when it undermines and weakens inter-group connections. However, it can promote peace when it reduces inter-group divisions, and when it supports and strengthens inter-group connections. Thirdly, it is in the details of an aid programme that its impacts either reinforce divisions or connectors. Programme decisions about whether to

provide aid, where to work, when and for how long, who to hire locally, who to target, and how to deliver goods. All affect the inter-group relations in the areas where aid is delivered. Finally, aid programmes that stay only at the individual or personal level, without translation into institutional impacts at the socio-political level, has no discernable impact on peace. Aid delivery that focuses on more people cannot, by itself, achieve sufficient momentum to end conflict or build peace; nor can work concentrated only on key people. For effectiveness, efforts to engage more people in peace practice must also link to efforts involving key people and vice versa (Anderson, 2004).

The “do no harm” approach has gained immense popularity within the humanitarian sector, and is regarded as being the best approach to delivering aid. On the other hand, the Sphere principles have been described as being too rigid and unrealistic. The prerequisites necessary for the Sphere principles to be implemented have never been present in CPEs. Furthermore, by adhering to these principles INGOs may lose one of their greatest advantages: their operational flexibility. The “do no harm” approach identifies tangible forms of measurement and places realistic responsibilities on INGOs operating within an extremely complex environment. This approach has become the dominant methodology of humanitarian agencies, whereby they ensure that at the very minimum, aid does not make things worse (Anderson, 2004; Fox, 2001: 279-280).

## **2.6. Conclusion**

The nature of post-Cold War CPEs necessitated the evolution of humanitarian assistance from traditional ICRC humanitarianism to neo-humanitarianism, which advocates a rights-based relief-to-development approach to humanitarian assistance. Furthermore, this approach advocates that humanitarian agencies should be knowledgeable about the potential harmful effects their programmes may have within the local context, by adopting a “do no harm” approach.

The main factors, which drove this change in the international humanitarian regime, were the changing nature of state sovereignty; the changing nature of warfare and CPEs; the expansion of the concept of security to include human security; and the withdrawal of diplomacy from the periphery by Western governments. These developments enabled a multitude of humanitarian actors to gain access to war-affected population within a sovereign state. Furthermore, traditional humanitarianism appeared to be ineffective in addressing the multitude of problems, which humanitarian agencies had to face when delivering relief within the context of CPEs. Thus, neo-humanitarianism, which focused on human rights and development, became the dominant approach to humanitarian programming.

Since 1994, humanitarian agencies, including INGOs, operating under the OLS mandate adopted the relief-to-development approach to humanitarian assistance. The rationale behind this approach was that it would prevent dependency on external relief; and that self-sufficiency and development would contribute to the peace-building process.

The criticisms levelled against INGOs during the 1990s encouraged them to adopt a “do no harm” approach, which should have theoretically prevented them from fuelling conflict within the context of a CPE. INGOs adopted this approach in the Sudan in order to protect human rights and to prevent relief from being diverted to the military and economic aims of warring parties.

## **CHAPTER THREE**

### **HUMANITARIAN ASSISTANCE IN PROTRACTED EMERGENCIES: A CASE STUDY OF OPERATION LIFELINE SUDAN**

#### **3.1. Introduction**

The establishment of OLS in 1989 was an innovative approach to an integrated relief programme. It was the first operation of its kind where the international community delivered aid in an active civil war, in order to assist IDPs and war affected populations. OLS set the precedent for many relief operations in the post-Cold War era. However, it has remained distinct as, unlike most humanitarian operations in the 1990s, OLS was an informal or negotiated safe area programme, which did not depend on calling into effect Chapter VII, or on military protection for humanitarian aid and IDPs.

Sudan is an excellent example of a CPE, which explains the choice of the ground-breaking and modern international humanitarian intervention known as OLS. Furthermore, the evolution of OLS reflected the various changes which took place in the humanitarian system since 1989: international intervention during an ongoing conflict; the link between humanitarianism and human rights; the relief-to-development continuum; the expansion of the concept of human security; an increase of subcontracting relief functions to INGOs; and diplomatic negotiations and agreements between the UN and armed opposition movements.

This chapter evaluates how OLS was designed and how it evolved over time to reflect the changing nature of conflict and developments within the international humanitarian system. The underlying motives for choosing the OLS framework will be studied, and the reasons for the various changes during OLS' existence will be evaluated. This will be done by evaluating the origins of the civil war and the war induced famine in Sudan; by studying the main phases of OLS; and the

differing contractual and operational humanitarian relief environment between the Northern and Southern sectors of Sudan.

### **3.2. The Origins of Sudan's Civil War**

Sudan is Africa's largest country. (Robinson, 2002: 49). The country is sparsely populated, with some 24 million people spread over nearly 1 million square miles (Deng and Minear, 1992: 13). Sudan is populated in the North mainly by Islamic people, roughly half of whom consider themselves to be Arabs. In the South, the population is made up largely of non-Arab, non-Muslim African peoples, such as the Dinka and Nuer, who adhere to Christian or traditional beliefs (Robinson, 2002: 49)

The conflict between Northern and Southern Sudan has usually been misunderstood, because its historical roots have been misrepresented. Two explanations are usually given for the continuing division: that the division between North and South is based on centuries of exploitation and slave-raiding by the Arab North against the African South; or that Sudan was artificially split by imperialists meddling (Johnson, 2003: 1).

Sudan entered the 21<sup>st</sup> century caught up in not one, but many civil wars. What was seen in the 1980s as a war between North and South, Muslim against Christian, Arab against African, has, after decades of violence, broken the bounds of any North-South conflict. Fighting had spread into areas outside of Southern Sudan and beyond Sudan's borders. Not only were Muslims fighting Muslims, but Africans were also fighting Africans. A war being fought over scarce resources was being waged for the total control of abundant oil resources (Johnson, 2003: xiii). The people of Sudan had known only a single decade of peace since independence in 1956 (Bradbury et al. 2000). The fact that the overall civil war continued for so long, far outlasting the international and regional political arrangements, which at one time seemed to direct and define it, was

testimony to the intractability of the underlying causes of the conflict (Johnson, 2003: xiii).

The origins of the war can be traced back to the nineteenth century when the Egyptian conquest of Northern Sudan changed the nature of existing forms of taxation and land rights, opening new opportunities for the economic exploitation of the people of the South by the people of the North who had since become Muslim through trade and other contact with the Middle East (Ntata, 1999).

The causes of the current conflicts, however, appeared to be closely connected with the process of independence. Independence in Southern Sudan was premised on the condition of the devolution of considerable administrative and political powers to the South. However, the Southern Sudanese formed their own Federal Bloc in 1957 after the North had rejected the federal system of government immediately following independence from Britain. The imposition of a policy of Arabisation and Islamisation in the South by the military government of the North resulted in a Southern rebellion, which escalated into full-scale civil war in the 1960s. Economic hardships during the 1970s and 80s increased the North's interest in the oil rich Southern areas, fuelling the confrontation between the two sides (Ntata, 1999).

The first civil war, fought between southern rebels known as Anyanya and a succession of northern governments, was brought to an end with the 1972 Addis Ababa Agreement, which provided measures of autonomy to the Sudan's southern regions. The failure of the Jaafar Nimeiri government to uphold the autonomy agreement, and of southern politicians to agree on power-sharing, resulted in the country sliding back into hostilities between government forces and southern rebels, reconstituted as Anyanya II. Government proposals to abrogate the Addis Ababa Agreement by re-dividing the South provoked a mutiny of southern officers in May 1983 and the start of the second civil war (Bradbury et al. 2000).

The multiplicity of causes, which led to the Sudan's civil wars, was indicative of the complex nature of the conflict. Patterns of governance in Sudan, established an exploitive relationship between the central government in the North and the peripheries in the South, mainly through the institutions of slavery and slave raiding, creating groups of people with a lasting ambiguous status in relation to the state. The introduction of a specific brand of Islam further divided the people between those with full legal rights and those without. Furthermore, the northern government confronted the issues of Sudan's diversity and unequal development by attempting to establish a national identity based on the principles of Arab culture and Islam, which solidified divisions between the North and the South. Inequalities in economic, education and political development within the colonial state were not readdressed by Britain before granting Sudan independence in 1956. These inequalities have been perpetuated in the South by successive northern governments. Neither the North nor the South was able to obtain a national consensus in the 1970s concerning national unity, regional development, and the balance of power between the central and regional governments (Johnson, 2003: xviii-xix).

The re-emergence of the 1983 war is located in the political and economic crisis in Northern Sudan in the 1970s, and an alliance of northern commercial, government and military interests whose prosperity depended on their ability to tap the land, mineral and human resources of the South. The expansion of mechanised farming and the extraction of oil discovered in 1978 on the North-South border required a cheap labour force and the dismantling of the southern subsistence economy (Bradbury et al. 2000). Sudan's involvement in the international politics of the Cold War exacerbated its own internal war through the distribution of arms on an unprecedented scale. The interests of foreign governments and investors in the country's natural resources, especially oil, contributed to destabilising the already fragile situation (Johnson, 2003: xix).

There are clear links between the first and the second wars, in particular, the structural subordination of Southern Sudan and the adjacent areas within the Sudanese state. However, the second civil war and the way it was fought are distinct from that of the 1960s. The SPLM/A is a very different organisation from Anyanya I. The SPLM/A was formed in Ethiopia under the patronage of President Mengistu, with Colonel John Garang taking overall command of the SPLM/A. This organisation is also only one, albeit the most prominent, of several southern rebel groups and the war encompassed several smaller but damaging internal conflicts (Bradbury et al., 2000).

Unlike many civil wars in Africa, Sudan still had a functioning central government. However, this government did not have an effective monopoly over the use of force over all of its territory. In the Southern areas, the SPLM/A had effective and long-lasting control over large swaths of territory. This long-lasting control and the SPLM/A's cooperation and formal relations with INGOs and IGOs through OLS conveyed a "de facto state" identity on the armed opposition (Vinci, 2006: 10).

The northern Arab minority essentially employed divide and rule tactics to suppress rebellion among the black majority in the South. This strategy was mainly achieved through GoS policy of using politically restive militias to fight the SPLM/A and destabilise the South (Ntata, 1999).

The civil war in the Sudan is an excellent example of a low-intensity intra-state war, especially in terms of the effect of conflict on civilians: belligerents employed scorched earth tactics and deliberately targeted civilians; violence against civilians was excessive and terror tactics against civilians were used as part of the war strategy; these tactics resulted in mass population movements and IDPs; the distinction between civilians and belligerents was difficult, if not impossible, to distinguish; and a major objective of the war was to gain access to resources. Furthermore, the destruction of civilians' livelihoods was a deliberate strategy,

which combined with severe drought, resulted in a devastating famine in the country, described among others as a “war induced famine”.

For five years, the war raged virtually unnoticed internationally. Then in 1988, a major famine – triggered by the combined effects of drought and conflict – occurred in northern Bahr-el-Ghazal, in the eastern part of Southern Sudan. Despite the existing news blackout, the international media did pick up the story and covered the famine, which is estimated to have killed approximately 250, 000 people (Levine, 1997).

### **3.3. War Induced Famine in Sudan**

The causes of famine were not limited to poverty and government failure to provide food when there was an acute shortage, or to solicit relief from the international community. Both hunger and its roots in poverty could be attributed to a complex combination of political, economic, and environmental factors that had a negative effect on productivity, distribution, and the sustainability of life (Deng and Minear, 1992: 38). Since international emergency relief originated outside the country, its existence implied that the national government had failed to provide for the survival of its citizens and therefore should have been held accountable to its citizens. These issues not only touch on the central values of sovereignty but also go to the core of the national purpose and legitimacy of the government. These factors came into focus dramatically in Sudan. The political dimensions were critical in delaying the detection of and the reaction to the emergency (Deng and Minear, 1992: 45).

The way the war was fought is directly linked to the pursuit of long-term economic objectives in Sudan. The war economy of both the government and the guerrillas involved, in different degrees, the capture of labour, as much as the capture of territory. The pattern of the war suggests that resource depletion and economic subjugation were the objectives, not just incidental consequences. Populations stripped of their assets were deprived of economic independence.

