



Humanitarian Assistance

Lennart Wohlgemuth (Ed.)
Center for African Studies • Göteborgs Universitet



GÖTEBORGS UNIVERSITET

Preface

The Centre for African studies (CAS), which is part of the new School of Global Studies at Gothenburg University, has in the past years added international development cooperation to its sphere of teaching as well as research. A master programme (“bredd-magister”) on African Studies with special emphasises on international development cooperation was launched in 2005/2006 and will run for the second time 2006/07. A guest professor has been recruited. As part of the Bologna process the programme will be developed to a regular master programme, as a path within the joint masters programme in regional studies from 2007/08.

The first year of the programme has now successfully been completed and the first batch of students graduated in June 2006. During that year it has been established that teaching materials with special relevance to Swedish and European development policies are not readily available to the extent that is required. At the same time the students produced a number of good essays and reports within different fields. To fill the gap we at CAS has decided to produce a series of smaller publications of what we call “Perspectives on....”. Some of them will after an introduction to the subject by some of the teachers of CAS include relevant articles on the subject and comments made by master students at the Centre for African studies at Göteborg University during the 2005-2006 master course. Others will include more in depth original material. We plan to publish most material in English but might as we do in this issue publish some material which we have readily accessible also in Swedish. The idea is to publish these Perspectives on the Website of CAS and if necessary to up-date them yearly. If demanded so we might also publish small number of hard copies.

Lennart Wohlgemuth
Guest Professor
Centre for African Studies
Göteborg University

Perspectives on Humanitarian Assistance

Lennart Wohlgemuth

Humanitarian assistance deals with the effects of natural disasters and man-made crises. It relates to means to mitigate the human damage caused by natural catastrophes, armed conflicts and other disasters by providing immediate assistance and support. While development assistance deals with the causes of catastrophes and crisis, humanitarian assistance deals with acute support to take care of the effects thereof. (Sida, 2005)

Humanitarian action in fact consists of activities both to assist and to protect victims of natural and man-made disasters. The field of humanitarian action is guided by international law such as the Geneva conventions of 1949 and the 2 additional Protocols of 1977 and by norms and guidelines developed over time.

The major guideline governing humanitarian assistance is the *Humanitarian Imperative*, which declares that citizens and countries have the duty to assist people in need and to provide humanitarian action in accordance with international laws and established practices in humanitarian aid operations. Each country has the primary responsibility to look after the welfare and needs of the civilians within its borders. However if they do not want to, or if they are unable to do this, the humanitarian imperative requires other states and/or organisations to do that. Humanitarian action is further guided by the principles of Humanity, impartiality, neutrality and independence (MFA 2004/05:52).

The goal of Swedish humanitarian assistance is to contribute to help to save lives, alleviate suffering and maintain human dignity for the benefit of people in need who are, or are at risk of being affected by armed conflicts, natural disaster or other similar situations (MFA 2004/05:52). Sweden allocates more than 2 billion SEK annually to humanitarian assistance and is thereby ranked as one of the leading funders in this area with major financial contributions to UN agencies, the EU, the International Red Cross as well as international and national NGOs active in this area – the UN system (45%), international organisations (25%) and Swedish non-government organisations (25 %) (Asplund & Norberg, 1997). The objectives and guidelines for humanitarian assistance are developed in detail in the government communication from 2004. They basically follow the international standards referred to above.

Humanitarian crises are in most cases unexpected and thus require immediate action to minimize suffering. It is a very complex area and assistance is given in many different forms all the way from major efforts in the area of conflict prevention to support to the difficult transition from disaster and conflict towards peaceful development. It includes support to health, sanitation, food security, shelter, emergency education, assistance in cases of forced migration and refugee issues, efforts to clear mines and peace-keeping efforts including police and military just to mention some areas. Drawing borderlines towards international security policy or migration policy becomes at times a not very easy task. This has become particularly so in the new area of DDR (Disarmament, demobilisation and rehabilitation) in which Sweden has mobilised substantial efforts.

It would seem as if humanitarian assistance based on the humanitarian imperative and major international conventions would be rather simple to deliver. However at times it appears that problems that have to be dealt in relation to humanitarian actions are rather more complicated than those related to with development assistance. The problems in implementation relates to a number of difficult questions such as those of ownership and capacities on the receiving end, the challenge of going from a humanitarian situation towards development (the problem of transition) and some major problems of ethical and moral nature.

The very complexity of the situations in which most disasters finds themselves makes these questions very difficult to solve and many studies and evaluations have been made in order to deal with these questions. Here I only want to mention the infatigable work done by Mary B. Andersen in studying humanitarian assistance over the years and her appeal to all involved to as a minimum “do no harm” in the process of assisting. Major conflicts like the genocide in Rwanda has even further complicated the situation and many actors are today talking about “mainstreaming” conflict prevention in all their cooperation programs. Others have developed “codes of conducts” to mitigate possible problems. The dilemmas and how they are dealt with are discussed more in detail in the following essays, which are written by master students at the Centre for African studies at Gothenburg University during the 2005-2006 master course.

FOUR COMMENTS ON HUMANITARIAN ASSISTANCE

By master students from the Centre of African Studies 2005/06

Dan Matovu

Humanitarian Assistance a Moral Dilemma?

Today, assistance in terms of humanitarian aid to the needy people is one of the most powerful means of reducing a human tragedy in disaster situations. As a consequence international aid operations have greatly expanded in recent years on large-scale levels in order to mitigate human sufferings. There is no clear-cut definition of humanitarian assistance as authors and organisations have defined it differently.

