11

Nurturing humanitarian space in Sudan

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Context

In the closing years of the twentieth century, the international community became familiar with a new term, ''complex emergency'', used to describe the combined effects of civil strife, displacement and drought on countries in turmoil. It discovered that, in those circumstances, reaching people in need was not a simple matter. It required negotiation, communication and an unprecedented degree of coordination. In the front-line of this action were humanitarian workers, not diplomats, though they were engaged in an activity reminiscent of diplomacy, here termed ''humanitarian diplomacy''. This chapter focuses on operations in the Republic of Sudan during 2000–2002, with particular reference to the World Food Programme's large-scale interventions and the role of humanitarian diplomacy in the pursuit of operational humanitarian objectives in that troubled country.

Sudan's independence from British and Egyptian rule in 1956 brought with it neither peace nor prosperity but heralded a turbulent phase in the country's history that has lasted to the present day. The post-independence period was marked by short intervals of ineffective parliamentary government, followed by longer periods of military rule. Worse, there were repeated instances of large-scale civil conflict, as the Muslim majority in the north unsuccessfully tried to assert the authority of the central government on the non-Muslim south. The latter responded with rebellion from 1963 to 1971, and again from the mid-1980s to the present.

In such circumstances, economic development could hardly take place, and Sudan, once the breadbasket of the region, fell prey to repeated bouts of famine, drought and displacement. By 2000, a succession of disasters had led to 2 million dead and 4 million displaced.

In 2004, just as a peace settlement was being concluded between the north and the south, war broke out in the western province of Darfur, when a rebel insurrection, frustrated by what it called the Sudan government's marginalization of Darfur, revived longstanding demands for economic and political reforms. The government struck back through Arab militias. The resulting violence killed tens of thousands and displaced almost 2 million people. Thus, even as the civil war appeared to be ending, the heritage of violence continued to take its toll.

It had become clear for some time that a major crisis was unfolding in Sudan and that people caught up in the turmoil needed assistance. In 1989, Operation Lifeline Sudan (OLS) was created to facilitate humanitarian access into southern Sudan. It was an arrangement between the belligerents (the government of Sudan and the opposition Sudan People's Liberation Army/Movement (SPLA/M)) and the international community.[1] It evolved during subsequent years, but basically comprised a set of formal agreements, developed over time, that facilitated humanitarian access into southern Sudan and helped provide assistance (and, to a certain extent, protection) to millions of people affected by the conflict.[2] OLS enshrined the idea of ''unimpeded access'' for member humanitarian agencies, including many non-governmental organizations (NGOs), to individuals in need in southern Sudan and parts of government-held territory affected by war.

Despite the existence of an impressive array of written protocols, however, access could not be taken for granted on a day-to-day basis. Instead, ''humanitarian space'' – that is, the scope for humanitarian action – widened or narrowed depending on a number of factors, including political, military and administrative considerations.[3] Nurturing humanitarian space is the essence of humanitarian diplomacy. Its objective is to save lives, to alleviate suffering and to uphold humanitarian principles. In order to achieve that, it must deal with operational constraints as they arise.

Operational issues

Operational constraints refer to the existence of real, immediate and serious impediments to the delivery or sustainability of humanitarian assistance. Notable among these are: access – how to reach those in

need; compliance – how to ensure delivery without the use or threat of force; coordination – how to function in conditions of uncertain political support; and explication – how to defend or justify aid, especially in protracted operations. These and other constraints constitute a sort of resistant medium whose effects humanitarian diplomacy is engaged in overcoming.

In the case of the World Food Programme (WFP) in Sudan, the main operational issue concerns access, or reaching the people in need of assistance. WFP's job is not done when a donor is found, or a vessel engaged or even when the food arrives in port; that is in fact often the beginning of the difficulties. Humanitarian intervention begins at the point where it becomes clear there are urgent needs that are not going to be met unless outside agencies take action. But such intervention encounters the same obstacles that deprived the local population of food in the first place. Access too is an entitlement issue, as much as the more familiar topics concerning the political economy of hunger. If anything, it is a reminder that the contending principles of humanitarian intervention and non-interference in the internal affairs of sovereign states are not easily reconciled.[4]

The second operational issue concerns compliance: how to execute policy without the use or threat of force. Humanitarian diplomacy as practised by WFP and its sister UN aid agencies is conducted in the absence of the ultimate sanction of force. Nor does the promise of assistance delivered free of charge guarantee an unconditional welcome. The host government, although generally anxious to receive assistance, has other, justifiable, considerations to weigh in the balance, not least of which is security (in the sense of exercising control over its territory, people, administration and policy, as well as ensuring the safety of expatriate staff). For these and other reasons, the humanitarian community often appears more anxious to render assistance than are the national authorities to receive it. Therefore any moral or diplomatic advantage that may be assumed to come from being a donor is diluted or lost. Assistance does not provide the leverage that one might imagine, commensurate with the value of the commodities involved or the urgency of need. The humanitarian community can, of course, resort to withdrawal or suspension of operations but that is, in a sense, self-defeating.