Destruction of displaced settlements around Khartoum, and forcible relocations of displaced persons to schemes and peace villages around Wau and Juba, or in Upper Nile, the Nuba Mountains and along the Ethiopian borderlands had produced a dependent and portable labour reserve that served a double purpose: to implement the government's programme through resettling and reclaiming territory formerly contested by the SPLM/A; and to extend political and economic control over the resources of these areas through agricultural schemes owned and operated by interest groups represented in the army and government. The economic strategy of the SPLM/A was far less clearly focused. Concentrations of displaced peoples had been used to attract relief resources, which were absorbed into the SPLM/A war economy (Johnson, 2003: 145-146).

Violent attacks on civilians and the destruction of their livelihoods were part of the GoS and the SPLM/A war strategies. Since 1991, the SPLM/A was forced to depend on the civilian population of the South for support. This encouraged the GoS to deliberately target civilians in the South, usually by employing the services of government militias, in an attempt to destroy the SPLM/A's civilian support base. The SPLM/A denied access of relief to government-held garrison towns in an attempt to starve out the government forces. Furthermore, the SPLM/A were implicated in revenge attacks on civilian populations, which were regarded as supporting the GoS or government militias (Rhodes, 2002).

The use of terror and violence against civilians had a significant influence on the socio-political milieu of Sudan. The results of such tactics were the erosion of traditional values caused by a breakdown of community structures; the marginalisation of traditional authorities; the destruction of the judicial system; a strain on economic resources and kinship ties; the general culture of violence that prolonged warfare creates; and the destruction of traditional famine coping strategies (Levine, 1997: 8).

Three principle stages can be identified in the genesis of the famine in the Sudan from 1986 to the period when the international community launched OLS in 1989 (Efuk, 2000: 47). The first stage, which ran from January to December 1986, saw an intensification of the war, including the SPLM/A attacks on government-held garrison towns (Bradbury et al. 2000), and increases in the use of militia forces by the government. Throughout the year, the SPLM/A's opinion of relief was obdurately antagonistic. The war strategies and policies adopted by the belligerents were imperative in causing the famine. Both the government and the SPLM/A denied food to the civilian population in the war zones. The policies of denying relief did not create the famine, but it made it much more severe when it occurred. These tactics included obstructing relief supplies, distorting commercial food markets and preventing famine stricken populations from following traditional coping mechanisms (Efuk, 2000: 50).

Stage two, which was from December 1986 to September 1988, witnessed a slow build up of the famine, concluding in the mass deaths by starvation of IDPs from Bahr-el-Ghazal during the middle of 1988. The two years of fighting between the belligerents and the resulting destruction of infrastructure, combined with by successive years of drought in the South as well as in the central and western parts of Sudan, generated the greatest single number of the world's IDPs. This colossal displacement resulted from raiding by government militias, and the scorched-earth tactics of the regular army and the SPLM/A, which rendered much of northern Bahr-el-Ghazal and central Upper Nile a wasteland. The SPLM/A siege of government-held towns were tight and they denied access to relief agencies to deliver humanitarian assistance to populations within the besieged towns (Efuk, 2000: 50).

Stage three, which was from October 1988 to September 1989, saw the situation improve in the rural areas following military gains by the SPLM/A, which prevented raiding by government militias. In the garrison towns, however, the famine intensified, as the SPLM/A noose became tighter (Efuk, 2000: 50). The

famine also came to the world's attention at this point when the international community responded to a flood emergency in Khartoum (Bradbury et al. 2000). For the first time Western donors took decisive action at the cost of opposing the policies of government, and took the initiative to influence the course of events. The SPLM/A was also influenced by the donors to change its tactics and to accept food relief (Efuk, 2000: 51).

Perez de Cuellar, then UN Secretary-General appointed James Grant, executive director of UNICEF, as his Special Envoy to Sudan. A conference took place in Khartoum and was attended by representatives from the UN, donor countries, relief INGOs, and the GoS (Akol, 2005). The international humanitarian response was accompanied by diplomatic pressure on the government and the SPLM/A to end the war. The timing proved politically expedient (Robinson, 2002: 50). In early 1989, the military situation was such that each side needed a reprieve: the government to recover from losses and the SPLM/A to consolidate gains. Politically the time was propitious as the government of Sadiq al-Mahdi was weak and under pressure to end the war; the SPLM/A needed time to establish their authority in areas newly under their control and both sides wanted to reinstate themselves in the good graces of the international community (Rhodes, 2002: 9). By participating in OLS, the SPLM/A could obtain a degree of legitimacy and export their causes to the international community.

Grant shuttled between Khartoum and the South and after a number of bilateral meetings, managed to gain an unprecedented agreement: the UN were allowed to provide humanitarian assistance to both government and rebel-controlled areas with the consent of the GoS and SPLM/A. This enabled humanitarian agencies to deliver assistance to all conflict-affected populations without military assistance or a Chapter VII resolution (Levine, 1997). Grant succeeded in convincing the parties to the conflict to agree to a six-month ceasefire in order to stock food on site for the needy population (Akol, 2005). While never dependent on there being a ceasefire, the creation of OLS was closely linked to efforts to

resolve the war. However, a military coup on the 30th of June 1989 pre-empted a peace settlement. The coup, which brought Omar el Bashir and the National Islamic Front (NIF) to power, took place four days before Sadiq el Mahdi was to meet Garang in Addis Ababa, and signalled that the war was set to continue. In October 1989, the civil war duly resumed (Bradbury et al. 2000: 16).

#### **3.4. Operation Lifeline Sudan**

OLS represented a major international endeavour to deal with the withering ordeal of human suffering in Sudan. It was the longest running humanitarian relief programme of its kind. With the famine of 1984 – 1986 in the North largely controlled, the scene shifted to the South (Deng and Minear, 1992: 83). OLS had national, regional and global significance. Created in 1989, it was the first humanitarian programme that sought to assist internally displaced and war-affected civilians during an ongoing conflict within a sovereign country, as opposed to refugees beyond its borders (Bradbury, Benini, Duffield, Hendrie; Jaspars, Johnson, Karim, Larbi and Macrae, 1996). OLS was one of history's largest humanitarian interventions in an active civil war as well as establishing a precedent for many humanitarian interventions that followed, for example in Angola, Iraq, Somalia, and Bosnia (Rhodes, 2002: 3).

While having operational similarities, OLS was nevertheless distinct from many other integrated interventions. Firstly, OLS was not dependent on military protection of humanitarian aid and displaced civilians. Rather, access was largely reliant on the application of international pressure on the warring parties. Secondly, the ultimate sovereignty of the GoS was not challenged. There was an equivocal and temporary ceding of sovereignty to UNICEF in parts of the South that were outside of GoS control. Thus, OLS could be regarded as an informal or negotiated safe area programme (Karim et al., 1996: 2).

The underlying motives for choosing the OLS approach could be found in the changing nature of global politics. The end of the Cold War represented the

withdrawal of diplomacy and support from the peripheral South by Northern states. OLS was a product of the tendency of donor states to use humanitarian agencies as extension of their foreign policy. They appeared to be good international citizens by donating funds to OLS, while not getting directly involved in the conflict; and by influencing the actions of INGOs, donor states were able to protect and advance their interests. For example, the US influenced the actions of INGOs through donations by USAID to ensure that their oil interests in Southern Sudan were protected.

The complex nature of the civil war and the war-induced famine necessitated an integrated approach. The multitude of belligerents involved in the conflict and the collapse of GoS sovereignty in the South forced the UN to negotiate and sign agreements with the armed opposition movements. The collapse of GoS sovereignty in the South obliged UNICEF to adopt a quasi-governmental persona in the Southern sector. The sheer magnitude of the emergency necessitated the inclusion of a variety of humanitarian agencies. The more humanitarian agencies active in an emergency, the more important coordination and regulation becomes, which explains the implementation of the OLS consortium. OLS reflected the growing tendency of subcontracting public functions to private organisations. By the 1990s, INGOs received more funding from donors than UN agencies, which demanded their inclusion and greater coordination and regulation.

The desire to assist civilians within an ongoing war reflected an expansion of the definition of human security, whereby the international community had an obligation to safeguard individual rights where individual states failed to do so. GoS failed to assure the human rights and well being of the civilian population of Sudan, which necessitated international intervention. Furthermore, the concept of security in Sudan encompassed human rights, access to basic foodstuffs, economic welfare and development.

OLS was a consortium of UN and INGOs working with the people of Sudan, whose survival and protection was jeopardised by the CPE and underdevelopment. According to OLS mission statement, in striving to meet the needs of the Southern Sudanese, OLS “saves lives, promotes self-reliance, protects people’s safety and dignity and enables them to invest in their future” (UN, 2003).

OLS succeeded in affirming certain humanitarian principles for providing assistance in conflict situations. OLS was guided by the principles of the ICRC Code of Conduct in Disaster Relief, which were: 1.) the humanitarian imperative comes first; 2.) aid should be neutral and impartial and aid priorities should be based on need alone, (Aboum et al. 1990: 3.) aid will not be used to further a particular political or religious standpoint; 4.) relief agencies will endeavour not to act as instruments of government foreign policy; 5.) international relief agencies will respect culture and custom; 6.) disaster response should be built on local capacities; 7.) ways should be found to involve programme beneficiaries in the management of relief aid; 8.) relief aid must strive to reduce future vulnerabilities to disaster as well as meeting basic needs; and 9.) relief agencies need to be accountable to both beneficiaries and donors (UN, 2003). Despite these principles being accepted by humanitarian agencies, the situation on the ground made it difficult to implement these principles.

Furthermore, the following terms formed the basis of OLS: 1.) the UN had to deal with all the parties to the conflict that control territory through which relief items would pass or to which they would be delivered; 2.) the parties to the conflict committed themselves to the safe and unhindered passage and delivery of relief items to the needy population; and 3.) the UN, as a neutral body, was to coordinate the operations with the parties to the conflict (Akol, 2005).

Operating under the auspices of OLS offered INGOs various advantages. Although some INGOs worked outside OLS, for example Norwegian Aid, the

advantages accrued from being inside was such that most choose to work within the consortium. In 1998, there were some 10 agencies working outside, compared with 40 within (Bradbury et al. 2000: 46). OLS managed to improve funding options for INGOs previously working in the area by providing public awareness through its international presence (Rhodes, 2002: 4). Membership provided access to logistical and communications support, the protection of the OLS security system and information. UNICEF undertook to negotiate access to project sites and to assist in mediating any disputes with counterparts. For those INGOs operating in the GoS areas, OLS provided the only legal means to work cross-border in the Southern sector (Bradbury et al. 2000: 46; UN, 1990). In the Southern sector, the Agreement on Ground Rules institutionalised the relationship between the opposition movements and INGOs, which enabled INGOs to operate in the South and to obtain a degree of protection for relief workers (SPLM and UN/OLS, 1995).

However, some INGOs have criticised the logistical support managed by the UN. According to MSF, “the flight capacity of OLS was not able to respond to the huge needs presented...[t]his was largely due to logistical as well as management problems” (Duffield et al. 2000). Resentment about centralised decision-making and the lack of an INGO perspective led to calls for greater deregulation and decentralisation (Bradbury et al. 2000: 46). Despite the fact that INGOs had had a presence in Sudan even before the implementation of OLS, during the 1990s, INGOs were not an integral part of the assessment process for future plans of action. Failing to include INGOs in the OLS programme planning not only resulted in a loss of potential expertise, but also led to ineffective coordination (Rhodes, 2002: 16). The differing contractual and operational environments in the Northern and Southern sectors further undermined coordination efforts. In the Northern sector, INGOs were little more than government extensions. Thus, INGOs preferred to work in the Southern sector, where they had greater control over relief resources and the implementation of relief and development programmes. Within the context of large relief operations,

effective coordination is crucial. OLS failed to coordinate effectively the humanitarian programmes of agencies operating under its mandate. For example, in Southern Sudan alone, there were five monitoring systems that were managed by the FAO, WFP, SCF, USAID, INGOs and the Sudan Relief and Rehabilitation Association (SRRA). This wealth of information was ineffective, because there was a lack of a unified system for data monitoring between the various agencies. Throughout its history, OLS remained a loose amalgamation of INGOs with different criteria and interests that, based on a competitive funding system, resulted in an ad hoc operation without any leadership or even a consolidated information system (Rhodes, 2002: 14).

OLS arose out of the failure of the international community to prevent the 1988 war-induced famine in Bahr-el-Ghazal. As an organisational structure and system of management, the evolution of OLS can be divided into two stages. The initial phase spanned the period from 1989 to 1992, while the second stage ran from 1992 to 2004. This division reflects the two main periods of OLS relief activity (Karim et al. 1996: 15).