Humanitarian assistance deals with situations caused by natural disasters and man-made crises. These include wars, conflicts, drought, floods, and epidemics and are very common in most developing countries especially in Africa. Juma and Suhrke (2002 p. 7) argue that humanitarian assistance has a precise and rather narrow meaning. According to her, it refers to a provision of material goods and services (food, water, shelter, and medical aid) for certain categories of needy persons. Asplund and Norberg (1997 p.159) defines humanitarian assistance as a form of assistance of the acute situation, helps to provide long-term solutions of the acute problems and needs of those affected-solutions which are accepted and supported locally. It sees the acute needs as a part of the whole life situation of those affected. This is also the case when humanitarian assistance is given during phases of early reconstruction or during protracted crises.

However, the Swedish government defines “humanitarian aid” as efforts to save lives, alleviate suffering and maintain human dignity for the benefit of the people in need who are or are at risk of becoming, affected by armed conflicts, natural disasters or other disaster situations (MFA.2004/05:52, p.6). Humanitarian assistance is not only based on immediate needs assessment of those affected, but also on analysis of the entire life situation of those affected. This assistance covers basic physical needs and rights such as food and clothing, social needs such as safety and security and those needs provided for in international law, for example in the UN convention on the rights of the Child. It is a form of assistance that sees the long-term needs in the short term interventions, not the short-term needs in the long-term interventions (Sida. Jan 1999 Development Humanitarian Assistance - a concept paper, p. 1)

According to (MFA 2004/05:52, p. 6) the earlier term “disaster relief” has been changed to humanitarian assistance. The present terminology in this area the terms “disaster”, “emergency” and “humanitarian” are often combined with the words “assistance”, “aid”, “relief” and activities/operations”. This change does not apply to Sweden only but also internationally. Human assistance is the second largest item of expenditure for Swedish international development cooperation with a budget of just over SEK 2 billion and mostly allocated to humanitarian programmes. Sida funds humanitarian action from the budget line for humanitarian assistance and conflict management (Sida web site). Much as development cooperation focuses on the causes of the disaster, humanitarian action deals with its effects. The choice of recipients is solely based on the need for humanitarian support and does not involve political considerations (Sida, 2005, p. 23).

The Humanitarian Imperative

The government’s humanitarian aid policy is based on the “humanitarian imperative” which implies that every state has a primary responsibility for meeting humanitarian needs that arise within its borders. In the event that the central government or other institutions of a country are unwilling or unable to meet this responsibility, or are constrained by the availability of financial resources, external organizations and states that have necessary capacity have a duty in accordance with international law and established practice in international humanitarian operations to provide support for action to meet these needs, if possible with the consent of the state in which the needs exist. The governments humanitarian aid policy is furthermore based on the Geneva Conventions of 1949, their additional protocols of 1977 and other instruments of international humanitarian law, refugee law, human rights, legal instruments relating to natural disasters, and accepted international practice in this area. This policy is guided by the humanitarian principles of humanity, impartiality, neutrality and independence (MFA 2004/05:52, p. 11).

According to (MFA 2004/05 p. 11) *humanity* refers to alleviating suffering wherever it is found; *Impartiality* to the implementation of humanitarian action solely on the basis of need, without discrimination on the grounds of other factors such as sex, ethnic affiliation, religion or political views. *Neutrality* means that humanitarian action and those who implement and support it must not favour any side in an armed conflict or political dispute where such action is carried out. Claire Pirotte et, al (1999) views the concept of neutrality as not taking a

political position in relation to the conflict, about who is right and who is wrong, while that of impartiality would mean that relief goods should be distributed solely on the basis of need, not on the basis of political, religious affiliation, ethnicity or gender. *Independence* finally refers to autonomy in relation to the non-humanitarian objectives that donors, recipients or other parties may have with regard to crises where humanitarian action is being implemented.

Humanitarian aid differs from long-term development cooperation mainly in two ways. First its principles and approach are to a large extent enshrined in international law. Second, the object of humanitarian aid is to alleviate acute suffering. In principle, it should be discontinued when the immediate needs of an affected population have been met and conditions have been restored to a situation similar to that before the outbreak of the disaster.

Sida generally funds humanitarian assistance programmes that are implemented by UN humanitarian agencies, the international Red Cross, or by Swedish or international non-governmental organisations. Sida responds to appeals or applications from these organisations, either in the form of annual and consolidated appeals that address humanitarian needs in long-term emergencies usually caused by conflict, or by applications addressing acute emergencies, often caused by sudden onset natural disasters.

Sida is instructed by the government to propose humanitarian country strategies in order to prioritise between sectors and target groups, and to promote conflict management interventions. The design of Sidas contributions is guided by a set of sectoral or cross cutting strategies and guidelines, which was synthesized into a humanitarian policy in 2003. The UN has a main and a central role in directing and coordinating international humanitarian aid, which is assigned to it, in particular, by the General assembly Resolution 46/182. The International Red Cross is mandated by the Geneva Conventions the role of humanitarian aid, protection of those suffering and to monitor the compliance of the international humanitarian law. NGOs have an important role in implementing humanitarian action.

