

NGOs & host governments

Who's overstepping the mark?

Includes articles on:

- NGO legislation (Croatia, Kenya, Uganda, Rwanda & Sri Lanka)
- NGO Code of Conduct
- Sub-contracting of humanitarian relief
- Enhancing the capacity of local NGOs
- Resettling the displaced

and reports on:

- Hong Kong's Vietnamese refugee camps
- Asylum-seekers in Japan
- Self-help on the Burma border
- RSP research

*Spanish translation
of RPN - see page 3*

Published by the Refugee Studies Programme, Oxford, UK

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Published three times a year by
Refugee Studies Programme
University of Oxford

The RPN aims to provide a forum for the regular exchange of practical experience, information and ideas between researchers, refugees and people who work with refugees.

Material and information contained in this publication are the opinions of the authors and do not necessarily reflect the views of the Editor or the Refugee Studies Programme. RSP reserves the right to edit all submissions.

Membership

The RPN is currently mailed to some 2,200 members in 110 countries.

Subscription is voluntary. If you would like to become a member, please complete and return the application form on page 43. We welcome the submission of materials from all our members.

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Current rates (excluding VAT) are:

Full page: £170

Half page: £85

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From the Editor

In this RPN we introduce a discussion of the relationships between NGOs and host governments and invite your contributions to this debate. The final article refers back to the last RPN (on environment and displacement) and reports on January's conference on 'Development-Induced Displacement and Impoverishment'.

RPN 20, to be published in September, will focus on women and reproductive health. We hope to cover issues such as childbirth in refugee camps; the provision of Mother and Child Health care (and its alleged over-emphasis by assistance agencies); cul-

tural/social/gender differences in attitudes towards family planning; participation of women in programme planning; and AIDS.

If these or other related subjects are relevant to your work, please consider submitting a short report, article or letter to share your experience and concerns with other members of the network. This is a network for information exchange; please do participate in this vital task - for the benefit of future programmes, policies and research. If you do not have time to submit a report, why not send brief details of your work and any documents (relating to this subject) which we can list as part of our information service?

I am happy to edit your material so please do not worry about length or if English is not your first language. Contributions to the September issue should reach me by 1 August (but the earlier the better!).

Finally, many thanks to all of you who completed and returned the questionnaire that was circulated to members in the last mailing (see below for preliminary results). I am waiting for more to be returned before doing a full analysis so if you have not yet returned your questionnaire, please do! Your input will still be useful.

With best wishes.

Marion Couldrey, RPN Coordinator/Editor

Questionnaire : preliminary results

The RPN is now eight years old. A questionnaire was sent out to members with RPN 18 (January 1995) in order to evaluate to what extent the RPN is meeting the needs of its membership.

Many thanks to all of you who completed and returned your questionnaires - and who took the time to add some extremely useful and constructive comments.

A full evaluation will be done when more completed questionnaires have been received (so please do return yours if you have not already done so); in the meantime here is a summary of results thus far.

Themes

The majority of readers (86%) wish to retain the current format of a main theme plus additional articles/reports on other topics.

Contents

1. Articles: Most readers consider the balance of articles to be about right. The issue of geographical coverage, however, raised greater debate with many readers asking for greater coverage of regions such as Asia, Europe and Latin America.

2. Regular features (reviews, publications, conferences, courses, etc): Again, most readers feel that these are about right, though some would like more reviews and publications/research findings. A couple of members commented that more advance warning about courses and conferences is needed.

Presentation

Most respondents feel that the presentation is about right, although some 25% feel the RPN is too long and 25% would like more photos.

Frequency of RPN

This is the only section where there was a clear desire for change. Some 46% of readers would *ideally* like it to be published more frequently (such as quarterly).

RPN 20 will carry a full evaluation of results.

Thank you for completing the questionnaire - and for the many expressions of appreciation and enthusiasm for the RPN!

Spanish translation of the RPN

In the last issue of the RPN we announced the launch of a Spanish translation of the RPN: the result of a year's collaboration between the Refugee Studies Programme in Oxford, UK, and HEGOA in Bilbao, Spain. RPN 18 was the first issue to be translated. The translation of RPN 19 will be available shortly.

If you have field offices or partner organisations in Spanish-speaking countries who would be interested in receiving a copy, please contact Carlos Puig at HEGOA (details below) or Marion Couldrey at RSP. We are also keen to receive articles, reports and letters in Spanish.