The first phase covered the implementation of the Plans of Action for OLS I (April to August 1989) and OLS II (March to December 1990). These plans, which proposed to deliver relief across the lines of conflict along designated “corridors of tranquillity”, assumed that the emergency would be short lived and that the interventions would be temporary. Interestingly, the agreements establishing OLS were unsigned, informal agreements (Bradbury et al. 2000: 30).

The initial phase established the basic division between the Northern and Southern sectors, agreements between the warring parties were ad hoc and informal as the first signed OLS agreement was not reached until 1994 (Karim et al. 1996: 15). In the government-held areas, the so-called Northern sector, the structures of relief operations reflected traditional coordination mechanisms, whereby the UNDP provided a light framework, liaising with government and

collating information (Levine, 1997: 7). Overall coordination was provided by a UN Coordinator for Emergency Relief Operations based in Khartoum (Bradbury et al. 2000: 30). In the Southern sector, OLS provided an integrated logistics and security framework within which UNICEF, WFP and INGOs implemented their programmes (Levine, 1997: 7). UNICEF coordinated cross-border operations run from Nairobi, Kenya, working along-side WFP and international and Sudanese NGOs (SNGOs) (Bradbury et al. 2000: 30).

This early period also established the regulatory framework, whereby INGOs working in rebel-held areas had to sign Letters of Understanding (LoU) with UNICEF/OLS, under which they agreed to abide by the principles of OLS for logistical and security support from the UN (Bradbury et al. 2000: 30). Furthermore, INGOs were expected to submit copies of project proposals developed for their donors including a budget summary to UNICEF/OLS (UN, 1997).

During the first two years, OLS was largely conceived in terms of the discreet and time limited operations of OLS I and II. During its first six months, OLS succeeded in moving relief supplies across the lines of the conflict (Bradbury et al. 2000: 30). However, the initial phase of OLS was characterised by renewed fighting and deepening crisis of consent (UN, 1991a). OLS Southern sector activities began to decline and take on an ad hoc appearance, a process exacerbated by the failed proximity talks in October 1991 (Karim et al. 1996: 15).

The growing crisis of OLS was the product of various aspects. While the NIF government at first supported OLS, their attitude became increasingly critical as fighting resumed late in 1989. The GoS was of the opinion that OLS was benefiting the SPLM/A, whereas the SPLM/A believed the relief operation was biased in favour of the GoS. By 1992, OLS activities were more or less in abeyance; it was claimed that less than 10% of the potentially reachable population was accessed. Through GoS and SPLM/A restrictions, the whole of

Bahr-el-Ghazal and Jonglei were effectively closed to aid agencies (Karim et al. 1996: 16).

The perception of the GoS and SPLM/A concerning OLS contributed to a change starting from 1992 in the nature of this programme in the direction of increased formalisation and the incorporation of a relief-to-development approach in the OLS mandate (Ntata, 1999: 9). The formalisation of OLS was represented in OLS becoming a continuous operation with administrative arrangements to suit. The newly formed Department of Humanitarian Affairs (DHA), which replaced the UNDP in Sudan, was given overall responsibility for coordination and was tasked with reenergising OLS. The DHA obtained an agreement from the GoS to open up access and the reinvigorated humanitarian programme was supported by external political pressure (Bradbury et al. 2000: 31).

Since 1992, there was an increased tendency to see UN coordination as confined to South Sudan only. In the North, the government was defined as the main regulatory body for humanitarian operations (Karim et al. 1996: 16). Not only had this confirmed the earlier separation between the Northern and Southern sectors, it encouraged the administration of relief in each area to take on a different institutional dynamic. In GoS areas, a process of organisational consolidation and deepening was implemented in 1992. In the Southern sector, UNICEF's development of Ground Rules in relation to the opposition movements has stimulated the attempt to broaden civil structures and relations (Karim et al. 1996: 16). Compared with the previous phase, in the Southern Sectors there had been marked programme expansion, whereas programme expansion in the Northern Sector had discontinued.

The humanitarian principles that govern negotiated access have undergone significant changes. From 1992, was a tendency to interpret access as relating to specific war-affected areas only. In other words, there had been a definitional shift in OLS from principle to geography (Karim et al. 1996: 22). The UN

conceded to the GoS new power to differentiate between “war zones” and areas “affected by war” within the Southern sector. Henceforth, the UN and INGOs only had access to areas “affected by war” in the South. This enabled the GoS to designate some areas of South Sudan as “war zones”, and thereby excluded an OLS presence (Karim et al. 1996: 28).

OLS experienced a significant change from 1994. From April 1989, through the end of 1993, the international community focused largely on saving lives by providing emergency relief. Some INGOs had embarked on limited development programmes even before the implementation of OLS, but these programmes were of too small a scale to have a noteworthy impact. However, the attention of OLS began to shift towards rehabilitation and reconstruction in 1994. In support of this relief-to-development policy, donors and INGOs pointed to the fact that the Sudan situation was unique for three reasons. Firstly, in Sudan OLS was established with the consent of the warring parties. Secondly, both the GoS and the opposition movements demanded that OLS should move away from its strictly relief aid mandate to more long-term programmes, such as capacity building, rehabilitation and development. Thirdly, the UN report gave an explicit directive to relief agencies that emergency assistance should be provided in ways that would support recovery and long-term development in the Sudan (Efuk, 2000: 52). Thus, OLS’ mandate shifted from that of an emergency relief programme to that of a relief-to-development programme.

### **3.5. Differing Contractual and Operational Environment within OLS**

The operational separation between the Northern and Southern Sectors of OLS engendered two distinct aid cultures; and the effects of aid in each area were indeed markedly different (Duffield, Jok, Keen, Loane, O’Reilly, Ryle and Winter, 2000: 8). The main reason for this operational separation was the unwillingness of the UN to challenge the sovereignty of the GoS in the North. By allowing the GoS to retain some of its sovereignty, the UN managed to gain access to war-affected population in the South (UN, 2003).

A mandated, UN umbrella for humanitarian operations in South Sudan was a major innovation. However, in the Northern Sector, a more conventional arrangement was adopted which reflected the status quo (Karim et al. 1996: 30). Due to a lack of government presence in the South, UNICEF had greater control over the operational implementation of OLS in the South. However, the GoS exerted significant control over the implementation of OLS in the North. Some observers have noted that the implementation of the relief-to-development continuum and the control of the GoS over OLS in the North enabled the government to mould the development programme to suit its own objectives. Unequal development between the Northern and Southern Sectors of the Sudan was one of the root causes of the civil war. Thus, the GoS strategy may have been devastating to the peace-building process in the long-run (Duffield et al. 2000: 20).

The ability of the GoS to deny access by imposing flight ban on areas in need of humanitarian relief was a major weakness of OLS. Using its sovereign position, the GoS was able to restrict access not only in the North, but in the South as well, through flight restrictions and stricter demands prior clearance of all movements (Karim et al. 1996: 56). This allowed the GoS to exert a level of control over the distribution of international humanitarian relief, which in a highly politicised environment may have had dire consequences. The opposition movements also denied humanitarian relief agencies access, albeit in a smaller scale and this tactic diminished since the signing of the Ground Rules (Vinci, 2006: 14).

In the Southern sector, INGOs had greater flexibility in implementing their relief or development programmes and they had greater control over their own resources. However, the SPLM/A requested that INGOs work in conjunction with the relief wing of their organisation, the SRRA, and help build-up the capacity of Sudanese NGOs (Fenton and Sowinska: 2005). Furthermore, the responsibility

to regulate and monitor the actions of INGOs in the South resided with the UN, not with the GoS, which explains their greater flexibility in the South.

In the North, INGOs were mere extensions of the GoS' policies and aspirations. The GoS established a very restrictive regulatory environment. In contractual terms, INGOs were little more than extensions of the state in Northern Sudan, and were bound by a code of conduct, the Country Agreement, which defined humanitarian aid as a purely technical response blind to context or cause. This called into question the role of INGOs in the North (Karim et al. 1996: 60). This neutral stance on relief stood in stark contrast with the approach to relief in the South. The Ground Rules established, in principle, a link between human rights and humanitarianism. It could be argued that INGOs in the North were neither accountable to donors nor beneficiaries; they were only accountable to the GoS, because they were dependent on the GoS to gain access.

The extent and quality of access in the South was much greater than in the North, and a broader range of programmes were able to develop. It seems that INGOs had greater flexibility over the development and implementation of their relief programmes and greater control over their resources in areas where state sovereignty was either weak or collapsed. The distinction between relief operations in the Northern and Southern sectors exacerbated the developmental inequalities between these two areas. However, it seems that in the Southern Sector, where INGOs had greater leeway over their programmes, more development projects were implemented than in the Northern sector, where the distribution of relief and development programmes were under tight government control.

### **3.6. Conclusion**

The complex nature of the emergency in Sudan was as a result of a multitude of root causes. This complexity has made the international response to the crisis

problematic as the root causes were not fully understood within context of the country.

Sudan is an excellent example of a CPE. The emergency in Sudan was a multidimensional crisis with profound human suffering; the root causes of the conflict were many and complex; the war-induced famine aggravated the situation; and the GoS no longer had sovereign control over Southern Sudan. The tactics employed by the GoS and the opposition movements destroyed civilian livelihoods and traditional coping mechanisms. Thus, the effects of the drought were experienced more severely as a result of these tactics, which created a war-induced famine.

The international community responded to the emergency in Sudan by implementing OLS, which at the time was an innovative and unique operation that set a precedent for future integrative responses to CPEs. However, OLS was distinct from other post-Cold War humanitarian interventions as OLS neither depended on military protection of civilians and relief aid nor called into effect Chapter VII.

The inability of the international community to understand the complex nature of the situation in Sudan was reflected in the initial phase, when OLS was mandated to be a short-term relief operation. The intractability of the civil war and the resurfacing of war-induced famines illustrated that a more formal and robust approach was necessary. The second phase of OLS attempted to address these weaknesses by becoming more institutionalised. The second phase also saw the OLS mandate shift from a purely emergency relief programme to a programme that incorporates development, rehabilitation and capacity-building.

Whereas OLS evolved in response to the changing circumstance within Sudan, it also reflected the developments which took within the international humanitarian system: the shift from only delivering emergency relief to the implementation of a

relief-to-development approach; the expansion of the concept of human security whereby capacity-building and development is seen as a means through which individuals can improve their lives; the growth of subcontracting public functions to private organisations; and the inclusion of human rights in humanitarianism.

There appeared to be a significant contradiction within the structure of OLS in the Southern sector. According to the Ground Rules Agreement, the guiding principles of OLS were “the provision of aid according to need, neutrality, impartiality”. Thus, OLS adhered to the traditional humanitarian principles. However, the Ground Rules Agreement was linked human rights to humanitarianism. Furthermore, as of 1994, the GoS and the SPLM/A requested that OLS should adopt a relief-to-development continuum. As explained in chapter II, the marriage of human rights and development with humanitarianism makes the applicability of traditional humanitarian principles impossible. Whether INGOs delivering aid in the Sudan were able to foster development and promote human rights while adhering to traditional humanitarian principles will be evaluated.

OLS offered various advantages to INGOs operating under the UNICEF-umbrella organisation. INGOs were important actors within OLS as they received more funding from donors than UN agencies. The next chapter will investigate whether INGOs were effective in delivering relief to war affected civilians in Sudan and whether they were able to implement the relief-to-development continuum through the implementation of rehabilitation and capacity-building initiatives.

The main factors, which drove this change in the international humanitarian regime, were the changing nature of state sovereignty; the changing nature of warfare and CPEs; the expansion of the concept of security to include human security; and the withdrawal of diplomacy from the periphery by Western governments. These developments enabled a multitude of humanitarian actors to gain access to the war-affected population within a sovereign state. Furthermore,

traditional humanitarianism appeared to be ineffective in addressing the multitude of problems, which humanitarian agencies had to face when delivering relief within the context of CPEs. Thus, neo-humanitarianism, which focuses on human rights and development, became the dominant approach to humanitarian programming in Sudan.

Since 1994, humanitarian agencies, including INGOs, operating under the OLS mandate adopted the relief-to-development approach to humanitarian assistance. The rationale behind this approach was that it would prevent dependency on external relief; and self-sufficiency and development will contribute to the peace-building process.