Moral dilemmas

As mentioned earlier, humanitarian action in situations of conflict or natural disasters is guided by humanitarian imperative and the principles of impartiality and neutrality. However, humanitarian agencies have encountered several and difficult situations. This is more common in an armed conflict than a natural disaster like the Tsunami. The aid community

lacks the tools and acumen to respond to the needs of populations who live in environments of perpetual physical, political, economic and environmental insecurity. The increasing involvement of relief agencies in the very heat of war and political violence has given rise to a growing sense of moral unease among agency policy makers and field workers alike for example in the Rwanda genocide of 1994 and the Somalia Conflict dominated by the warlords. The Rwandan case exemplifies the fact that the increase of humanitarian space has brought with it a new wave of dilemmas, particularly for international NGOs. Those who were delivering aid to the refugees were transformed by the media from white knights into demon. Aid, it was said, was feeding the killers. The fact that the former Rwandan regime and the international community both failed to abide by international law in Eastern Congo in 1994/5 produced some very hard choices for relief agencies (Slim 1997, p. 5).

Relief humanitarian workers can be caught in cross fire, kidnapped and killed or demanded to pay heavy ransoms to secure their release. The relief materials are sometimes stolen by gangsters and sold at exorbitant prices to the needy people. If relief workers speak out on human right abuses in a political conflict, they may be molested in some countries and even face expulsion by being given 24 hours to leave the country, leaving the relief operations in jeopardy.

In view of different difficulties, to work for relief agencies is a real sacrifice of ones life. Slim (ibid. p. 3) argues that the spirit behind humanitarianism is obviously risky to the helped as well as the helper. Firstly, he argues that altruism can risk the well being of the person doing the helping. Secondly, if misguided, it can also endanger still further the person one is trying to help. Thirdly, whether misguided or not, it can often end up providing succour to the perpetrators of the original evil. And finally, any intervention in the midst of mans inhumanity to man is also likely to threaten the moral integrity of the helper. The helpers soon find themselves dining with the devil and as a consequence they can be considered as people with blood at their hands. And in doing so, no matter how long their spoon, they will tend to find themselves feeding on moral compromise and getting more dirty hands. In the face of moral dilemmas therefore, it is usual to find one self-operating in extremely uncomfortable moral zone between various wrongs in search of the least worst. Making ethical decisions in such terrible, difficult and constricted moral space is bound to be depressing and relief agency staff should expect to find their decisions painful in these areas. The dictates of the international

law will always prevail without any discrimination despite the atrocities committed by the “devils”.

Ownership and local capacity

In the debate about development cooperation, the concept of ownership is of decisive importance for the capacity to be sustainable and has been given particular prominence as one of the most essential components for development. Ownership has previously been used in the sense that the partner in the cooperation should understand what is best and thereby “own” the development process (Sida 2005. Manual for Capacity Development p. 22). Having thoughts, feelings and opinions, which are then transformed into ideas and strategies is an expression of ownership. Ownership promotes commitment and reshapes ways of thinking in recipient countries. The central idea in ownership is the inclusion of sectors of the population that were previously marginalised, political mobilisation, the development of a sense of community “ownership” and the application of indigenous knowledge. Failure to recognise local structures and knowledge may compromise the whole ownership process as it may be viewed with suspicion. The commitment and long term involvement is also necessary for sustainable development. However, in order to work with ownership, there should be sufficient capacity at implementation level. Furthermore, there must be willingness on the side of the recipient country to take over responsibility and promote the project at a sustainable level. The danger with the recipients is that, they are not only poor in finances but also poor in expertise and institutional building.

It has been argued that local capacity has many faces and meanings. According to (Juma and Suhrke, 2002 p. 7) in the humanitarian arena, “local capacity” is often used to refer to local aid organisations in the affected areas, which can identify need and meet them as effective service providers. These organisations are working in competition with large international NGOs, or as subcontractor to them. Much discussion of local capacity concerns this relationship, and how to understand its dynamic. It is typically unequal relationships, with the international NGOs dominating in terms of funding if not in numbers. In most cases the countries, which are usually the recipients of humanitarian assistance suffer from poor organisational capacity, which range from inadequate support and training to build local capacity. The obstacles to local organisational growth are seen as a result of structural imbalances, both locally and globally. There is lack of will on the side of state actors and international aid agencies to develop and promote local humanitarian capacity. The main

exception to this pattern is the Red Cross movement, which consistently has supported the development of national branches in the South. Local capacity is still very weak not only in finances but also in organisation. There is need from the developed world to give financial support and other facilities for local capacity building.

Definition of focus and the concept of ‘humanitarian imperative’

Humanitarian assistance deals with the effects of natural disasters and man-made crises (Sida, 2005). It refers to a means of mitigating the human damage caused by natural catastrophes, armed conflicts and other disasters by providing immediate assistance and support. However, the term *assistance* could be interpreted by many as exclusively pertaining to providing material aid (e.g. food, shelter and medical aid). In the case of violent conflicts, civilians and refugees could need additional protection (e.g. Bosnian genocide). The term “humanitarian action” conveys both assistance and protection, and consists of activities to *assist* and to *protect* victims of natural and man-made crises (Juma and Suhrke, 2002). While Sweden recognizes the primary responsibility of states to look after the welfare and needs of the civilians within its borders, humanitarian action is based on the notion of “humanitarian imperative”, which declares that citizens and countries (that possess the necessary capacity) have the duty to assist people in need and to provide “humanitarian action in accordance with international laws and established practices in humanitarian aid operations” (MFA 2004/05:52). Minister C. Jämtin stressed that the notion of ‘humanitarian imperative’, the duty to save human lives and alleviate human suffering, is the basic guiding principle in Swedish humanitarian aid (Sveriges Riksdag, fråga 2003/04:596).