The third operational issue is how to function in the virtual absence of political support. Humanitarian diplomacy needs, but often does not obtain, political backing. For the UN Representative in the field, the Department of Political Affairs, the Secretary-General's Office in New York, or the Security Council are very remote institutions. In theory, there is a two-way channel of communication between New York and

the field; in practice, the political initiative lies with New York and often stays there. Although not unaware of what is transpiring in the field, UN secretariat officials with political portfolios often keep their own counsel.

The fourth operational constraint for the period under review in Sudan concerns the articulation of the role of food aid in a complex emergency. Welcomed initially, WFP's role came under critical scrutiny as time passed. Why could it not achieve unimpeded access? Why was monitoring so poor? Was food being diverted to the rebels? Was food aid prolonging the conflict? These are donor concerns.[5] The host authorities also develop concerns over time, which have to do with the risks of dependency that external assistance represents, of penetration by foreign interests, and generally reflecting their ambivalence about food assistance. No one likes accepting food; unlike financial or technical assistance, the receipt of food assistance suggests a level of impoverishment that no state likes to admit.

Obstacles and opportunities

Given the operational constraints, negotiating for humanitarian space is a constant, unremitting struggle. It will be argued here that humanitarian diplomacy may be considered as a type of policy implementation activity, undertaken in an adverse political and physical environment. The usual limits to successful implementation apply, but with greater force. Three points emerge. First, the humanitarian imperative may be paramount in theory, but the process is subject to competitive and contending political forces. Second, the process of maintaining humanitarian space is compromised by structural weaknesses both in the government machinery (weak administration, poor communication) and in the humanitarian community (absence of consensus, lack of support from headquarters). Third, contradictions in the design of humanitarian policy emerge, eventually, as a major limiting factor. If the policy is designed to save lives but not to restore livelihoods, then the objective of transiting out of crisis will not be achieved.

A number of reasons may be offered for the intractability of humanitarian affairs as experienced in complex emergencies. The insights come from policy implementation studies. Nurturing humanitarian space may legitimately be regarded as a particular type of implementation problem, concerned with securing compliance in a hostile environment. Although, traditionally, policy implementation deals with a single bureaucracy, regarded as a rational form of human organization,[6] the present study represents a case of implementation across national boundaries,[7] or rather the attempt to carry out a special type of agreement, one that permits

the United Nations and its NGO partners to operate in the middle of a civil war. Three approaches originally developed in the policy implementation literature apply. It can be studied in terms of a political process, where multiple or ambiguous political objectives ''prevent administrative success'';[8] or as an inter-organizational process of bargaining, interpretation and negotiation;[9] or in terms of ''administrative limits'', which reminds us that bureaucracies, though rational, are not perfect instruments of policy.[10] The analytical lens of policy implementation studies provides a focus to our observations.

First, humanitarian diplomacy operates in an environment characterized by multiple or ambiguous political objectives. In Sudan, the government's other preoccupations determined the priority accorded to humanitarian work, and the exigencies of the civil war asserted primacy over humanitarian concerns. (The same observations apply to the opposition SPLA/M, which is also political, faction-ridden and operating in the real world.)[11] In the middle of conducting its campaigns, the military (on either side) would not have its hands tied, and it clearly resisted having humanitarian concerns stand in its way. There exists therefore a hierarchy of intent, and humanitarian concerns are seldom at the top. Indeed, OLS was often blamed by either side in the war for being the cause of any reversals that they might have suffered.

The government's internal structure (and that of the opposition) determines its responsiveness to humanitarian concerns. The administration often appeared to consist of a loose coalition of interests and factions, only some of which conceded any degree of priority to humanitarian interests, especially if these concerned the welfare of groups alienated from the ruling élites or not considered sufficiently important by them. The province of Darfur is a case in point: it has always been regarded as ethnically distinct from the Arabized north; it was not even part of Sudan until 1916, and has suffered neglect since, which accounts for the history of political protest going back to the mid-1960s. For all these reasons therefore, Darfur's needs did not receive a sympathetic hearing at the centre in Khartoum.

Darfur, long subject to drought, also suffered from the tendency to hide failures and setbacks. The current administration in Sudan was fervent about basic self-sufficiency, especially in terms of food. To admit therefore that it could not feed itself and to ask for international assistance for this purpose (even following a drought) went against that image of self-sufficiency. The authorities would rather deny need than ask for help. There existed a striking similarity to the North Korean ambivalence to food aid, as described in Chapter 9 by David Morton. In both cases, the political and administrative culture determined the priority given to humanitarian concerns.