The criticisms INGOs received during the 1990s encouraged them to adopt a “do no harm” approach, which should have theoretically prevented them from fuelling conflict within the context of a CPE. INGOs adopted this approach in Sudan in order to protect human rights and prevent relief being diverted to achieve military and economic aims.

## **CHAPTER FOUR**

### **IMPLEMENTING INGO HUMANITARIAN PROGRAMMES IN SUDAN**

#### **4.1. Introduction**

INGOs have had decades of humanitarian experience in Sudan as most commenced their humanitarian programmes in the 1980s. Initially these programmes were traditional humanitarian operations, which focused on the delivery of emergency relief and adhered to the ICRC humanitarian principles. However, the OLS mandate adopted the relief-to-development continuum in 1994, and INGOs followed suit and started running developmental programmes.

The sampled INGOs, namely, Oxfam, CARE, World Vision and SCF adopted the relief-to-development continuum in Sudan. MSF's programmes did not focus on development. However, its programmes unintentionally contributed to the development of the health sector. Furthermore, these INGOs delivered emergency aid to those in need; adhered to the "do no harm" approach; and attempted to protect human rights. Thus, INGOs in the Sudan experienced a shift in humanitarian programming from one that adhered to traditional humanitarian principles to one that adopted the neo-humanitarian approach of rights-based developmental humanitarianism.

By evaluating the impact of the relief-to-development continuum; the delivery of emergency relief; targeting methods used; and the protection of human rights, the effectiveness of INGOs operating under the OLS mandate will be evaluated. Furthermore, common problems associated with INGOs, for instance, accountability; institutional amnesia and lack of local knowledge; monitoring and evaluation; and transparency will be evaluated within the context of OLS.

## **4.2. Sample of INGOs Operating in Sudan**

The first INGOs to work in Sudan started their operations in the South after the end of the first civil war in 1972. By the end of the 1970s, only a few INGOs had made their appearance in the North. However, the war-induced famine of the 1980s boosted the number of INGOs operating in the North. INGOs assumed a prominent welfare role and donors increasingly funded INGOs and UN agencies in preference to bilateral aid to the GoS. During the same period, the spread of the second civil war in the South caused many INGOs there to leave Sudan, while others fell back to a few government-held towns. Over the most of the South, INGO activity during the latter half of the 1980s was absent. With the implementation of OLS in 1989, INGOs regained entry into Southern Sudan, resulting in the proliferation of INGO activity in this area. Thus, INGOs had at least a 19-year history as significant actors in the GoS-controlled areas of Northern Sudan, and they had a 24-year involvement in Southern areas if one takes into account the war-induced gap in the 1980s. This engagement went through a number of phases and involved many programme initiatives (Duffield et al. 2000: 79). The most significant change concerning INGO humanitarian policy in Sudan, and the focus of this paper, was the implementation of the relief-to-development continuum.

### **4.2.1. Oxfam**

Oxfam carried out several emergency programmes in both the Southern and Northern sectors of Sudan since 1983 (Oxfam, 2005; Ntata, 1999). These programmes included emergency water supply and hygiene promotion; emergency food and nutrition; livestock support programme; livestock epidemic control (Ntata, 1999: 15); and a relocation programme in Ed'Dien (Duffield et al. 2000: 114).

The emergency water supply and hygiene promotion involved the provision of clean water at 31 sites, mostly feeding centres and food distribution points. Oxfam's emergency food and nutrition programme was carried out in Rumbek

and Agangrial towns. The livestock support programme aimed to support vulnerable livestock owners through the provision of additional medicines, vaccines, cold chain equipment, and veterinary equipment for increased disease treatment. The main objective of the livestock epidemic control programme in Bahrel Jebel in the Northern sector was to improve animal health for stronger livestock resources (Ntata, 1999: 15)

Since the mid-1990s, Oxfam started working in a development fashion in the Ed'Dien area, namely Adu Matariq, El Goura and Adilla. The provision of donkey-carts and goats on credit was a feature of such projects. Furthermore, Oxfam, in conjunction with SCF and International Rescue Committee (IRC), implemented an ambitious project aimed at 4 000 households, whereby Oxfam attempted to resettle 100 households in south Darfur (Duffield et al. 2000: 113). Oxfam focused their efforts on income generating activities through the promotion of activities such as tailoring, needlework, food services and sale of crafts (Efuk, 2000: 59). In an attempt to develop the agricultural sector in the South, this INGO was involved in seeds and tools programmes (Efuk, 2000: 61).

Throughout the OLS mandate, Oxfam focused on implementing and improving public health services, agricultural activity and care for livestock. According to Oxfam's website they "carr[y] out peace-building and conflict management work that aims to support and enhance traditional and existing structures of conflict resolution in order to maintain peace within villages...[Oxfam] addresses the causes of conflict by improving communities' access to basic services and resources" (Oxfam, 2005).

The rights-based approach adopted by Oxfam in Sudan was broadly one of empowerment, working with grassroots structures to raise people's awareness of their entitlements, as well as developing better analysis of its work on local level conflict (Bradbury et al. 2000).

#### **4.4.2. Medicine Sans Frontiers**

MSF is a medical humanitarian organisation, thus there is a commitment to universal medical ethics, which are underpinned by demands of the duty to do good, “do no harm”, autonomy and justice. Although MSF holds to the core principles of neutrality, impartiality and independence, these principles are not absolute and sacrosanct, but are critical guides (Tong, 2004: 180). MSF epitomizes the type of humanitarian agency, which does not shy away from accusing parties to a conflict of human rights abuses. Furthermore, MSF strongly adheres to the “do no harm” approach and are willing to withdraw their humanitarian support should they believe that their actions fuel the war. MSF rejects the usual operational rule of the ICRC to remain silent, and questions the doctrine of neutrality by suggesting that victims of war are not equal (Bradbury et al. 2000: 69).

MSF set up two feeding centres in Wau, which had a population of 150 000 and supported the town’s hospital. It also ran therapeutic and supplementary feeding centres and supported primary health care centres in Panthou, Ajak, and Tieraliet, three villages of 5000-10 000 people controlled by the SPLM/A (Collins and Griekspoor, 2001: 740). MSF had six supplementary feeding centres in Bahr-el-Ghazal, catering for 12 000 children, and five therapeutic feeding centres. Supplementary and therapeutic feeding programmes were implemented to address the issue of malnutrition of particular groups (Duffield et al. 2000: 173). These feeding centres were established, because MSF realised that malnutrition would nullify the potential effects of their medical relief programmes (Collins and Griekspoor, 2001: 741).

MSF’s approach to relief in the Sudan did not focus on relief-to-development continuum as most of this organisation’s focus was on the supply of medical relief goods and the establishment of supplementary and therapeutic feeding centres. However, MSF unintentionally contributed to the development of the

health sector by establishing the necessary infrastructure to deliver medical relief and by training local Sudanese health workers (Bower, 2000: 661).

#### **4.4.3. Save the Children Foundation**

SCF's mandate in Sudan adhered to the relief-to-development continuum, whereby emergency relief should foster development in order to make a positive and lasting change in the lives of disadvantaged women and children. This involved augmenting local capacities to enhance the coping mechanisms of IDPs and other war-affected populations as well as having a measurable impact (InterAction, 2000).

SCF projects included the establishment of community kitchens; community survival kits; emergency relief items; nutritional activities through management of general food delivery; supplementary feeding of the malnourished; food security capacity enhancement through seeds/tools/goats procurement and distribution; support to water supply improvement through rehabilitation of existing water hand pumps; improvement of EIP coverage for children less than one, and pregnant women, through logistical support to immunization campaigns; resettlement of IDPs in South Darfur; basic education activities; and assistance to unaccompanied children in South Darfur (InterAction, 2000; Ntata, 1999: 17).

In an attempt to implement the relief-to-development continuum, SCF distributed seeds and tools in order to enhance the agricultural sector. Based on consultations with local communities, a package of inputs adapted to regional needs was put together each year. The package aimed to produce a variety of crops that could be harvested at different times and thus diminish the risk of food insecurity. Mainly sorghum, groundnuts, sesame, maize and rice were distributed. Attempts by SCF to produce tools using local sources were problematic, thus locally produced samples of the tools required were replicated by manufactures in Kenya and then exported to Sudan. SCF implemented food-for-seed exchanges, whereby double the amount of relief food was provided to

the supplier for every bag of seed that was presented to SCF's agricultural programme (O'Donnell, 2000).

SCF's rights-based approach focused mainly on the protection of children. In an interesting contrast to the approach of MSF, SCF argued that the strength of its programme lay in the quality of the relationships developed with local communities and authorities in areas where it operated. For this organisation, it was not just access per se that was important, but the quality of access (Bradbury et al. 2000: 70).

#### **4.4.4. CARE**

CARE had been operating in Northern Sudan since 1979 and in South Sudan since 1994. Initially this humanitarian agency's activities commenced with emergency relief, but it progressed to include developmental and rehabilitation programmes, which focused on agricultural, environmental and primary health care activities (InterAction, 2000).

CARE programmes in Northern Sudan focused on the development of the agricultural sector, natural resources management and food production. This programme attempted to address the short-term food security of vulnerable people through the provision of food-for-work activities. Furthermore, CARE developed an early warning system in order to create more effective emergency relief responses to communities in need. Similar to the health care programmes of Oxfam, CARE's health programmes in the North focused on improving the health conditions of women, and children under the age of five (InterAction, 2000). CARE relief effort concerning IDPs in Northern Sudan included improving access to water; and managing supplementary and therapeutic feeding to children under five, pregnant women and the elderly (CARE International, 2002).

In the Southern sector, CARE's programme aimed to reduce the cost of humanitarian relief and diminish food insecurity by promoting the internal

production and marketing by local farmers and build long-term capacity. These programmes also attempted to advance agricultural production through seed and tool distribution. The health care programme focused on the rehabilitation of health facilities, training and monitoring health workers, facilitation of essential drugs and medical supplies, integration of water resource development into preventative health education and improving the rural road network to improve access to health units (InterAction, 2000).

#### **4.2.5. World Vision**

World Vision's existence is based on the nucleus purpose of assisting the poor in the name of Christ. World Vision started operations in Sudan in 1983 and their major programmes were mainly focused in the South. In 2004, World Vision's Sudan operations expanded into the North to begin addressing the needs created by the Darfur conflict (World Vision, 2009).

Initially World Vision's programmes were confined to delivering emergency relief to populations in need. However, since the mid-1990s its humanitarian relief programmes adopted a developmental characteristic (World Vision, 2009). World Vision's objective in Sudan was to advance and build self-reliance for southern Sudanese. Its programmes included agriculture and food production, emergency relief, primary health care, water and sanitation, local capacity for peace, and local grain purchase and enterprise development, which include soap making, oil presses and grinding mills, tailoring, and bicycle repair shops (Interaction, 2000; World Vision, 2009).

Similar to the other INGOs discussed, World Vision attempted to improve the agricultural sector through the distribution of seeds and tools. Furthermore, it engaged in the transfer of appropriate agricultural technologies through farmer field days and demonstration plots. Emergency relief programmes included general food distributions; therapeutic and supplementary feeding programmes; and family survival kits such as cooking utensils, fishing line, and plastic

sheeting. World Vision's primary health care initiatives involved the establishment of 14 health clinics; immunisation of children and women; construction and support of rural clinics that provide essential curative and preventative services; training health staff and traditional birth attendants; nutrition monitoring; and prevention and case management of guinea worm. Water and sanitation programmes were spread throughout Tonj, Gogrial and Yambio and included the construction of hand-dug and hand-drilled wells, pit-latrines, and rehabilitation of existing boreholes. From February 1998, World Vision embarked on a local capacity for peace initiative to ensure that its projects "do no harm" to the people it was serving in Southern Sudan (Interaction, 2000).

### **4.3. Implementing INGO Humanitarian Programmes**

The implementation of INGO programmes refers to the execution of the neo-humanitarian approach; namely, the operation of the relief-to-development continuum; delivering emergency aid; targeting methods used; the "do no harm" approach; and the protection of human rights.