Goals, Policy and Norms

The goal of Swedish humanitarian assistance is “to help to save lives, alleviate suffering and maintain human dignity” in order to benefit those in need and who are affected by natural disasters, armed conflicts or other disaster situations e.g. sudden outbreak of epidemic (MFA 2004/05:52). Humanitarian action includes efforts that facilitate the recovery and return to normal lives of the disaster-stricken population as well as the prevention and strengthening of preparedness for such crises in the future (ibid.).

Humanitarian action is to be guided by the principles of *humanity* [centrality of saving human lives], *impartiality* [the sole criteria for aid-recipient is need], *neutrality* [does not favour any side in conflicts], and *independence* [free from political, economic, military and other objectives] (ibid.). These principles however have placed many humanitarian agency workers in situations with really tough choices. The principles of impartiality and neutrality are

concepts that are being currently debated. There have for example been cases when the concept of neutrality had forced humanitarian agency workers to turn their backs on the moral principle of justice (e.g. at refugee camps after the Rwandan genocide where perpetrators walked freely and used aid to perpetuate the power relations). The concept of impartiality had in many cases resulted in situations where relief agency workers had become “entangled in some very unholy alliances” (Slim, 1997).

The norms and established practices in humanitarian assistance have changed over time. The relevant body of International Humanitarian Law governing Swedish humanitarian action includes the Geneva conventions of 1949 and the 2 Additional Protocols of 1977 (ibid). These legal instruments give guidance in terms of the obligations of the warring parties to respect the rights of the civilians and military personnel together with the obligations of the external parties assisting the victims (Juma & Suhrke, 2002). The Additional Protocols of 1977 contain further rules concerning the rights of the external organizations to offer help to the victims of armed conflicts (MFA 2004/05:52). According to the interpretation of these laws in armed conflicts, humanitarian intervention from external agencies is not considered a violation of a state’s sovereignty if the state does not meet the needs of its civilian population. In practice, the general principles for Swedish humanitarian action is “to respect and promote the implementation of International Humanitarian Law, Refugee law and Human Rights laws” (ibid.), where overlaps can be traced, in particular the international humanitarian law and the human rights law concerning refugees.

The Swedish government communication on humanitarian assistance states explicitly that Sweden shall promote the unique role of the United Nations in leading and coordinating international humanitarian action. However, when it comes to UN and EU sanctions, Sweden advocates the implementation of targeted sanctions rather than comprehensive sanctions to avoid the risk of large-scale suffering (ibid). Furthermore, building and strengthening local capacity (e.g. organizational capacity, civil society structures, public sector) to respond to humanitarian crises and co-ordinate actions with external organizations are also among the guiding principles in Swedish humanitarian aid. Humanitarian action that facilitates local ownership (e.g. assistance to reforms of local agriculture rather than food distribution) is definitely a key to sustainable forms of assistance and a means to promote a better division of labour between the North and the South. Learning and accountability initiatives to promote efficient implementation of humanitarian action are examples of good practices and are highly

recommended in the government policy (ibid.). Sida also provides funds for humanitarian programmes implemented by the International Red Cross as well as Swedish and International non-governmental organizations, pursues policy dialogues with major humanitarian organizations annually and encourages regular evaluations and assessment of donors' humanitarian activities. Swedish humanitarian assistance normally consists of support in the sectors of health, water and sanitation, shelter, food security, emergency education, complex emergencies and post-emergency reconstruction (Sida website, 060812). Other key areas for Swedish humanitarian assistance includes forced migration and refugee issues including internally displaced persons, efforts to clear mines and support victims, Sweden's presence in UN-coordinated peace-keeping efforts (acting as "civil police"), and research in complex humanitarian issues and conflict analysis.

Humanitarian action in relation to long-term Development Cooperation

Most donors, in the beginning of the 1990's, had separate budgets for development and humanitarian efforts and many aid providers have specialized in one or the other. Many relief organizations in the 1990's addressed the effects of a conflict and did not pay attention to the underlying causes. However, it was clear that the areas of development cooperation and humanitarian assistance formed a continuum (Juma and Suhrke, 2002). By the beginning of the 21st century, many organizations and agencies began to adjust their activities in order to address and provide a response to the overlapping areas between development and humanitarian action. There are indeed humanitarian assistance programmes that promote development. We can note that a Swedish humanitarian action in for example Afghanistan lasted for over 18 years. Many conflicts and emergencies are semi-permanent forcing humanitarians to focus on long-term implications while international development organizations need humanitarian and relief perspectives when operating in post-conflict areas (ibid.). Humanitarian assistance differs from long-term development cooperation mainly in two ways: it is based on international law and its primary objective is to save lives and alleviate acute suffering (MFA 2004/05:52). There are also cases when Sweden is considering to withdraw its development assistance and cooperation with the government of one country and at the same time increases its humanitarian assistance to civil society and non-state organizations (e.g. Zimbabwe at present and apartheid South Africa in the past).

Humanitarian assistance makes a clear distinction between the country's political system and the humanitarian needs of its citizens. The ordinary people are not supposed to pay the price

or suffer the consequences of the tyrannical behaviour of its political leaders. The term “developmental humanitarian assistance” [a form of assistance that provides long-term solutions to acute problems and needs] was introduced in the aid agenda due to the severe drought in Africa in the 1980’s (Sida, 1999). The concept could be applied to both natural disasters and conflicts. It situates humanitarian assistance in relation to development projects/-programmes and takes into consideration the long-term effects of short-term interventions as far as it is possible. This concept is not meant to be seen as an additional effort and separate activity but rather implies that “all humanitarian assistance should have a developmental objective” (ibid.). Mark Duffield (1997) however meant that this concept “could obscure the focus on *pure* humanitarian needs as the *decisive* factor for implementation” ... (ibid.). This approach is obviously a theme for debates and research in the area.