The government of Sudan also displayed a sort of fatalistic acceptance of suffering. The people have always faced drought; they have always moved when disaster strikes; they cope, somehow; and there is not much that can be done. This passive attitude towards suffering was very much at odds with the activist, interventionist approach of the international community. Indeed, the latter derives its humanitarian imperatives largely from the post-modern state, but applies them in rather more traditional settings.[12]

The second set of issues concerns structural problems. The most fundamental of these arose from the fact that Sudan was divided and poorly administered: the government's writ ran over only half the country; the other half was in rebellion. The administrative machinery was weak and ill-equipped, and basic physical infrastructure was lacking. Notable amongst the weaknesses was the inability of the periphery to communicate with the centre. This was owing to poor physical lines of communication, a lack of effective communications between the civil and military authorities, and a failure to assign responsibility at the provincial level for reporting on humanitarian disasters.

Normally, a robust, independent press and other news media would expose those weaknesses. But the local news media were weak and unable to act as an effective, independent force. The international media, on the other hand, operated from Nairobi, and were therefore in closer touch with the Sudanese opposition, also based in Nairobi; they had virtually no impact internally in Sudan.

Commercial interests, on the other hand, had undeniable reach and impact on the administration. The large farmers, grain merchants, commercial transporters and the like could be very influential. Often their interests seemed to prevail. The government's attempts to create and operate a strategic food stock reserve, to make timely purchases of food, to exert a stabilizing influence on the grain market, to facilitate the transportation of humanitarian assistance were all influenced as much if not more by commercial as by humanitarian interests.

The weaknesses affecting policy initiatives were not all on the Sudanese side. The humanitarian community's bargaining position was, in later years, compromised by the unwillingness of OLS to police non-OLS flights. OLS had struggled to run its operations as correctly as possible, flying only to agreed destinations, scrupulously limiting itself to the transportation of humanitarian cargo, and generally abiding by OLS rules and agreements. However, non-OLS flights (also taking place from Lokichoggio, or ''Loki,'' in northern Kenya) had been free from any such restraint. Thus unauthorized flights entered Sudanese air space without government clearance. They had nothing to do with the United Nations or OLS, but shadowed OLS flights in order to escape government of

Sudan surveillance and to fly to opposition-held destinations. It is impossible to judge how effective these flights were in providing either humanitarian assistance to denied locations or other forms of assistance to opposition forces, but this proved to be an enormous irritant to the government of Sudan, which usually retaliated by imposing restrictions on OLS.

This was clearly a case where the humanitarian community did not act as one. Other examples exist. The split between the needs-based and the rights-based approaches (as described in the Bieh incident below) was a major factor in weakening the humanitarian community's negotiating position.

There is a temptation to interpret the problem of negotiating humanitarian space solely in terms of intractable partners on the ground, such as the government or the opposition, military factions, and so on. The practitioner has in fact to lavish almost equal care and attention to maintain a consensus at headquarters level, especially in a crisis. Do the UN agencies support the policy being proposed? Is the United Nations Office of Security Coordination (UNSECOORD) in New York in agreement? Are the major donors and NGOs behind the UN Humanitarian Coordinator's line? The cases presented in the next section of this study make this point clear. Headquarters-level support and consensus are crucial in the implementation of policy across national boundaries.

The third set of issues raises concerns about the effectiveness of humanitarian policy itself. In many countries in turmoil, including Sudan, the donor community is willing to provide emergency humanitarian assistance but it is not willing to move forward into reconstruction and development. This circumspect approach can have disastrous results. The drought of 2001 hit Darfur and Kordofan so hard because there had been no follow-up after the previous emergency. The water sources had not been maintained; the pumps were not working; the dams had silted up. More importantly, humanitarian action in previous droughts had saved lives but not livelihoods. The people had survived but had not been able to get back on their feet. The failure to build up local capacity, to maintain water sources or to restore livelihoods was essentially a failure to do any sort of development work. The humanitarian community was condemned, as a consequence, repeatedly to address the crises that ensued. Humanitarian action is, eventually, self-defeating if it is not followed up by development at the appropriate time. Thus, even perfect implementation of a purely humanitarian policy achieves only part of what is required.

I have looked at obstacles – what of opportunities? In negotiating for humanitarian space, the practitioner is more conscious of obstacles than of opportunities; there is a fundamental intractability attending humani-

tarian action. Even those parts of the recipient authority designed to liaise with humanitarian agencies and to expedite their work end up controlling rather than facilitating. There is no reason therefore to look for a dialectical balance here: we need not imagine that, if there are constraints, there must be opportunities also. The game of humanitarian diplomacy does not take place on a level playing field.

Negotiations

Negotiations are required at all stages of a humanitarian operation, but not all negotiations are diplomatic in character. Settling barge rates for transporting food up-river or haggling over office rents do not constitute humanitarian diplomacy, although they may have implications for the effectiveness of humanitarian operations. Humanitarian operations involve transactions of a higher order. A clear humanitarian objective is involved and the action takes place in a political setting, as in the two case studies presented here. One involves the challenge of negotiating minimum access arrangements to the region of Bieh in Western Upper Nile province in early 2002, an area contested by the government and the SPLA. The other involves the suspension of operations as an instance of hard negotiation.