#### **4.3.1. The Relief-to-Development Continuum**

The sampled INGOs, to a lesser extent MSF, incorporated the relief-to-development continuum within their humanitarian programmes in Sudan. In order to move legitimately from relief aid programmes to development aid programmes, three elementary conditions must be in place: a minimum level of security, respect for human rights and humanitarian access; empirical evidence from the field needs to demonstrate that the emergency is over; and moving from relief to development aid is contingent on donor governments accepting the legitimacy of national governmental structures and of the rebel movements. From 1994-2004 none of these conditions were present in Sudan. Sudan was described as suffering from a chronic CPE during this period, and in such a context, the uncritical pursuit of developmental strategies may have a negative effect on the welfare of conflict-affected populations (Bradbury, Duffield, Jaspars; Johnson and Macrea, 1997: 223).

CPEs are not short-term, nor can livelihoods be structurally secure in such situations (Jaspars and Shoham, 1999: 361). The violent and protracted nature of Sudan's civil war resulted in the widespread destruction of livelihoods and continuous insecurity. Within this context, it was impossible for relief to link to anything that could foster development because the local economy was destroyed, there was a lack of access to agricultural land, and a lack of access to employment and regular income.

The main method of linking relief to development was the reduction of food aid justified on reducing a dependency for which evidence was not advanced. This approach did not succeed in creating self-sufficiency although it led to significant additional suffering (Duffield et al. 2000: 98). At programme level, there was a notable deficiency in innovation and diversity in strategies designed to achieve development. The primary strategy in Sudan to move from relief to development was the reduction in general rations for war-affected populations (Bradbury et al. 1997). Given the absence of any evidence of dependency and the lack of any comprehensive development tools that relief activities could link to, it was foolhardy to cut relief in the hope of promoting self-sufficiency (Duffield et al. 2000: 95).

The developmental programmes, such as income generating projects, pursued by INGOs were hampered by the conflict-induced emergency in Sudan, and a lack of local knowledge on the part of INGOs. Oxfam and World Vision focused their efforts on income generating through promotion of activities such as tailoring, needlework, food service and sales of craft. However, these projects did little to create self-sufficiency due to the collapse of the local economy and the fact that the second-hand industries virtually killed the textiles and dress making business (Efuk, 2000: 59). The inability of Oxfam, SCF, CARE and World Vision to evaluate and monitor the effects of implementing their water facilities negatively influenced the peace-building process. When INGOs installed or

improved water facilities, the displaced had to pay tax to predatory neighbours to use these facilities (Duffield et al. 2000: 37). This undermined and weakened inter-group connections.

Oxfam, World Vision, SCF and CARE distributed seeds and tools in an attempt to rebuild the agricultural sector and foster food security (O'Donnell, 2000; Efuk, 2000; InterAction; 2000). The experiences of INGOs in Sudan illustrate that agricultural development is not applicable to CPEs. Firstly, an increase in development aid for the agricultural sector resulted in a decrease in emergency food aid. During times of extreme food shortages in Sudan, beneficiaries resorted to eating the seeds delivered by INGOs instead of planting them. Clearly, this illustrates that an increase in development relief does not justify a decrease in emergency relief. Secondly, insecurity encouraged population movements, thus civilians did not stay in one area long enough to develop the agricultural sector. Thirdly, throughout the history of Sudan's civil war, belligerents deliberately targeted civilians with livelihoods. Therefore, the development of the agricultural sector increased the insecurity of civilians (Ntata, 1999: 26). Finally, a major problem was the timing of distribution, and the type of seeds and tools delivered by INGOs. Seeds, which had to be imported from Kenya, usually arrived late in the planting season and by the time they arrived the food deficit was so severe that civilians either consumed the seeds or lacked the strength to plant them (Duffield et al. 2000: 207). The quality of seeds delivered to Sudan was well below Kenyan standards (Bramel, Jones, Longley and Remington, 2002). SCF admitted that they were not able to implement the desired level of quality control on seeds or ensure that the seed had been stored in good conditions (O'Donnell, 2000). Furthermore, the distribution of foreign varieties of seeds in the absence of prior consultation with communities frequently resulted in rejection. The INGOs imported Kenyan-tilling implements (jembes) which was not used to a significant extent in Sudan. Subsequently, after distribution, beneficiaries melted down the jembes and refashioned it to suit local tastes (Ntata, 1999: 31). Not only was the local context in Sudan not conducive to agricultural development, INGOs

displayed a disquieting lack of local knowledge by distributing the wrong type of seeds and agricultural tools.

The development of the health care sector did not fare any better than the agricultural sector. Health care was completely inadequate in the South, as well as most of the North (Duffield et al. 2000). While INGOs were instrumental in rebuilding hospitals and establishing care centres for the displaced, Sudan had not achieved self-sufficiency in the health sector (MSF, 2004). This was evident from the consequences that followed the temporary withdrawal of World Vision in 2000. The primary health-care service and mother-and-child units run by World Vision in Yamboi resulted in these centres closing with local staff unable to manage the facilities open even at a basic level (Bower, 2000: 661; WHO, 2000). The withdrawal of MSF from the Southern sector completely disabled the health sector in South Sudan (Maaroufi, 2000).

Despite requests from the SLMP/A and SRRA for more support for education, INGOs did little in developing this sector. There was support for primary education since 1992, although was completely inadequate in relation to needs. In Bahr-el-Ghazal, only SCF was lending support to 88 schools, all of which lack basic educational materials, trained teachers and uniforms (InterAction, 2000; Duffield et al. 2000),

The relief-to-development continuum was implemented in an attempt to curtail local dependency on foreign relief aid. However, the amount of aid delivered to the civilian population was never enough to foster dependency and according to two independent OLS reviews in 1996 and 2000, there was no significant evidence to suggest that relief fostered dependency in Sudan (Duffield et al. 2000; Karim et al. 1996). The implementation of this continuum was not determined by realities in Sudan, but by a popular and fashionable theory within the international humanitarian regime that had been embraced by donors, UN agencies and INGOs. However, certain INGOs stated that the implementation of

the continuum was promoted because it conformed to the priorities of the GoS, and, in part, because of donor imperatives. Some felt that their programmes in Sudan should have remained limited to improving the delivery of emergency humanitarian assistance and that development was inappropriate in an unstable environment.

#### **4.3.2. Delivering Emergency Aid**

Compared to the development activities, INGOs were more effective in delivering emergency aid to the civilian population. In mitigating the effects of extreme poverty and hunger, food aid helped 3, 4 million vulnerable people in 2003, and a further 2, 5 million since the start of 2004 (Kapila, 2004). The presence of INGOs was instrumental in saving lives during periods of acute starvation and diseases.

Although OLS food aid inputs remained small, they assisted in keeping household labour forces intact, reduced the amount of time spent on alternative food sources, and, most importantly, reinforced networks of kinship and exchange between nearby communities. Food inputs received in Mapel in 1998, for instance, helped to increase labour available to households for cultivation by reducing the need to go out in search of food through fishing, collecting wild foods, and labour migration (Rhodes, 2002: 4).

Despite Sudan not achieving self-sufficiency in the health sector, INGOs played a crucial role in offering civilians access to basic and emergency health care. However, INGO activities within this field were hampered by a lack of resources resulting in the quality of health being good, but the coverage being poor (MSF, 2004).

According to the World Health Organisation, during OLS more than 75% of illness and death in Sudan were related to infectious diseases. The ability of INGOs to be flexible and respond quickly to outbreaks of infectious diseases was augmented by EWARN (a life-saving outbreak early warning system), which

vastly improved INGO responses to outbreak alerts. In 1999, the Rumbek pilot site, run by Oxfam, was able to control relapsing fever with only three deaths and 140 cases compared to 26 00 deaths in the September 1998 to March 1999 epidemic. In Equatoria, CARE was responsible for managing and investigating the lingering malaria epidemic in the area; lab confirmation and management advice could be obtained within three days, which decreased the mortality rate (WHO, 2000). MSF supported primary health structures, often offering the only medical services available for entire regions. For example in Akuen, the MSF-supported hospital was the only available health facility in the region, where 47, 542 consultations were realised and 2, 527 people were hospitalised in 2002 (MSF, 2003).

Despite the successes of INGOs in delivering emergency relief, their efforts were severely constrained by the relief-to-development continuum; a lack of continuous financial resources; OLS' management and logistical problems; and ineffective targeting, which will be discussed in the next section (Karim et al. 1997). These constrictions led to missed opportunities whereby relief could have reduced dependency in the sense that it could have enabled households to conserve their assets and remain in their home areas, thereby supporting agricultural and livestock programmes. Furthermore, emergency aid could have reduced conflict in that an infusion of resources into a reasonably secure, yet resource-poor, area may have decreased the likelihood of a criminal or violent misappropriation of food and other supplies (Duffield et al. 2000: 44).

#### **4.3.3. Targeting the Vulnerable**

A common limitation that most relief operations face is a lack of a reliable source of continual funding. Protracted emergencies are often accompanied by a decline in resources over time. This leads to pressure to target, even when this may not be justified (Jaspars and Shohan, 1999: 359-360). Targeting means ensuring that the required assistance gets to the people who need it, at the time it is needed, in the quantity it is needed and for the period it is needed (Burns and

Maxwell, 2008: 14). Despite the fact that OLS was a large and financially expensive relief operation, one must take into account relativity: Sudan is a large country and the majority of areas within this country were in need of humanitarian aid. For example, during the 1998 Bahr-el Ghazal famine the number of operations implemented within this area in comparison to the overall size of the province, it is possible to deduce that OLS could only have covered 18-23% of the province at one given period in time (Rhodes, 2002: 9). This forced INGOs and other humanitarian agencies to target the most vulnerable households within the country.

The main objective of targeting in Sudan was to minimise exclusion (Burns and Maxwell, 2008: 5). In terms of emergency humanitarian relief, the main reasons for targeting are limited resources and the desire to focus on the worst affected areas and populations. In terms of the relief-to-development continuum, targeting has been justified on the notion that aid should not destroy the local economy. In applying the relief-to-development continuum model, the rationale of minimising damage to the local economy has been expanded into reducing dependency of emergency affected populations and supporting local coping strategies. Targeting requires an analysis of vulnerability; namely, a study and identification of the population most severely affected by the crisis. The concept of vulnerability is not straightforward and the identified target groups cannot necessarily be selected as the most vulnerable in all situations. Identifying the vulnerable necessitates an analysis of the type of risks that people face and the means they have to cope with them (Jaspars and Shoham, 1999: 360-364).

By evaluating targeting in CPEs, it is possible to determine the effectiveness of INGOs programmes in delivering emergency humanitarian relief and fostering development. Despite the fact that targeting was not justifiable within the context of the Sudan, the lack of continual and timely financial resources compelled INGOs to implement targeting. However, by assessing the quality of their targeting programmes, and the type of aid that was delivered, it is possible to

ascertain whether the vulnerable received emergency aid and whether development took root.

During the OLS period, INGOs applied the Community Distribution System (Burns and Maxwell, 2008: 25). This approach, also known as community-based targeting, is any beneficiary selection carried out by its own members. In Sudan, villagers elected a relief committee (RC) at a public meeting. These committees usually consisted of 13 members (seven women and six men) to cover an area, usually representing all geographical units but not all villages or clans. The INGO discussed which geographical units were worst affected and determined the allocation of food by proportional piling. Chiefs were informed of the number of households to be targeted in the area and the RC was notified of the proportion of households, which was determined by the food-economy assessment. The entire population in the affected area was asked to come on the distribution day, where the RC identified female village representatives, called tieng wui (Rhodes, 2002: 13), who selected the most vulnerable households to come and collect food (Jaspars and Shoham, 1999: 365). Thus, in Sudan distribution was done by local authorities, chiefs and the RC.

While the Community Distribution System involved the participation of local communities, which is a characteristic embraced by neo-humanitarianism, this programme failed to assist the most vulnerable communities in Sudan. This failure can be attributed to INGOs' inability to identify the most vulnerable groups. As food passed through local political structures, it was often diverted from the most vulnerable. It is important to understand the relationship between diversion and local political and economic processes and social norms (Duffield et al. 2000: 184).

Target groups in Sudan were defined as the physiologically vulnerable (the malnourished and sick, pregnant and lactating women, young children and the elderly), the socially vulnerable (female-headed households, unaccompanied

minors and the disabled) and the economically vulnerable (the poorest). However, in both the Northern and Southern sectors, local representatives favoured their own people in distributions. Rather than distribution based on need, resident populations were often given priority over the displaced. Thus, the most vulnerable were those populations that lacked local representation (Jaspars and Shoham, 1999: 362-365). In other words, the INGOs did not target the most vulnerable population groups.