Here are some of the Challenges in Humanitarian Assistance.

- Improved ethical analysis – There are four main competing areas of moral value in humanitarian aid namely preserving human life, the principle of human rights, the principle of justice and the value of staff safety (Slim, 1997). These moral values could no doubt be challenged in humanitarian interventions by the core principles governing humanitarian assistance, e.g. neutrality and impartiality. Many agency staff and organizations are often confronted with tough choices and moral dilemmas when they have to choose between two wrongs and need to determine the least bad alternative in an acute situation (ibid.). Therefore, they need support in defining moral responsibilities, identifying bottom-lines in acceptable “trade-offs” between ends and means and in taking a stand in situations where they are confronted with good actions vs. good consequences.
- Better coordination of humanitarian efforts, procedures and division of labour between different actors. Sweden collaborates with principal humanitarian actors that include UN organizations for humanitarian assistance, NGO:s, the Red Cross Movement, bilateral and multilateral agencies and other donors e.g. European Commission Humanitarian Office. A demand for coherence in policies, coordinated interventions and strategic division of labour are essential strategies in order to prevent ineffective aid and competitive approaches.
- Strengthening local capacity and ownership. The recipient population is an important actor too. There is an assumption among international communities and donors that the affected areas lack the expertise, and building local capacity means entirely transferring knowledge from the outside. Thus, they fail to acknowledge the value of the people’s

knowledge of local environment and to build on the existing local structures and capacity (e.g. strengthening local relief organizations and civil society). It is imperative for international donor organisations to give space to local capacity in the humanitarian arena and recognize the role of the recipient-population in humanitarian programmes (Juma and Suhrke, 2002). Strengthening local capacity and ownership includes supporting recipient states to define and develop their own humanitarian action programmes and local coping mechanisms. Survivors of conflict had usually shown innovations and possessed special capabilities for survival (e.g. women) during the conflict situations. What we need today is a “working method” that would enable states to apply in peacetime the lessons learnt and experiences gained in situations of conflict (Husson, Marty, & Pirote, 1999).

- Better coordination of methods and implementation processes in specific country strategies together with sector-wide and budget-support. This challenge encompasses the need to devise methods and create mechanisms for transitional support when humanitarian assistance is moving towards development cooperation. A period of transition could entail simultaneous provision of humanitarian and development assistance. In this regard, humanitarian assistance should go hand in hand with development assistance that embraces a culture of prevention and risks reduction in order to help save human lives in the future.

Sara Osander

The Swedish Humanitarian Aid Policy

The goal and the definition of Swedish humanitarian aid is to help save lives, alleviate suffering and maintain human dignity for the benefit of people in need who are, or are at risk of becoming, affected by armed conflicts, natural disasters or other disaster situations (MFA 2004/05: 52). The humanitarian aid policy is intended to contribute to achieving the goal of the government's international development cooperation, i.e. to help to create the necessary conditions for poor people to improve their living conditions, and thus to achieve the overall goal of the government's development policy, i.e. equitable and sustainable global development, as declared in the Bill, *Shared Responsibility: Sweden's Global Development Policy* (ibid.). This definition and intentions has not always looked the same. From the beginning, in the 1960-70, Sida's humanitarian aid was called catastrophe aid. Looking back one notice that catastrophe aid has changed character and direction over the years. In the 70s and 80s, draft, earthquakes and natural disasters were in focus. Later in the 90s, armed conflicts came in focus and the United Nations, UN was now expected to play a key role. These expectations were a direct effect of the end of the Cold War. It was now possible to interfere in situations where the superpower earlier had the veto right (Asplund and Norberg, 1997). The Swedish humanitarian aid has followed the international development closely.

The point of departure of the government's humanitarian aid policy is that every state has the primary responsibility for meeting humanitarian needs that arise within its borders. In the event that the central government or other institutions of a country are unwilling or unable to meet this responsibility, the government's view is that external organizations and states that have the necessary capacity have a duty, in accordance with international law and established practice in international humanitarian aid operations, to provide support for actions to meet these needs, if possible with the consent of the state in which the need exists (MFA 2004/05: 52). This is the so-called "humanitarian imperative".

The government's humanitarian aid policy is based on the Geneva Conventions of 1949, their additional Protocols of 1977 and other instruments of international humanitarian law, refugee law, human rights, and legal instruments relating to natural disasters, and accepted international practice in the area. The policy starts out in the humanitarian principles of humanity, impartiality, neutrality and independence. Decisive criterion for humanitarian action is the individual's need of material aid or protection, or both (Sida, 2004: bilaga 1). The Swedish

humanitarian aid is channelled through the UN-system (45%), international organizations (25%) and Swedish private organizations (26%) (Asplund and Norberg, 1997 s 161). The aid is regulated through separate one-year agreements, with each actor. The purpose with this system is to provide a financial long-term planning and a simplified administration for both the organizations and for Sida. To provide for fast action, especially at nature disasters, and at the same time guarantee global readiness, one-year frame-agreements with five larger Swedish non-government organizations has been signed. Sida works for humanitarian aid in two ways: on the one hand, the financial support to outside organizations for preparation and realization of their work, and on the other hand, enlightening work and method development in humanitarian questions (Sida, 2004: bilaga 1).