Bieh: Negotiating minimum access requirements

By 2002, the conflict in southern Sudan had been going on for so long that it was possible to discern a pattern in the violence: every spring, the conflict would intensify, and then continue through the summer until the rains arrived, when military operations became more difficult to execute. It was, generally speaking, a very ''civilianized'' form of war, in that it had a direct impact on the civilian population, and was conducted at varying levels of intensity. There were, of course, army-against-army confrontations between the forces of the government and the opposition. More frequently, however, there were clashes between the militias associated with either side. Even more commonplace were the actions of the militias against the civilian population, which were undertaken as a means of retaliation and harassment and were intended to demoralize the enemy; they resulted in the displacement of populations and caused various forms of distress. Further down the scale of violence, but more frequent in occurrence, were inter-tribal, inter-ethnic clashes, raids and fights, down to episodes of cattle-rustling and crop-burning that had more to do with a traditional way of life than the conduct of politics by other means.

Spring 2002 was no different, except that the sequence of events seemed to start a little early, and included a number of attacks against civilians at or near food distribution points and the looting of humanitarian facilities. On 2 February, offices of Médicins Sans Frontières (MSF) at Nimne were looted and its laboratory destroyed. On 9 February, Nimne was bombed by a government aircraft, which resulted in the death of five civilians, including one MSF relief worker. On 10 February, two people died and a dozen more were injured when a military aircraft dropped bombs at a site in Akuem where the WFP had just finished food distribution. But the worst incident occurred on 20 February 2002, when a WFP food distribution site in Bieh, Western Upper Nile, was attacked by a government helicopter gunship shortly after a food distribution, and 24 civilians were killed.

The United Nations strongly condemned the action. The donor community also reacted vigorously to the attack. On 23 February, after a reception at the presidential palace in connection with the Muslim New Year, the president, General Omar Bashir, invited the representatives of the United States, France, the United Kingdom, Germany and Switzerland to stay behind, in order to explain to them the government's position on the incident. He said he hoped that the incident would have no negative impact on the ongoing peace process, and that what had happened was a mistake by a local commander who had been misled by information planted by the SPLA about non-UN aircraft dropping weapons and ammunition at Bieh. Henceforth, areas in which humanitarian operations had been authorized would be declared no-combat zones, and any military action there would have to be authorized at the highest level in Khartoum. Coordination between the military and humanitarian arms of the government would be reinforced with the appointment of a brigadier-general in place of the captain who currently headed the coordination unit. Lastly, the president assured his guests, a full investigation of the incident was under way.

In the days that followed the attack on Bieh, both the humanitarian community and the government authorities acted in predictable ways. Humanitarian activities continued, with the adoption of increased security precautions. The administrative authorities invited the United Nations to work with them in order to put in place improved procedures, while themselves clearly operating under pressure from the military and intelligence services to restrict access.

Thus, the scene was set for what the Secretary-General's Special Envoy to Sudan was to later describe as the most serious humanitarian crisis to befall Sudan since the Bahr el Ghazal famine of 1998. The crisis concerned access and at its height endangered the lives of well over 1 million people in southern Sudan. In large part, access to most places in

southern Sudan is achieved by air, because surface transportation either does not exist or is too dangerous to undertake. In 2001, WFP alone flew about 40,000 tons of food into southern Sudan; other OLS partners transported additional quantities of medical and other supplies.

This is the context in which, every month, an elaborate game of wits was conducted. OLS would request air access to about 200 locations, while intending to fly to about 100 locations in the course of the month, thereby giving itself room for manoeuvre. The government would approve access to over 90 per cent of the locations requested, but a great hue and cry would be raised both by the United Nations and by the NGO community about the 17 or so locations normally denied. Most of the locations denied could in fact be accessed by road (flight denial does not mean the location cannot be reached by other means); some of the denied locations might not be in need of humanitarian assistance; and some might indeed be too dangerous to access. If all this was taken into account, real denials were much lower than the 17 or so locations refused by the government.

From March 2002, however, access was seriously curtailed. Growing prospects for peace seemed only to intensify the conflict, especially in Western Upper Nile and Bahr el Ghazal. As the conflict intensified, the government employed several means to interrupt humanitarian assistance. First, denials to specific destinations increased, from the usual 17 locations to about 45. Secondly, the government resorted to blanket denial covering large parts of Western Upper Nile. Thirdly, it issued advisories stating that parts of Bahr el Ghazal and Western Upper Nile were not safe owing to SPLA activity and that the government advised the humanitarian community not to proceed to those areas. Fourthly, it requested clarification about a large number of requested locations, stating that they were not known to the government, which therefore found itself unable to authorize access until precise coordinates were supplied.

By April 2002 it was becoming clear that the government was not likely to back down on flight clearances. The monthly clearance for April was forwarded to the United Nations very late and once again denied clearance for large parts of southern Sudan. This was now becoming truly worrying. With the return of the dry season, the hunger period begins in earnest and the need for food aid becomes urgent between April and September. It was calculated that over 1 million people in need were being affected by the denials and that their situation would soon become serious, leading to malnutrition, perhaps thousands of deaths and even the repetition of the 1998 Bahr el Ghazal famine.