Few INGOs attempted to monitor or evaluate the impact of their targeting. The reasons for this were an acute lack of information and the inability of INGOs to exert control over relief items after being delivered. However, Oxfam and SCF addressed this issue. Oxfam chose to use project performance indicators and malnutrition levels as a monitoring tool combined with discussions with communities about their perceptions of vulnerability (Duffield et al. 2000: 44). SCF adopted an innovative solution to the problems created by the Community Delivery System. It did not attempt to impose external criteria for distribution but relied on the advice of community leaders to establish the criteria for vulnerability. Village chiefs had the responsibility to distribute aid, while SCF tried to ensure that these criteria were equitable and to carry out follow-up visits with the aim to ensure that those identified were indeed receiving relief. As many people were without representation and thus extremely vulnerable, SCF withheld some relief items from the regular distribution conducted by the chiefs and the withheld items were then targeted to those who had been omitted but were still in need (Duffield et al. 2000: 184). This illustrates that sufficient knowledge of the local political and social norms may contribute to INGOs' efficiency in targeting emergency humanitarian aid. Furthermore, INGO's flexibility should enable them to adapt quickly to the changing contexts.

MSF's relief programme during the 1998 famine illustrated the importance of targeting the correct groups in order to obtain efficiency. MSF did not have the capacity to tackle the underlying problem of inadequate food distribution.

Therefore, it established selective feeding programmes while advocating improvements in the general ration. Admission criteria were made more stringent but a high level of care was maintained. For example, the therapeutic feeding centres admitted only children who were less than 70% of their weight for height instead of the usual 60%. Because of this, recovery rates fell below the indicated norm of 75% after two months. According to Griekspoor and Collins (2001), prioritising less intensive treatment for those having a better survival chance, would have been more cost effective. Large scale feeding centres with reduced quality would have freed up capacity to increase the coverage of the programme.

#### **4.3.4. The Do No Harm Approach**

The implementation of the “do no harm” approach will be evaluated by examining how the relief-to-development continuum contributed to GoS strategies, and the consequences of INGOs that decided to withdraw from the Southern sector.

According to Duffield (2002), aid was complicit with wider forms of oppression to which displaced Southerners living in the North were subject. The aid-based IDP identity reverberated with state forms of decentralisation and developmental ideas of self-sufficiency articulate with the commercial need for cheap agricultural labour. Development strategies tended to reinforce the subordination of Southerners rather than enhance their autonomy. Rather than providing a solution, INGOs were part of the wider system of dominance in which southerners struggled to survive. (Duffield, 2002: 83).

When examining the impact of aid on social and political dynamics in Northern Sudan, it is not relief per se that is under discussion but very largely developmental relief (Duffield et al. 2000: 103). As previously mentioned, the increase in developmental aid resulted in a decrease of emergency aid. The lack of sufficient food sources, including food aid, forced Southerners to migrate to Khartoum or transition camps (the border areas between Northern and Southern Sudan).

The migration of Southerners to the North resonated with the GoS military strategy. Large-scale displacement of southerners had the military purpose of weakening the SPLM/A and its supporters and serving as an incentive for Southerners to support factions allied with Khartoum (Duffield et al. 2000: 104).

Internally displaced Southerners provided the necessary cheap labour on which North Sudan's commercial agriculture depended (Duffield, 2002: 84). The exploitive relationships between IDPs and Northern Sudanese was repackaged by INGOs as food-for-work projects, despite the fact that IDPs in Northern Sudan were subject to a wide range of unequal and highly exploitative relationships, which ranged from slavery, non-sustainable share-cropping arrangements, casual agricultural and urban labour, domestic services and so on. Thus, IDPs were subject to dominant networks and power relations linking local merchants, commercial farmers, government officials and military officers. Furthermore, INGOs were, albeit unknowingly, complicit in strengthening these exploitive networks, by encouraging the implementation of development programmes. For example, rehabilitation programmes run by SCF, including agricultural development programmes in Southern Darfur, micro-credit schemes and seeds banks, contributed to the government strategies (Duffield, 2002).

In the Southern sector, INGOs adopted a stronger stance on the "do no harm" approach. However, their actions illustrated that INGOs were ineffective in determining the cost-benefits of implementing this approach. In other words, how do INGOs know that their humanitarian programmes are fuelling the conflict and, more importantly, how do they determine that their withdrawal will be more beneficial to the affected population than the continuation of their programmes?

CARE in Western Ekuatoria used the "do no harm" analysis to determine whether to repair feeder or trunk roads as part of a grain-marketing project. On the basis that trunk roads could be used for military purposes, it chose to limit its

assistance to feeder roads. The decision had costs as the project only did the bare minimum to keep the market going. Repairing trunk roads could have enhanced food security, but the improvements might also have benefited the SPLM/A. There is no relevant calculus for assessing the cost-benefits of such decisions (Bradbury et al. 2000: 59).

In March 2000, the SPLM/A demanded that all OLS partner INGOs that were operating in SPLM/A controlled areas sign a Memorandum of Understanding (MoU), stipulating the conditions under which they may operate. INGOs complained that the MoU violated the customary principles of neutrality and independence. Thus, eleven INGOs refused to sign the MoU, including MSF, World Vision, CARE, Oxfam and SCF, and had to evacuate their staff from South Sudan (Maaroufi, 2000). The INGOs' claim that the MoU threatened their independence and neutrality was valid. However, considering the fact that INGOs were mere extensions of the GoS in the North sector (Karim et al., 1996) and that their humanitarian programmes contributed to the government's military and economic objectives, their decision to withdraw from the Southern sector seemed hypocritical. Furthermore, INGOs have signed operative regulations with the GoS' Humanitarian Aid Commission, which was created by the GoS to control distribution of aid to displaced people, and to control employment and appointments of senior national staff with INGOs. According to the SPLM/A "[t]he MoU was prepared in good faith and in the spirit of transparency and accountability so that both the NGOs and the SRRA can approach their duties and roles responsibly" (Nhial, 2000). The refusal to sign the MoU led to some accusing INGOs of not wanting to be held accountable for their poor performance by the SPLM/A (Harragin, n.d). Furthermore, those INGOs which decided to sign the MoU stated that due to institutional weaknesses within the SPLM/A, they did not have the capacity to exert complete control over INGO programmes.

Taking into account the lack of development and self-sufficiency in Southern Sudan, the withdrawal of Oxfam, World Vision, CARE, MSF and SCF and the

cessation of their relief programmes had dire consequences on the beneficiaries of these programmes. In Yambio, for example, World Vision had run primary care and mother-and-child units for 10 years. When World Vision pulled out due to the MoU, all the centres closed with local staff unable to keep facilities going. Illness and death increased by 50% from March 2000 and of this 40% resulted from diseases that could have been treated with simple primary care (Bower, 2000; WHO; 2000). The ratification of MoU, which would not have had a significant impact on World Vision's programmes, might have been preferable to a 50% increase morbidity and mortality. After renegotiating the terms of the MoU, the INGOs returned to Southern Sudan. This example illustrated that INGOs need to calculate carefully the cost-benefits of the "do no harm" approach as the withdrawal of INGOs may have disastrous consequences for beneficiaries (Bower, 2000; WHO, 2000).

#### **4.3.5. Protection of Human Rights**

The presence of INGOs in Sudan did offer the civilian population a certain degree of protection from violent attacks by the belligerents. However, when push came to shove, INGO presence was not enough to protect the lives and livelihood of civilians. OLS illustrated that INGOs were weak in protecting the human rights of war-affected populations, especially when humanitarian operations were implemented within the context of an ongoing war. The absence of international military peacekeepers in Sudan increased the civilian population's vulnerability to attacks from both the GoS and rebel movements. Sudan's experience suggested that INGOs did not have the capacity to protect civilians and questions whether INGOs should be responsible for offering this service (Cliffe and White, 2000: 326).

INGOs' ability to speak out against human rights abuses was extremely limited in the Northern sector and, to a lesser extent, in the Southern sector (through flights bans imposed by the GoS). This limitation could be attributed to the strong level of control the GoS had over granting access to INGOs. For example, both Oxfam

and SCF were almost expelled from the North in 2004, after speaking out against the GoS. Oxfam had criticised a UN Security Council Resolution issued in Nairobi, which contained weaker wording on the possibility of sanctions against the GoS than previous resolutions. SCF accused the GoS of dropping a bomb near one of its feeding centres (Goodman, 2004). During OLS, gaining access to affected populations took precedence over reporting human rights abuses. This suggests that humanitarian INGOs should not be involved in the protection of human rights; this function should be left to human rights INGOs.

Some INGOs incorporated a human rights approach to their work; however, what had changed was not so much what agencies actually did, as how they presented it (Duffield et al. 2000: 27). From September 1998, CARE and Oxfam adopted a rights-based approach in Sudan. The organisations made a distinction between human rights construed in legal terms, which were associated with monitoring and enforcement, and human rights understood as a moral force, which referred to the moral right resulting from membership to the human race. The moral interpretation formed the basis of CARE's work. Thus, the focus was not on monitoring or enforcement but rather on developing CARE's core social and economic work by improving its implementation and accompanying educational and awareness campaigns (Duffield et al. 2000: 112). Relief work had been reinvented as a matter of survival rights and social and economic rights. This had diluted other, more legalistic approaches, without seriously challenging the violence and exploitation, which gave rise to economic and social vulnerability (Duffield et al. 2000: 27).

#### **4.4. Problems and Weaknesses with INGOs**

Certain common problems inherent in INGO structures and programming had a negative effect on their ability to implement humanitarian programmes, which reflected the needs of beneficiaries effectively. These weaknesses were a lack of accountability to beneficiaries; institutional amnesia and a lack of local knowledge; a lack of monitoring and evaluation; and a lack of transparency.

A common problem, which arises within humanitarian operations, is the multitude of actors to whom INGOs are accountable: donors, beneficiaries and their board of trustees. The financial influence of donors makes INGOs susceptible to the interests of powerful donor governments. This phenomenon was clearly illustrated by the tendency of INGOs to adopt the relief-to-development continuum, which was propagated by donors in Sudan, even though the local milieu was not conducive to this approach. For example, one relief worker stated that “[w]e perceive that donors, particularly the European commission and Euronaid, would prefer that we do rehabilitation rather than relief...The Euronaid funding guidelines stress rehabilitation and development and will therefore not give relief food” (Bradbury et al. 1997: 228). Thus, INGO humanitarian programmes did not reflect the needs of the war-affected civilian populations, but rather the interests of donors. Beneficiaries of relief could not choose or even protest against potential failures within the humanitarian system. The accountability and interrelationship between the INGOs in the OLS and the international community took precedence as an integral part of the operational structure of OLS (Rhodes, 2002: 19).

INGOs attempted to pass accountability for the failure of some of their programmes to the belligerents, accusing them of large-scale diversion of relief goods. Diversion by both the GoS and SPLM/A did take place in Sudan; conversely, compared to other humanitarian emergencies, diversion of humanitarian relief did not happen on such a large scale to warrant INGOs’ claims. Thus, diversion could not be used as an excuse for the ineffectiveness of INGOs’ humanitarian programmes (Duffield et al. 2000: 187).

The hostile environment that INGOs had to work in ensured a high staff turn over leading to a common relief organisation disease known as institutional amnesia, where the same mistakes were cyclically repeated, the same imported assumptions were used and the relief aid was consistently misappropriated.

Without a certain level of donor and INGO accountability towards its recipients, the high turnover rates of relief staff ensured that the same mistakes were made and the structural problems within the humanitarian programmes were never addressed (Rhodes, 2002: 11).

Most INGO representatives had a historical perspective of one, or at most, two years. INGO expatriate staff in Khartoum who had more than twelve months experience were considered seasoned experts (Duffield et al. 2000: 79). Oxfam had seven different representatives in Khartoum in ten years. Thus, despite INGOs having years of experience in Sudan, few INGO Country Directors appeared to know what their agencies were doing a few months ago (Duffield et al. 2000: 20). SCF and CARE ran similar types of projects in the same areas of Northern Sudan since the mid-1980s. Attempting to encourage self-sufficiency was a recurrent theme over this whole period; however, it appeared to have had little success. For example, in 2000, both SCF and CARE attempted to establish food security early warning systems in the Northern Province in Darfur and Kordofan, respectively. Both were seemingly unaware of the similar efforts that were made by their agencies during the mid-1980 (Duffield et al. 2000: 80). David Keens observation, made in the 1980s, that INGOs seemed “trapped in a perpetual present” (Duffield et al. 2000: 82) appeared to be true throughout the history of OLS.