War and Conflict

War and conflict continues to dominate among the causes behind Swedish humanitarian aid. Great efforts are taken to strengthen the method development in the organizations that handles acute disaster relief depending on war and conflict. Short-term efforts are mostly handled by the Swedish non-government organizations, within the frame-agreements mentioned earlier. Evaluations of the Swedish humanitarian aid point at the need for strengthening and promoting a long-term development perspective. With a gradually changing humanitarian definition towards increasingly promoted development aid, two reports were commissioned in 1998-99 on the subject “development-promoting humanitarian aid”. It discusses how an increased focus on the long-term effects of the humanitarian aid could increase the aid quality (Sida 1998). The change in definition also had effects on the method to be used. One such method was the strengthening of local capacity, and by that decreasing the conflict level in the area. The changing conditions of humanitarian action highlighted issues of protection versus material assistance and the international humanitarians became more aware of local capacity questions, but were also alerted to the limitations of the concept -local organizations might have difficulties operating in a conflict situation or might be more vulnerable than foreign aid actors (Juma & Surhke, 2002 s 9). Since the definition of humanitarian aid has come closer to development aid, the difference between these two forms of assistance is not always that obvious. Sida at Work makes the following distinction: “Humanitarian assistance deals with situations caused by natural disasters and man-made crises, development cooperation focus on the causes of the disaster, humanitarian action deals with its effects” (Sida at Work, 2005). In spite of the methodological similarities between long-term development aid and humanitarian aid, there are some differences. Firstly, the humanitarian principles and approach are to a

large extent enshrined in international law. Secondly, the object of humanitarian aid is to alleviate acute suffering. In principle it should be discontinued when the immediate needs of an affected population have been met and conditions have been restored to a situation similar to that before the outbreak of the disaster.

Within UN agencies and Non Governmental Organisations, NGOs there has also been a great deal of agonizing and discussion about how to operate ethically in political emergencies and war. Different guidelines have been produced and signed. The Code of Conduct for the international Red Cross and Red Crescent Movement and NGOs in Disaster Relief emerging from an initiative from Geneva has been signed by over hundred international NGOs (Slim, 1997). These various principles and codes are all evidence of the humanitarian community attempting to set out ethical principles and the emergence of humanitarianism as an ever more strategic instrument in the foreign policy of great powers.

Difficulties within Theory and Practice

The humanitarian aid is frequently discussed and there are some points and some difficulties within the theory and practice that is worth mentioning. First of all in the Swedish policy for global development ownership is seen as one of the key conditions for sustainable development. The ownership question is about the importance of control over development activities. From the initiation to the implementation and monitoring, so that poor people, organizations or governments can be said to “own” the development initiative. Apart from assessing the degree of ownership, one of Sida’s most important tasks is to strengthen its cooperation partner’s capacity to exercise ownership. Particular attention should be paid to ownership, capacity and the involvement of the poor at the implementation level. This grasps all three questions: the humanitarian imperative, the ownership and local capacity.

When it comes to the difficulties in humanitarian aid, there are both the political, economical, theoretical and practical aspects. First of all we’ve got the political visibility among donor countries. There is a trend among donors, towards more willingly interfere in conflicts that are more “visible” than others. Within this is also the big aid donor dilemma, it is easy to get money for fast actions and visible disasters, but hard to continue after the first critical phase. As the attention around a disaster decreases, the donations and achievements reduces as well. The question is: what happens when humanitarian aid organization gradually leaves a country when the acute crisis is over? People return after acute crisis and find a society in collapse.

This is a big and important challenge, and one of the humanitarian aid's biggest dilemmas. Peace processes and rebuilding is also an extremely hard task. Another dilemma is conflict prevention. It is much harder to fund preventable work than humanitarian disasters due to ongoing conflicts. And how does one prevent conflicts to start? The problem here is also that a country that has been in conflict falls back more easily than others, which is a strong argument for putting money in preventative work. These aid dilemmas raise the question about genuine interest. Many countries in conflict soon become the biggest aid recipients. It can be discussed why this is; partly genuine interest and partly the political PR- interest, the so-called CNN effect.

Olof Lundquist

Humanitärt bistånd – vad är det?

Humanitärt bistånd handlar om stöd i situationer som orsakats av naturkatastrofer samt olyckor, katastrofer och katastrofliknande förhållanden som människor orsakat själva. Medan utvecklingssamarbete tar fasta på vad som orsakat katastroferna eller olyckorna, handlar humanitärt bistånd i stor utsträckning om akut stöd för att hantera dessas effekter (Sida, 2005 s 23). Gränsdragningen kan ibland vara svår att dra.

Det humanitära imperativet

Varje stat har ett förstahandsansvar för att möta humanitära behov som uppstår inom det egna landets gränser. Om staten eller andra institutioner i det utsatta landet inte kan eller inte vill leva upp till detta ansvar, har utomstående organisationer eller stater som kan det, ett ansvar för att lämna stöd och insatser för att möta dessa behov. Det sker i enlighet med folkrätten och etablerad praxis inom det internationella humanitära biståndet. Om möjligt skall det ske med samtycke av den stat inom vars gränser behoven finns. Detta ansvar brukar kallas för det humanitära imperativet (MFA, 2004/60685/GS; bil 1).