From April 2002, the United Nations in Sudan began advising UN Headquarters in New York (and the major UN agencies based in Rome and New York) that the situation required high-level intervention. UN

Khartoum suggested that, among the donors, the United States could be most helpful, and that on the UN side two options should be considered: either to brief the Security Council or to bring in the Secretary-General, Kofi Annan. After further consultations, New York decided to send the Secretary-General's Special Envoy for Humanitarian Affairs for Sudan, Ambassador Tom Eric Vraalsen of Norway, to Khartoum. After some delay over dates, he arrived in Khartoum on 25 May 2002 for three days of hard, even grim negotiations.

At this point the government introduced a new (though not unfamiliar) issue – the closure of Lokichoggio. For the purpose of supplying humanitarian assistance in southern Sudan, WFP (the air arm of OLS) was deploying 19 aircraft from two airfields, Loki in Kenya and El Obeid in government-held Sudan. These are the two main points of entry into OLS territory. Both were important not only from a logistical point of view but also politically: the government would have liked all operations to take place from El Obeid; the opposition would have liked them to take place from Loki. At the time, a delicate balance existed, with equal quantities of supplies transiting from either point of entry. This was the framework within which WFP and its OLS partners negotiated access. But some NGOs working outside the context of OLS chose to enter Sudan without government clearance. They operated from Loki, and this was one of the primary reasons for the government's unease about operations from Loki.

The negotiations with Vraalsen went badly, and it rapidly became clear that the government was not interested in instituting a humanitarian cease-fire (in order to resume deliveries of assistance). Nor would it offer any realistic assurance of easing up on flight denials. At the end of the negotiations, First Vice President Taha, speaking for the government, told the Envoy categorically that Loki was to be closed.

This was a major blow. If Loki was to be closed, the SPLA/M would not allow assistance to come from El Obeid either. The impasse would have meant the end of UN humanitarian operations and most likely the end of OLS; famine and death on a large scale would most certainly follow in southern Sudan. Knowing this, Vraalsen spent his last hours in Khartoum obtaining a deal for which he was later criticized. Under this agreement, humanitarian assistance would resume right away and Loki would remain open. But, for the next four or five weeks, all humanitarian assistance to Unity State would go from El Obeid and not from Loki.

From the UN negotiator's perspective in Khartoum, there was little wrong with this arrangement: it allowed humanitarian assistance to continue; it did not violate the underlying principles of OLS work (under which points of access cannot be shut down unilaterally) as Loki remained open. It did give in to government insistence that nothing should come

from Loki to Unity (Western Upper Nile), but only on a temporary basis. If Vraalsen had not agreed to that, then Loki would have been closed down altogether and no assistance would have been possible for any part of southern Sudan. Although not perfect, it was the best deal possible. All donors in Khartoum supported the deal, including the US representative. In practical terms, too, it worked. WFP was capable of providing food assistance from El Obied to Unity; it already did that to some extent. There were no practical constraints to the arrangement. The constraints were political.

The SPLA/M did not like the idea of conceding to the government's insistence that aid should go, even on a temporary basis, from a northern point of entry. The NGOs disliked the idea too, especially the ones that undertook unauthorized flights from Loki into Western Upper Nile and elsewhere. If the United Nations did not fly from Loki, these NGOs would not have ''cover'' to fly themselves. But depriving the NGOs of access for four weeks would not have had any serious consequences. For the Envoy, reaching the people was the main goal; for others, he had conceded too much or he had given in to blackmail.

In Sudan, the humanitarian community often has to deal with the real authorities only at second hand. Behind the hard men negotiating with the United Nations are harder men pulling the strings. Negotiations take place at one remove, and the government interlocutors are themselves caught between the outside world, represented by the United Nations, and the hard-liners at home. Of course, this handicap can be turned to the government's advantage when its negotiators imply that their hands are tied. So when, on the evening of 28 May 2002, a senior official of the government called Vraalsen to the ministry of foreign affairs and assured him that the military wanted to close down Loki, and that the best compromise was to fly from El Obeid to Western Upper Nile, was it a bluff or was it sincerely meant? If the latter, was it acceptable? The critics would have preferred a breakdown of negotiations rather than a compromise on principle, but then the crisis would have dragged on. Vraalsen, an experienced negotiator, chose the humanitarian option.

In the end, the Envoy's compromise was not totally rejected. But it brought into sharp focus the two competing approaches to humanitarian assistance that have still to be reconciled in Sudan. From a rights-based perspective, access to victims of a humanitarian disaster is not an end in itself. It demands rather that all humanitarian aid be judged on how it contributes to the protection and promotion of human rights. But, according to the needs-based approach, humanitarian assistance must not be denied to people in need, in pursuit of other objectives. Humanitarian response is above all about meeting urgent needs; the rights-based ap-

proach risks missing this point. For the Envoy, reaching the people in need was the main goal.