The difficulties faced by INGOs in targeting the vulnerable and implementing the relief-to-development continuum could have been circumnavigated if INGOs had had a greater understanding of the local context in which they were operating. During the 1998 famine, INGOs were determined to use their own definition of famine, and their own definition of beneficiary (Harragin, n. d.). Despite high mortality rates among the residents and IDPs, the situation was often described as experiencing extreme stress or as a crisis but not yet as a famine. SCF, Oxfam and MSF did not claim that Bahr el-Ghazal was experiencing a famine

until April, despite the fact that February and March were the critical months of duress (Rhodes, 2002: 24).

As early as 1986, Oxfam was involved with projects that provided donkey-carts and goats for the displaced in Khartoum. These were standard development projects, and inputs were provided as loans and intended to boost income and child nutrition. INGOs working with IDPs were well aware that they were subject to intimidation. In the event, the projects proved naïve and dangerous for the displaced. The donkey-carts and goats were looted by predatory neighbours, and the police detained several beneficiaries of the goat distribution, accusing them of theft. Oxfam had to intervene at the police station and be satisfied with freeing the accused minus their goats. Since the early 1990s, INGOs continued to implement such projects often with similar results. Oxfam was working in a development fashion in three displaced camps in Ed'Dien. The provision of donkey-carts and goats on credit was a feature of such projects. In all these camps, some of the carts ended up in the possession of the host community (Duffield et al. 2000). Not only is this experience an example of institutional amnesia, but it also sheds light on the possible negative consequences that development programmes may have within the context of a CPE. The same ineffective programme was continually implemented, resulting in the same negative outcome. Furthermore, this programme made beneficiaries more vulnerable to looting and asset transfer, which reinforced inter-group divisions and tensions within the community.

INGOs' ineffective monitoring and evaluation methods exacerbated their lack of local knowledge. For example, few INGOs had mechanisms in place, which monitored the effects of distributing emergency aid and the impact of implementing the relief-to-development approach. The inability of OLS to coordinate INGO activities resulted in all INGOs creating their own needs assessment. In South Sudan alone, there were five monitoring systems. Hence,

there was no single accurate needs-based assessment to coordinate future operations (Rhodes, 2002: 14-16).

Fears of funding termination and expulsion reduced INGO humanitarianism in Sudan to a clandestine activity lacking the original, benign intentions of conducting a neutral, transparent operation. This lack of transparency was evident in the actions of World Vision, where their reports have actually lowered the acceptable standards of nutrition in an effort to accommodate their levels of success. By lowering the standard of severe malnutrition from being 60% or below the weight beneficiaries should be, compared to their height, to 80 % or below, World Vision made their programme appear more successful than it really was to donors. According to their report, World Vision managed to reduce the number of malnourished children in Gogrial from 40.8% to 11.9%. Furthermore, their report failed to mention that fighting in the area had ceased, allowing market activity and natural migration to be reinstated. A return to relatively peaceful market activity was probably the key reason for the civilians' nutritional improvement. By exaggerating the results of their relief programmes, INGOs receive more media attention, improve their standing with donors and receive more funding (Rhodes, 2002: 25).

#### **4.5. Conclusion**

The experiences in the Sudan suggest that INGOs were more adept at offering emergency relief to people in need than fostering development within the context of a CPE. The conditions that needed to be present for development to take root were absent from Sudan. The local environment was insecure with an acute lack of respect for human rights. Humanitarian access was hindered by flight bans by the GoS and threats of INGO expulsion from Sudan. The emergency in Sudan was not over by the time INGOs attempted to implement development programmes. Donor governments did not fully accept the legitimacy of neither the GoS nor the SPLM/A. The civil war in the Sudan resulted in the destruction of the local infrastructure, the economic market, the agricultural sector and the

health sector. Linking relief to development is impossible to achieve in a situation where there is nothing for developmental relief to link. Thus, Sudan was not conducive to development.

Despite INGOs achieving a certain degree of success in delivering emergency relief, the adoption of the relief-to-development continuum circumnavigated potential successes in this area. The adoption of the relief-to-development continuum resulted in a decrease in the availability of emergency relief, which had a detrimental effect in the Sudan. The reduction of emergency assistance did not reflect the needs of the war-affected population: the civil war and famines had greatly diminished civilians' access to life sustaining resources. The inability of developmental programmes to bear fruit exacerbated this problem, as unsuccessful development programmes could not compensate for the reduction in emergency aid.

INGOs experienced problems in targeting the vulnerable. Nonetheless, the examples of Oxfam and SCF illustrated that effective monitoring and evaluation tactics enabled INGOs to identify the inaccuracies within their targeting methods. SCF acted upon this knowledge and greatly improved in targeting the vulnerable.

The examples of INGOs implementing the "do no harm" approach indicates that INGOs need to be all knowing in order to determine the cost-benefits of their possible withdrawal. However, taking into account the institutional amnesia and lack of local knowledge INGOs suffer from, it seems unlikely that INGOs will be able to calculate effectively the impact of their operations or lack thereof. The withdrawal of INGOs in 2000 had a negative impact on the well-being of their beneficiaries. Self-sufficiency had not been achieved in Sudan, which added fuel to the fire when the INGOs decide to withdraw.

The level of influence the GoS exerted over the humanitarian programmes in Sudan, and their ability to expel INGOs, resulted in gaining and maintaining

access to affected populations taking precedence over the protection of human rights.

Problems, which are common to INGOs offering humanitarian assistance, were evident in Sudan. A lack of accountability; institutional amnesia and a lack of local knowledge; and transparency had a negative effect on the efficiency of INGO's humanitarian programmes.

INGOs play an important role in offering emergency relief to war affected civilians. Their actions are instrumental in saving the lives of civilians affected by CPEs. However, certain operational decisions (the relief-to-development continuum, targeting, the "do no harm" approach, and the protection of human rights), as well as various factors inherent to INGOs (lack of accountability, institutional amnesia and lack of local knowledge; ineffective monitoring and evaluation methods; and transparency) hinder their effectiveness in delivering relief.

## **CHAPTER FIVE**

### **CONCLUSION**

#### **5.1. Introduction**

This chapter investigates INGOs' peace-building capacities in Sudan, by evaluating the effectiveness of the implementation of the relief-to-development continuum. The Comprehensive Peace Agreement (CPA) and the current situation in Sudan are investigated to determine whether INGO activities have succeeded in creating self-sufficiency, development and a positive peace. Have INGOs been effective in offering humanitarian relief within the context of a CPE? Have they succeeded in implementing the relief-to-development continuum, and what effects has this policy had on their overall humanitarian relief programmes? The theoretical link between development and peace-building are discussed and placed within the local context of Sudan, to determine whether the local context was conducive to the relief-to-development continuum. INGOs weaknesses concerning the implementation of this continuum are discussed, as well as external factors that influenced their performance in this field.

#### **5.2. The Comprehensive Peace Agreement and the Current Situation in Sudan**

OLS' mandate ended with the signing of the CPA between the GoS and the SPLM/A on January 9, 2005. The CPA mandated the sharing of national wealth and power between the ruling National Congress Party and the SPLM/A. These provisions included naming the SPLM/A leader to the office of the Vice President of the Republic, as well as giving the SPLM/A limited veto and consultative authority. However, the implementation of the CPA has been fraught with challenges. In spite of the formation of the Government of National Unity (GNU), many of the reforms mandated by the CPA have yet to be implemented (Burns and Maxwell, 2008: 7).

The CPA created a negative peace in Sudan by halting the violence between the GoS and the SPLM/A. However, a positive peace has not been implemented as the root causes of the conflict have not been addressed, and if they have, the necessary reforms have not been executed. This statement is evident from the conflict in Darfur and the humanitarian emergency it has created.

The conflict in Darfur escalated into a civil war in February 2003, when the rebel movements, the Sudanese Liberation Army (SLA) and the Justice and Equality Movement (JEM), jointly attacked government garrisons. Similar to the civil wars between the GoS and the SPLM/A, the civil war in Darfur is a response to the frustrations about decades of political oppression and economic neglect by the Khartoum government (Mans, 2004: 292). The scorched earth tactics employed by the GoS and the SPLM/A during Sudan's civil wars, were being utilised in the Darfur conflict. These tactics have resulted in a CPE where the affected population is in need of humanitarian assistance. Surprisingly, while this conflict was taking place, the GoS and the SPLM/A were negotiating the CPA. The Darfur conflict continued long after the CPA was signed in January 2005.

Thus, despite the implementation of OLS, and the signing of the CPA, INGOs programmes failed in its peace-building initiatives. The humanitarian programmes implemented by INGOs, under the OLS mandate, did not create a self-sufficient population, as the civilian population is still dependent on foreign humanitarian relief. Currently, the infrastructure in Sudan is still underdeveloped, and large food deficits remain in some geographical areas, particularly the most vulnerable to drought and flooding, and those with the highest influx of returnees. The levels of vulnerability are likely to increase as the return of refugees and internally displaced people continues (Burns and Maxwell, 2008: 10). The explosion of violence in Darfur suggests that the root causes of conflict in Sudan have not been properly addressed. Thus, the claim that humanitarianism can ameliorate the root causes of conflict is not evident in Sudan.

### **5.3. Peace-building and Development**

INGOs have become major players in the international humanitarian regime due to the tendency of donor governments to subcontract relief to INGOs, and the extensive financial resources these agencies receive from donors. Some commentators have suggested that INGOs are more effective in implementing peace-building initiatives, because they interact with local grass-roots organisations in an attempt to foster development and self-sufficiency through the implementation of the relief-to-development continuum (Macrae, 2000; Harvey, 1998; Rigby, 2001). Within the relief-to-development continuum, sustainable development is seen as a possible contribution to the peace-building process (Pugh, 1998: 7). The long-lasting nature of contemporary CPEs has led to aspiration on the part of the international humanitarian regime to move beyond relief and engage in rehabilitation and development even during ongoing conflicts (Harvey, 1998: 200; Rigby, 2001: 957).

This continuum rests on the premise that humanitarianism should have a developmental characteristic, which should theoretically contribute to the peace-building process. Peace-building endeavours to tackle the root causes of violence by ameliorating the structural violence present in CPEs. Peace-building is placed within the relief-to-development continuum; therefore, peace-building activities refer to rehabilitation, development and self-sufficiency (Scholms, 2003; Woodhouse, 2000). However, some argue that the relief-to-development continuum cannot be implemented within the context of a CPE. It is unfeasible for relief to link to anything that may foster development because the local infrastructure, the economic markets, the health and agricultural sectors have all been devastated. According to this view, INGOs should limit their programmes to the delivery of emergency humanitarian relief.

In order to determine whether INGOs contributed positively to the peace-building process in Sudan, their implementation of the relief-to-development continuum needs to be evaluated.

#### **5.4. INGOs' Peace-Building Capacities: Why the Implementation of the Relief-to-Development Continuum Failed**

The failure of the relief-to-development continuum can be attributed to the fact that the local context was not conducive to development programmes. Firstly, from 1994 to 2004, large areas in Sudan were very insecure and suffered from sporadic attacks. What exacerbated this was the fact that in certain areas, which were reasonably secure, fighting, could flare up unexpectedly. Furthermore, there was an acute lack of respect for human rights. Despite development programmes taking root and creating livelihoods, the lack of respect for the human rights of civilians made them targets to belligerents that wished to raid them (Bradbury et al. 1997).

Secondly, it is very difficult if not impossible to implement development initiatives within the context of a CPE. When the relief-to-development continuum was implemented in 1994, Sudan was still suffering from a chronic political emergency. Within this context, it was impossible for relief to link to anything that could foster development because the local infrastructure, the economic markets, the health sector and the agricultural sector had all been destroyed. Furthermore, the development of civilian livelihoods in an insecure environment made them targets of raiding and looting. Insecurity encouraged migration, which made the implementation of development activities unlikely as civilians did not stay in one area long enough to obtain self-sufficiency. During times of famine or hardship, the war-affected population was either too hungry or too exhausted to participate in INGO development programmes (Bradbury et al. 1997).