Det humanitära biståndets syften och former

Det humanitära biståndet syftar till att avhjälpa akut nöd och bygger på grundsatser och utgångspunkter med stöd i folkrätten. Vägledande för det humanitära biståndet är principerna om humanitet, opartiskhet, neutralitet och oberoende. Med *humanitet* avses att mänskligt lidande bör avhjälpas varhelst det uppstår och med *opartiskhet* att det humanitära biståndet skall bestämmas utifrån nödlidandes människors behov utan åtskillnad på kön, etnicitet, religion eller politisk uppfattning. I kravet på *neutralitet* ligger att de som genomför eller stödjer den humanitära biståndsinsatsen inte får ta ställning i en väpnad konflikt eller politisk meningsmotsättning där insatsen genomförs. Med *oberoende* avses att stå fri från de icke-humanitära hänsyn som givande, mottagande eller andra parter kan ha i förhållande till den kris i vilken humanitärt bistånd genomförs (MFA, 2004/05:52 s 8). Dessa principer inte alltid är helt enkla att upprätthålla.

För humanitära biståndsinsatser finns två i grunden näraliggande former; materiellt bistånd och skydd. Materiellt bistånd kan ske i form av bl. a. livsmedel, vatten, husrum, insatser inom hälso- och sjukvård samt sanitet. Skyddsåtgärder avser insatser för att säkerställa nödlidandes rättigheter till framförallt kroppslig säkerhet och värdighet. Avgörande för om en humanitär biståndsinsats skall genomföras är den nödlidande människans behov av materiellt bistånd, skydd eller bådadera (ibid. s 5).

Det svenska humanitära biståndet

Mål och utgångspunkter för det svenska humanitära biståndet beskrivs i regeringsskrivelse 2004/05:52. Målet för denna del av politiken är att ”bidra till att rädda liv, lindra nöd och upprätthålla mänsklig värdighet, till förmån för nödlidande människor som har utsatts för, eller står under hot att utsättas för, väpnade konflikter, naturkatastrofer eller andra katastrofliknande förhållanden” (ibid. s 4). Den skall harmoniera med och medverka till att uppnå målet för det svenska internationella utvecklingsarbetet - att bidra till att skapa förutsättningar för fattiga människor att förbättra sina levnadsvillkor – och därmed till det övergripande målet om att bidra till en rättvis och hållbar utveckling (MFA, 2002/03:122). Regeringen och dess myndigheter förfogar över tre verktyg i genomförandet av sin politik för humanitärt bistånd; opinionsbildning, diplomati och policyutveckling.

Regeringen har utfärdat särskilda riktlinjer för Sidas arbete för humanitärt bistånd (MFA, 2004/60685/GS; bil.1). Sida arbetar för humanitärt bistånd på två sätt; finansiellt stöd till utomstående organisationer för förberedande och genomförande av insatser samt upplysningsarbete och metodutveckling om humanitära frågor. En stor del av det svenska humanitära biståndet går via internationella organisationer som UNHCR, ICRC, WFP, UNRWA samt OCHA. År 2004 uppgick det officiella svenska humanitära biståndet till ca 2 400 mkr (MFA, 2004/05:52 s 11). Det humanitära arbetet behöver stärkas. Inte minst gäller det samordning i aktuella länder och hantering av övergången mellan kris och återhämtning (MFA. 2002/03:122 s 61). Rwanda och DRC är exempel på det.

Det humanitära biståndets svårigheter och dilemman

Som nämnts tidigare skall det humanitära biståndet vägledas av principerna om humanitet, opartiskhet, neutralitet och oberoende. Detta låter initialt relativt tydligt och enkelt. Men så är långt ifrån fallet i praktiken. Några av orsakerna till det är följande: Under senare delen av 90-talet förändrades de väpnade konflikterna både vad gäller omfattning och natur (Paunier, 1999). Det faktum, att civilbefolkningen och dess försörjningssystem i ökad utsträckning och på ett mer systematiskt sätt än tidigare sätt drabbats har ökat antalet problem för vilka man inte funnit några enkla och tydliga lösningar. Kulturella skillnader och varierande säkerhetslägen gör det också svårare att dra lärdomar av gjorda insatser från en region till en annan. Som Macrae (1999) påpekar har under senare år insatser gjorts, som officiellt haft humanitära förtecken, men varit uttalat militärt utformade och inriktade. NATOS's intervention i Kosovo beskrevs som ett humanitärt krig (ibid. s xiiiif). Man kan läsa och höra likartad beskrivning och motiv för invasionerna i Afghanistan och Irak. Ett invariant begrepp som humanitärt bistånd

har på så sätt delvis fått annan valör. Det är inte längre lika entydigt. Det har ibland också blivit starkt politiserat.

Synen på vad som är humanitärt bistånd har förändrats. Den stora frågan på dagordningen är inte primärt *hur* man skall bistå i akuta kriser utan faktumet att det internationella biståndssamfundet saknar verktyg att möta behoven hos de människor som lever i områden som kännetecknas av kroniskt fysisk, politisk, ekonomisk osäkerhet och instabilitet. I sådana områden är hjälp för dagen inte nog. För att ändra på dessa förhållanden behövs något mer. Insatser av utvecklingskaraktär bromsas dock i stor utsträckning av officiella biståndsaktörer (ibid. s xiv). Ett uttalat motiv är ofta att det skulle kunna spå på konflikten. Hur pass relevant ett sådant motiv är kan vara svårt att avgöra.