This is not a theoretical question in the Sudan context, and it is possible to cite other examples. Should food assistance be denied to the people of Nasir because of their association with Commander Gordon Kong, a militia commander working with the government who in the past has, on more than one occasion, held humanitarian workers hostage? Should thousands of people go without assistance, which could otherwise be supplied to them, in order to punish one man? Should assistance be denied to government-held Nuba if it cannot be supplied to opposition-held Nuba? Should assistance be held back because, as a consequence of giving it, there might be a shift of population in that contested region? Might the government or opposition manipulate humanitarian aid in this way as a matter of tactics? In providing humanitarian assistance in a highly politicized environment, can practitioners realistically keep this assistance out of politics? In other words, humanitarian space can come under pressure not only from the combatants but also from the wide-ranging and divergent concerns of the humanitarian community itself. The next case touches on this point too, in emphasizing the importance of consensus-building at headquarters level.

Suspension of operations

In early July 2000, in the course of the annual bout of summer fighting, the SPLA took Gogrial, a government-held town in the Bahr el Ghazal region of southern Sudan, despite a cease-fire that was then in place. Soon after Gogrial changed hands, the foreign minister summoned the diplomatic community in Khartoum to lodge a protest. He specifically asked the UN Humanitarian Coordinator to convey to New York the government of Sudan's expectation that the United Nations would condemn the taking of Gogrial.[13] The message was duly passed on by the UN Humanitarian Coordinator, emphasizing the desirability of a more proactive engagement in Sudan by the political arm of the United Nations. When the United Nations remained silent on Gogrial, Sudanese frustrations were vented in other ways.

On 23 July 2000, the Khartoum newspapers carried dramatic reports of the president's denunciation of OLS in a speech the previous evening. He was reported to have called it ''Operation Bloodline'' and to have implied that OLS was facilitating the supply of arms to the opposition. The United Nations immediately contacted the foreign ministry, which assured the UN Humanitarian Coordinator that it was not aware of any change of policy or approach towards OLS or the United Nations.

On 24 July, the UN Humanitarian Coordinator met the state minister for foreign affairs, who said that OLS was not being accused but that there was dissatisfaction about other non-OLS flights taking place ''in the shadow of OLS'' or taking advantage of OLS and hinting that a review of OLS management might be necessary. The overall tone, however, was placatory.

But evidently the military interpreted the speech differently, and attacks on humanitarian flights and personnel increased in frequency. On 27 July 2000, a UNICEF vaccination team on the Sobat River near Malakal was shot at by unknown gunmen and a member of the medical team was injured, though not fatally. Also on 27 July, a Red Cross plane was bombed in Billing, Lake State. On 28 July, two WFP aircraft carrying humanitarian staff and supplies on a mission of which the government had been previously notified were attacked when they landed in Bahr el Ghazal. The government Antonov flew overhead and dropped bombs. The bombs fell very close to the aircraft and the blast from the explosion nearly upturned one UN aircraft as it taxied for emergency take-off. Both aircraft were able to return to base unharmed. The incident was serious enough to alert the UN Special Envoy, Ambassador Vraalsen (concurrently Norway's ambassador in Washington), who contacted the foreign minister of Sudan by telephone from Washington and subsequently instructed UN Khartoum to provide the foreign minister with details of the incident. This was done on 29 July 2000.

At this point, the UN Humanitarian Coordinator came under some pressure from colleagues to stop all humanitarian flights. But he decided to continue in view of several considerations. First, a high-level protest had been lodged by Ambassador Vraalsen. Secondly, flights would be easy to stop but difficult to resume. Thirdly, stopping would be perceived as giving in to government/military pressure: the hard-line elements in the government would be only too pleased if OLS supplies to the south ceased altogether. Fourthly, stoppage would give the government an excuse to reject the monthly flight clearance (if OLS was not flying, it would not need flight clearance).

On the other hand, flying was indeed becoming more dangerous. The Humanitarian Coordinator therefore gave instructions on 29 July that airdrops should continue but airlifts should be suspended. That way, OLS could remain operational but, if its aircraft did not land, they could not be attacked. At that time, the government's method of attack was somewhat basic and consisted in rolling bombs from the rear of Antonov cargo planes at targets on the ground; they did not have the capacity to engage in air-to-air attack. As a short-term strategy, confining operations to airdrops worked well, though it was untenable over a longer period. Thus, the Humanitarian Coordinator did everything possible to avoid

bringing the situation to crisis point: humanitarian space had to be preserved.

On 31 July 2000, clearance was received for OLS flights for the month of August. On 2 August, the foreign minister wrote to Vraalsen, affirming that no further attacks would take place. In the meantime, a brief mission by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) had stopped over in Khartoum during 29–31 July. Ross Mountain, a senior official of OCHA, and Nils Kastberg, Head of Emergency Operations, UNICEF, came to Khartoum in an attempt to defuse the situation. The press, waiting for an opportunity to entrap a UN official, systematically misquoted Mr Mountain on various issues, implying that the United Nations had conceded on all points raised by the government of Sudan concerning Gogrial and OLS. Back in Geneva, Mountain had to engage in a vigorous rearguard action to correct the record. The feeling therefore persisted that, despite the assurances from the foreign minister, the crisis was not over and that various parts of the government still remained highly dissatisfied with the United Nations. In short, the capture of Gogrial despite the cease-fire was still affecting the political climate in Khartoum, to the detriment of humanitarian operations. The possibility remained that, despite the foreign minister's assurances, attacks on OLS flights might continue.