Finally, donors must accept the legitimacy of both the government and the rebels involved in the conflict. This characteristic was also lacking from Sudan. For example, the US was critical towards the GoS and openly funded programmes that benefited the SPLM/A areas. On the other hand, despite the SPLM/A

having de facto sovereignty in the Southern sector, the international community did not wish to confer legitimacy on the rebel movement (Fox, 2001).

Certain weaknesses inherent to INGOs made their development programmes ineffective. Due to a lack of continuous resources, INGO were forced to target the most vulnerable for distribution in an attempt to minimise exclusion. The Sudan experience illustrated that INGOs displayed an astonishing lack of knowledge concerning local realities and that few agencies attempted to monitor or evaluate the impact of their targeting. Furthermore, external INGO and internal community definitions of vulnerability and who deserves assistance was not the same. This resulted in either the wrong groups being targeted or large-scale diversion of relief. Target groups in Sudan were defined as the physiologically vulnerable, the socially vulnerable and the economically vulnerable. Yet, in Sudan, local representatives favoured their own people in distribution and resident populations were often given priority over the displaced. Thus, the most vulnerable were those populations that lacked local representation (Jaspars and Shoham, 1999: 362-365). The examples of Oxfam and SCF illustrated that effective monitoring and evaluation methods greatly improved targeting practices. These INGOs addressed this issue by monitoring and evaluating the impact of their programmes, and made the necessary alterations to their programmes to be more applicable to the local context. The ability of these INGOs to respond quickly to the information they gathered indicated that INGO flexibility, used in conjunction with monitoring and evaluation, could greatly increase the efficiency of a programme.

INGOs seem more adapt in monitoring and evaluating the effects of delivering emergency humanitarian relief than the effects of their developmental programmes. For example, the relief-to-development continuum contributed to GoS strategies. The reduction in emergency relief encouraged southern Sudanese to migrate north to IDP camps, where they were able to receive food aid. Firstly, this weakened the SPLM/A's and its supporters and served as an

incentive for southerners to support factions allied with Khartoum. Secondly, the IDPs provided the necessary cheap labour on which North Sudan's commercial agriculture depended (Duffield et al. 2000). INGOs never addressed these issues or altered their programmes to prevent the migration of southern Sudanese to the North.

The presence of INGOs did offer civilians a certain degree of protection from violent attacks. Although, the insecure environment, and the ability of the GoS to deny access to conflict-affected areas, made it difficult for INGOs to safeguard the human rights of civilians. Gaining access always took precedent over speaking out about human rights abuses. The Sudan experience suggests that humanitarian INGOs should not be too involved in protecting human rights. Their main objective should be the delivery of humanitarian assistance, while human rights NGOs should be preoccupied with protecting the human rights of civilians (Cliffe and White, 2000).

INGOs' decision to adopt the relief-to-development continuum was not based on realities in Sudan, but on the interest of donor governments. Some INGOs stated that emergency relief was more necessary than development relief; however, donors were not willing to give resources to emergency relief programmes as their preferred to fund developmental programmes. INGOs have a tendency to be more accountable to their donors than beneficiaries, because they are financially dependent on donors. This calls into question the principle of independence.

One of the greatest weaknesses of INGOs in implementing the relief-to-development continuum was their institutional amnesia and their lack of local knowledge. Firstly, institutional amnesia and a lack of operational learning indicated that INGOs made the same mistakes repeatedly, the same imported assumptions were used and the development programmes were repeatedly misappropriated. Secondly, due to their lack of local knowledge, INGOs'

development initiatives were not conducive to the local environment. For example, the food security early warning systems implemented by SCF and CARE in Darfur and Kordofan; Oxfam's projects that provided donkey-carts and goats; and the various programmes geared towards agricultural development. (Rhodes, 2002). Institutional amnesia, combined with a lack of monitoring and evaluation, calls into question the ability of INGOs to implement the "do no harm" approach. This approach is based on the ability of INGOs to identify and avoid humanitarian programmes that may have a negative effect on the local peace-building process. The actions of INGOs in Sudan suggest that INGOs were not equipped to determine which programmes reinforced inter-group divisions and tensions, and undermined and weakened inter-group connections.

INGOs' lack of transparency when reporting on their activities made it difficult to determine whether their projects were successful or unsuccessful. INGOs discouraged beneficiary feedback as any negative comments could have weakened their standing with donors and resulted in a cut in funding. The positive results they reported on were often exaggerated, as the example of World Vision illustrated (Rhodes, 2002). These exaggerated results could have had disastrous consequences, because it could result in decreased funding, as the situation appears to be less dire than what it actually is. Honest, transparent reports may offer a wealth of information, which may be used to ensure that the same mistakes are not repeated in the future.

Sudan was suffering from a chronic CPE in 1994 and in such a context, the uncritical pursuit of developmental strategies had had a negative effect on the welfare of the conflict-affected populations. The main method of linking relief to development in Sudan was the reduction in emergency relief justified on the belief that relief fosters dependency. However, there was no evidence from Sudan to suggest that the delivery of emergency relief created dependency. Taking into account OLS' history of a lack of continuous financial inputs by

donors, the operation as a whole did not deliver enough aid to Sudan to produce dependency (Jaspars and Shoham, 1999).

Given the absence of any evidence of dependency in Sudan and the lack of any comprehensive development tool that relief activities could link to, it was imprudent to cut relief in the hope of promoting self-sufficiency. The cut in emergency relief did not reflect the realities in Sudan. Thus, even though the number of people in need of emergency aid did not decrease, the general ration for war-affected populations did. Furthermore, the development programmes initiated by INGOs did not compensate for the reduction in emergency relief (Duffield et al. 2000).

INGOs failed to contribute to the peace-building process in Sudan as their developmental relief programmes largely failed to foster development, rehabilitation, and self-sufficiency. The decrease in relief aid had a detrimental effect on the well-being of beneficiaries as development programmes could not compensate for the cut in emergency relief aid. This resulted in missed opportunities, which could have contributed to the peace-building process. Emergency relief could have enabled households to conserve their assets and remain in their home area, thereby supporting agricultural and livestock programmes; it could have reduced conflict in that a infusion of resources into a reasonably secure, yet resource poor area may have decreased the likelihood of criminal misappropriation of food and other supplies; and it could have reduced dependency in the sense that it could have enabled households to store their assets and prevent migration (Duffield et al. 2000). An adequate amount of food aid may have had a greater impact on the peace-building process than developmental initiatives.

### **5.5. INGOs and Emergency Relief**

Compared to the development initiatives implemented by INGOs, they were more effective in delivering emergency aid to the civilian population. Although food aid

inputs were small, they assisted in keeping household labour force intact, reduced the amount of time spent on obtaining alternative food sources and helped rebuild networks of kinship and exchange between nearby communities. Despite the fact that INGOs had trouble in targeting the vulnerable, the innovative responses by Oxfam and SCF to this problem illustrated that INGOs can effectively target the vulnerable if they employ the correct monitoring and evaluation methods (Duffield et al. 2000).

INGOs were instrumental in offering the war-affected population with access to basic and emergency health care. For example, in Akuen the MSF supported hospital was the only available health facility in the region. The action of INGOs in the health sector helped prevent the spread of infectious diseases and decreased the mortality rate in Sudan (MSF, 2003). MSF played a crucial role in keeping the health sector running. Despite the fact that Sudan did not achieve self-sufficiency in the health sector, INGOs played an active role in keeping the health sector running, and in offering civilians access to basic health care.

#### **5.6. External Factor that Influenced INGO Performance**

While INGOs need to be held accountable for their humanitarian programmes, certain factors outside of their control had a negative impact on their operations. Under the auspices of OLS, the UN conceded to the GoS the rights to determine which geographical areas were “war zones” and which were “affected by war”. INGO only had access to areas “affected by war”. Thus, the GoS could control which areas in the Southern sector would receive humanitarian assistance (Karim et al. 1996). In the North, INGOs were mere extensions of the GoS’ policies and aspirations. The GoS exerted tremendous control over the operational function of OLS as a whole. Within this context, INGOs had little room to manoeuvre and effectively implement their programmes.

One of the greatest restrains OLS faced was a lack of a reliable source of funding. This was exacerbated by the decision of donors to adopt a relief-to-

development approach. Financial support for emergency food aid began to shrink as donor financing shifted to developmental aid. Within the international humanitarian regime, donors exerted a significant level of control over INGOs because they controlled the purse strings. When donors embraced the relief-to-development continuum, INGOs were forced to follow suit, despite some claiming that emergency relief was more important at the time. This diminished INGOs' capacities to delivery emergency food aid, which was one of their more successful programmes in Sudan. Furthermore, inconsistent donor funding often caused contradictory strategies between INGOs and the UN. While donors provide resources for INGOs whose activities were generally constant with OLS' development objectives, there was no specified accountability to the UN, even though the same donors expected the UN to exercise overall coordination (Rhodes, 2002).

Despite claims that OLS would coordinate and monitor the action of humanitarian agencies under its control, a loose amalgamation of INGOs with different criteria and interests that, based on a competitive funding system, remained ad hoc without any unified leadership or even a consolidated information system. During the 1990s, INGOs in Southern Sudan were not an integral part of the assessment process for future plans of OLS action. Failing to include INGOs in the OLS programming not only resulted in a loss of potential expertise, but also led to ineffective coordination, a vital component to any relief programme and a crucial component in any large-scale relief programme.

This research indicates that giving INGOs the responsibility to foster development and create self-sufficiency is misplaced. Political diplomacy has been replaced by humanitarian relief, conferring the responsibility to end conflicts and build a positive peace from nation-states to INGOs and other humanitarian agencies. However, humanitarianism cannot effectively fill the vacuum left by the withdrawal of diplomacy. In other words, humanitarianism is not enough to put an end to a war and create a positive peace. The peace-building process in Sudan

would have benefited more had the international community placed diplomatic pressure on the belligerents to cease hostilities. This does not suggest that humanitarian agencies should withdraw assistance to those in need. What is needed is a combination of relief; the incorporation of external relief into internal coping mechanisms; *and* the use of intensive diplomacy and political pressure by the international community to end the violence (Rhodes, 2002).

### **5.7. Conclusion**

Humanitarian INGOs failed to build a positive peace in Sudan through their development programmes. The premise that humanitarian aid can foster development, which will contribute to the peace-building process, is not applicable to Sudan. The upsurge of conflict in Darfur indicates that the root causes of conflict in Sudan were not addressed effectively. Furthermore, INGO programmes were unable to create self-sufficiency, as many areas in Sudan are still dependent on receiving humanitarian assistance.

The failure of these programmes can be attributed to the local context of the Sudan: there was widespread insecurity and a little respect for human rights; the emergency was not over by the time development initiatives were implemented; and the international community did not recognise all parties to the conflict. INGOs should have been able to identify these characteristics and could have done more to persuade the donor community that emergency relief was more important than developmental relief. Donors should also take responsibility for the implementation of the relief-to-development continuum and the consequences these programmes had on the peace-building process in Sudan. INGO developmental programmes may have had a positive effect in an area that had moved beyond an emergency and was experiencing a certain level of security.

Critiques against INGOs' humanitarian programmes that have been frequently raised in various humanitarian relief operations negatively affected their

programme implementation in Sudan. These include ineffective targeting methods; accountability; a lack of transparency; institutional amnesia; and ineffective monitoring and evolution method. However, some INGOs found innovative ideas to circumnavigate these problems. Thus, INGOs had the potential to do good, although they needed to be more careful in implementing their programmes. Furthermore, their development programmes would have been more effective in areas that were reasonably secure.

Some external factors curtailed INGO programmes. These included the level of control the GoS had over OLS' operations; the influence of donor interests and unreliable funding; the inability of OLS to coordinate effectively the activities of members; and the lack of international diplomacy.

The failure of INGOs in building peace in Sudan has been noteworthy. The Sudan experience questions the premise that humanitarian INGOs should foster development and, in so doing, contribute to the peace-building process. The evolution of the relief-to-development continuum, and the inclusion of the peace-building within this continuum, has conferred the responsibility to end violence and establish positive peace from the international community of nation-states to INGOs. The implementation of INGO programmes in Sudan indicates that these organisations have neither the capacity to stop violence nor the capacity to build peace within the context of an ongoing CPE. INGOs should focus on their traditional humanitarian mandate of offering emergency relief to war-affected populations in need, while giving special attention to monitoring and evaluating the impact of their programmes. The international community of nation-states should be responsible for applying political pressure, through intensive diplomacy, on the belligerents in an attempt to cease violence.

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