De råder, menar Macrae, i stort consensus kring vissa påtagliga fakta och problemställningar som det "humanitära samhället" måste förhålla sig till, bl.a. följande:

1. There has been an explicit recognition of the inherently political nature of humanitarian action in wartime.
2. How to ensure the legitimacy and accountability of aid interventions in conflict affected countries? If governments are not regulating the quality, distribution and volume of aid flows, who is?
3. How to handle tensions between solidarity and neutrality?
4. How to adapt to the chronic nature of complex political emergencies?
5. As aid may fuel conflict, so it may be used to reduce tensions and as an instrument for conflict management (ibid. s xvff).

Men det råder också, enligt Macrae, en påtaglig oenighet kring vissa frågeställningar och problem. Till dessa hör:

1. Skall det humanitära biståndet uppfylla viss standard eller skall det vara standardiserat?
2. Skall biståndsaktörer som arbetar i konfliktsituationer främst betona leverans av förnödenheter i enlighet med traditionella humanitära principer och politisk neutralitet eller skall de kanske istället betona utvecklingsbehovet, med åtföljande insatser, för att på sikt kunna lösa en pågående kris?
3. Är skillnaden mellan humanitärt bistånd och utvecklingsbistånd enbart politisk?

De mycket svåra val och avvägningar som humanitära biståndsorganisationer och biståndsarbetare många gånger ställs inför beskrivs målande av Slim (1997). Relevansen i mottot "Do no harm" framstår med all tydlighet. Generellt sett kan alla organisationer och de som arbetar med humanitärt bistånd i varje situation ställas inför fyra principiellt olika dilemman som alla kan kollidera med varandra; bevarandet av liv, skydd av mänskliga rättigheter, rättvisa mellan olika människor och grupper samt skyddandet av egen personal (ibid. s 5f). En del människor tror att vissa gärningar är goda i sig själva medan andra hävdar att gärningar endast är goda i den utsträckning de får goda konsekvenser. Dessa förhållningssätt brukar kallas pliktbaserad

respektive mål-baserad etik (ibid. s 7). Vilket är rätt? Frågan är knappast möjlig att besvara. Däremot ger författaren en anvisning om vad varje organisation behöver göra, nämligen att klargöra för sig vad det goda i deras verksamhet eller program verkligen ligger (ibid. s 8). Det verkar vara ett gott råd. Jag vill i sammanhanget hänvisa till Richardier (1999) som skriver: By steadfastly pursuing an alliance between those who are helped and those who try to help them – an attitude that preserves their respective abilities to think, to experience and to exist – humanitarian action can earn the right to be considered as a genuine act of solidarity (ibid. s 27). Återigen kan betydelsen av ownership och partnership betonas.

Vikten och behovet av lokal kapacitet

En faktor som ofta framhålls och som har klara kopplingar till vad som sagts i det föregående är vikten och behovet av lokal kapacitet. Snabba och väl genomförda humanitära insatser kan dämpa de utvecklingshämmande skadeverkningar som katastrofer kan ha. För att skadeverkningarna skall bli så begränsade som möjligt är det angeläget att det finns tillgång och förmåga till inhemsk, gärna lokal kapacitet som kan ingripa snabbare och därmed effektivare än en internationell aktör (MFA 2004/05:52 s 9).

Lokal kapacitet eller förmåga har flera dimensioner och kan tolkas på olika sätt. En vanlig tolkning är lokal *organisatorisk kapacitet*, vilket ofta jämföras med lokal hjälporganisation. De finns så att säga redan på plats och kan snabbare och bättre bedöma vad som behövs. Många gånger är det de som gör de ”stora” humanitära insatserna. De arbetar ofta i konkurrens med stora internationella NGO:s eller som ”underleverantör” till dem (Juma & Suhrke, 2002). Lokala hjälporganisationer är ofta svaga och får lite stöd från omvärlden. Det stora undantaget är de lokala Röda Kors- och Röda Halvmånen-föreningarna. Men lokal kapacitet kan vara mer än en lokal organisation. Det kan även rymma *institutionell kapacitet*, en förmåga att engagera sig och ta i tu med saker inom ett begränsat område, både inom det civila samhället och inom offentlig sektor (ibid. s 8). En tredje form kan beskrivas som *kunskap och normer* som kan vara mycket användbara för att veta och förstå hur man på bästa sätt skall ta itu med det som måste tas itu med. I detta ligger också en förmåga att bedöma vilka hänsynstaganden av social, politisk och etnisk karaktär som kan vara aktuella. Under senare år har lokal kapacitet uppmärksamats mer eftersom den många gånger är mer kostnadseffektiv än internationella NGO samt bättre anpassad att finna hållbara lösningar på hjälpproblem och därmed bli en bro till utveckling sett i ett längre perspektiv.

Abbreviations

AIDS: Acquired Immunodeficiency Syndrome

DDR: Disarmament, demobilisation and rehabilitation

DRC: Democratic Republic Congo

ECHO: European Commission Humanitarian Office

HIV: Human Immunodeficiency Virus

ICRC: International Committee of the Red Cross

INGO: International Non Governmental Organisation

MFA: Ministry Foreign Affairs

NATO: North Atlantic Treaty Organization

NGO: Non-Governmental Organisation

OCHA: Office of the Coordinator for Human Affairs

Sida: Swedish International Development Cooperation Agency

UN: United Nations

UNHCR: Office of the United Nations High Commissioner for Refugees

UNRWA: United Nations Relief and Works Agency for Palestine Refugees in the Near East

WFP: United Nations World Food Program

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