In the meantime, the Humanitarian Coordinator did everything possible to ensure that OLS flights continued to follow proper procedure and that nothing untoward would happen that would worsen an already difficult situation. Accordingly, steps were taken to tighten flight procedures in Loki. A senior WFP officer was sent from Nairobi to take charge of flight operations in Loki. Despite these precautions, a security flight (intended to clear locations in advance of humanitarian operations) took off on 3 August headed for a location that was on the current ''denied list''. The OLS security officers landed in Nialdhu, assuming it was in opposition hands, and found themselves detained by a militia leader allied to the government. A potential hostage situation ensued that was resolved only 24 hours later. The government could have made much of ''unauthorized OLS flights'', but, like the Humanitarian Coordinator, probably did not wish to further disturb an already delicate situation. Practitioners engaged in opening up humanitarian space not only have to struggle with their government counterparts but also have to spend a lot of energy ensuring that their own side is not undoing their efforts.

This incident was soon overshadowed by news on 7 August 2000 from Mapel, Bahr el Ghazal, that a WFP/OLS aircraft had been attacked. The bombs missed the aircraft, but the resumption of attacks was bad news indeed. Attacks were evidently continuing, despite written assurances from the foreign minister. And Mapel was such an unexpected target

that it challenged previous assumptions about areas of vulnerability. After Mapel, all of southern Sudan seemed vulnerable. The time had come seriously to consider suspension of OLS flights. The Humanitarian Coordinator issued instructions that the number of OLS flights be immediately restricted. But he did not cancel all flights. The office of the UN Security Coordinator in New York contacted him to assure him that cancellation was ''his call'', and UNSECOORD would support him whatever he decided.

Still, the Humanitarian Coordinator refrained from taking the decision. Although he knew that suspension was ''his call'', he felt that he must first ensure that his decision would be supported by the major operational agencies – UNICEF and WFP. In order to be certain of such support, he postponed the decision to suspend by 24 hours, until 4 pm the following day (8 August). And, in order to ensure that no OLS aircraft came under attack in the meantime, he cut back drastically on OLS flights for 8 August. In the end, near midnight of 7 August, he was left with three scheduled OLS flights for the following day, all (he was assured) flying to safe destinations. Technically, OLS was still flying, but with minimum risk. The following morning, 8 August 2000, he received the assurances from the UN agencies that he was seeking. At 4 pm Khartoum time, just as UN New York opened for business, he formally recommended suspension of all OLS flights.

This careful consensus-building ensured that the decision was taken seriously in New York and supported there (and by WFP in Rome). The Humanitarian Coordinator's recommendation to suspend was backed by UNSECOORD and approved without delay by the UN Secretary-General.

The meticulous preparation paid off. On 8 August itself, the Secretary-General wrote to the president of Sudan expressing his concern about the humanitarian situation, explaining the reason why he had suspended operations, and urging the president to take the necessary steps that would permit their resumption. The president replied promptly, on 10 August, offering his regrets for the attacks, confirming his support for OLS and expressing the hope that humanitarian flights could resume at the earliest possible moment.

The crisis was over. The Humanitarian Coordinator approached the foreign minister on 12 August and requested him to ascertain how long it would take the military to issue instructions to its personnel on the front-lines that would ensure the safety of the OLS flights. The foreign minister came back suggesting 72 hours. OLS flights resumed on 16 August 2000.

The decision to suspend was taken with due care, with importance given to the manner in which it was taken. The reasons for stopping

were clearly spelled out: action had been taken for ensuring the security of staff. The implications were explained: flights had been suspended, but humanitarian work on the ground could continue. The Humanitarian Coordinator remained deliberately circumspect about assigning blame; he left that to the different headquarters. He avoided all vituperation. As a consequence of his restraint, it was easy subsequently for the United Nations in Khartoum to resume normal relations with the government as the crisis blew over. If anything, the stock of the United Nations rose in Khartoum. Never before in the 11-year history of OLS, despite comparable provocation, had the United Nations suspended flights. Humanitarian space had been closed temporarily in order to preserve it in the long run. The decision quite probably increased respect for the humanitarian principles upon which the programme was based.

It had all begun with the capture of Gogrial during a cease-fire and with the perceived failure of the political arm of the United Nations to condemn the action with sufficient vigour, which could have defused the situation. The balance between too much political intervention in humanitarian work and too little is hard to maintain. But, in Sudan, the tendency of the political arm of the United Nations had been to keep its distance, resulting in some additional strain on humanitarian work.

Wider implications

The term ''humanitarian diplomacy'' has been used in this chapter to describe the process of nurturing or maintaining access to those in need, in difficult physical and political circumstances. Four points have been highlighted: the intractability of humanitarian affairs, the centrality of negotiation to humanitarian diplomacy, the importance of communication, and the relative neglect in the UN system of a fourth essential component of humanitarian diplomacy, namely coordination.

The formula for coordination varies according to the type of humanitarian crisis confronting the UN system. It is possible to distinguish three varieties of coordination. The first involves consensus-building at the country level. One-off emergencies, such as a cyclone or earthquake, are dealt with by field-based agencies, which might get together to constitute a Disaster Management Team under the UN Resident Coordinator. The latter, who is normally the United Nations Development Programme's Resident Representative, has to build consensus and provide leadership to UN funds, programmes and agencies in the field, whose representatives are ultimately answerable to their respective headquarters and not to the Resident Coordinator.

In the second case, coordination has to do with the challenge of co-opting the political side of the United Nations in the humanitarian enterprise. Complex emergencies in the 16 or so countries where a Humanitarian Coordinator is already in place involve OCHA and, through OCHA, the United Nations Department of Political Affairs (DPA). The difficulty here is that the crucial political dimension has to pass through too many channels. The links between the DPA and the Humanitarian Coordinator are tenuous at best and often non-existent. The DPA's headquarters-oriented culture makes communication with the field difficult. There are other constraints. The major operational agencies are relatively inactive in the Executive Committee on Peace and Security (chaired by the Under-Secretary-General of the DPA). They report at infrequent intervals to the Security Council. They have no say in the selection or day-to-day work of the Special Representatives of the Secretary-General or the variety of Special Envoys employed by the Secretary-General's office. These are serious drawbacks. As we have seen in this chapter, humanitarian diplomacy cannot reach its potential unless it is better served by the political side of the United Nations.

In the third case, coordination is a multidimensional enterprise, occurring in post-conflict situations such as those prevailing currently (2004) in Sierra Leone, Afghanistan, Sudan or Liberia. It involves the Department of Peace-Keeping Operations (DPKO), in addition to the usual headquarters- and field-based offices, funds, programmes and agencies. It covers a wider range of post-conflict activities, including elements of the rule of law, human rights, civil administration, governance and reconstruction. These are areas where the potential for confusion, overlap and lack of coordination is greatest. The UN funds and programmes have considerable expertise in these subjects, and their activities are likely to both precede and continue once the mandate of the peacekeeping mission expires. Thus coordination in this instance means accommodating the temporary presence of a resource-rich, well-staffed UN department, the DPKO, and learning to work with it under the overall guidance of the Special Representative of the Secretary-General.

The relationship between the funds and programmes and DPKO and what roles the funds and programmes should play in the civilian component of the peacekeeping operations are only now being systematically addressed by the UN system. Integrated missions may yet show the way for the coordination of other complex emergencies. The fear has been expressed, in the case of integrated missions, that they would inadvertently choke off humanitarian space. This may be a legitimate concern but, in the cases presented in this chapter, we have seen the opposite: absent the political dimension, the humanitarian mission can be jeopardized.

Notes

1. Larry Minear, *Humanitarianism under Siege: A Critical Review of Operation Lifeline Sudan*, Trenton, NJ: Red Sea Press, 1991.
2. United Nations Office for the Coordination of Humanitarian Affairs, United Nations Technical Committee on Humanitarian Assistance, *Protocols Signed between the Government of the People's Republic of Sudan, the Sudan People's Liberation Movement, and the United Nations*, New York: OCHA, 1998.
3. Cristina Eguizábal, David Lewis, Larry Minear, Peter Sollis and Thomas G. Weiss, ''Humanitarian Challenges in Central America: Lessons from Recent Armed Conflicts'', Occasional Paper No. 14, Institute for International Studies, Brown University, 1993.
4. Amartya Sen, *Poverty and Famines: An Essay on Entitlement and Deprivation*, Oxford and New York: Oxford University Press, 1981.
5. Larry Minear, *The Humanitarian Enterprise: Dilemmas and Discoveries*, Bloomfield, CT: Kumarian Press, 2002.
6. Max Weber, *On the Methodology of the Social Sciences*, Glencoe, IL: Free Press, 1949.
7. David Lewis and Helen Wallace, eds, *Policies into Practice: National and International Case Studies in Implementation*, London: Heinemann, 1984.
8. Christopher C. Hood, *The Limits of Administration*, London: Wiley, 1976.
9. Aaron Wildavsky, *The Art and Craft of Policy Analysis*, London: Macmillan, 1979.
10. Andrew Dunsire, *Implementation in a Bureaucracy: The Execution Process*, Oxford: Martin Robertson, Vol. 1, 1978.
11. The present narrative is based on my own experience in Khartoum, and therefore focuses more attention on the government than on the opposition.
12. Shaun Riordan, *The New Diplomacy*, Oxford: Polity Press, 2003.
13. Normally, the UN Resident Coordinator is also the UN Humanitarian Coordinator. During his absence (in the crisis described here), the WFP Representative was in fact Acting Humanitarian Coordinator.