Carlos Puig will be coordinating the Spanish RPN and can be contacted at: HEGOA, Facultad de Ciencias Economicas, Lehendakari Agirre 83, 48015 Bilbao, Spain. Tel: +34 4 4473512 Fax: +34 4 4762653 E-mail: HEGOA@GN.APC.ORG

Regulating the non-governmental sector : the dilemma

by Eddie Adiin-Yaansah and Barbara Harrell-Bond

NGOs are believed to be a voice of 'civil society'. One definition of civil society is that it comprises the 'complex network of autonomous institutions sustained by a "civil" code of conduct, ... that are distinct from, yet maintain effective ties with the State'. What constitutes 'effective ties with the State' is the dilemma.

The introduction of regulatory frameworks is a relatively new activity in many parts of the world. This is a very preliminary discussion of some of the issues, comparisons of legislation in Croatia, Kenya, Rwanda and Uganda, and a brief exposition of such legislation in the UK. The RSP will be producing a more comprehensive report of its current research on this subject. Your input (copies of legislation, reports, discussion papers) on this enormously complicated and contentious field will be greatly appreciated. With the much greater experience of NGOs in Latin America, our new Spanish readers are especially encouraged to contribute.

As RPN readers are well aware, NGOs relate in varying degrees of opposition to, or in concordance with, their government. Because of the diversity of NGO constituencies, sizes, strategies, structure, ideologies, specialisations, sources of funding, agendas and power, it is not possible to describe an average NGO. They may be religious, secular or affiliated with political groups; be funded by businesses, foundations, private citizens and governments; specialise in a technical field or operate for multiple purposes.

Two major factors have encouraged the explosion of non-governmental activity throughout the world of under-development and in those regions where states are described as in transition. One factor is the greater amount of funding available to NGOs. Increasingly, donors are using NGOs as conduits for assistance rather than giving bilaterally to governments. Secondly, with the increasing emphasis on democratisation and privatisation has come the growth of the voluntary non-governmental sector. This social phenomenon is being actively promoted by external organisations, for example, the UK Charities Aid Foundation, the European Foundation Centre, and many foundations and other donors.

The roles of NGOs

In a democratic society, NGOs may function to monitor the effectiveness of governments in meeting the needs of disempowered sections of the population. Ideally, the membership of an NGO comprises members of those groups whose interests are at stake. More often, however, elites assume the responsibility to represent their interests. Given the dynamic of society and the failures of all governments to meet all the needs of their constituents - needs which are constantly being defined and re-defined - playing this critical role in a healthy society which promotes debate and opposition is a vital and an ongoing dialectic process. Campaigning, lobbying and advocacy are the normal methods used to influence public opinion and force governmental change.

In many cases, the success of such activities can be measured by the extent to which governments recognise the needs identified and institutionalise new public services to meet them, or improve those found wanting. For example, the identification of the unmet needs of the

dying led to the hospice movement being incorporated into government health services in some western countries.

The other side of the normal 'tension' which exists between governments and NGOs arises from the need for governments to regulate their activities. Ideally, the services which NGOs provide (which governments have neglected or have been unable to meet) would be carried out in a highly professional manner. Too often this is far from reality. Therefore standards must be introduced as well as mechanisms for monitoring and evaluating NGO work. Since funds are often raised from voluntary contributions from members of the public, the government also has a duty to ensure the financial probity of NGOs.

Bureaucracies established to ensure that standards are met are usually too overburdened to carry out their task effectively. Often, evaluations are undertaken only when the problems have been exposed by the media or when a government has received a number of complaints from individuals. For example, as a result of such complaints, a depart-

ment of the UK government evaluated three charitable homes for children (which include refugee children). In the interests of protecting the children and overcoming the problems identified, the report recommended the replacement of some staff, the training of the previously untrained staff and, for one children's home, the employment of a professional child psychologist to monitor the situation. However, unless an investigation of an NGO's activities leads to criminal charges, the implementation of such recommendations depends on the concern of the organisation's trustees; the UK government itself does not have the machinery to impose them.

There are some NGOs which organise themselves specifically to address human rights issues. All governments tend to be threatened by activities which expose their failures to uphold these rights, especially those which are enshrined in international human rights conventions to which they are party. Very few human rights NGOs are regarded by their governments as non-partisan, non-secular and non-political. More to the point, the most scrupulous, non-partisan

human rights organisation faces dangers in an undemocratic society when its findings are taken up by groups and used in campaigns to unseat the ruling government. Perceiving its power to be threatened by such NGOs, rather than introducing the needed reforms, such governments are more likely to look for legal or illegal means to suppress them.

Creating an environment for fostering NGO activity

In the first instance, for the development of the NGO sector, there is a need for 'political space', that is, an environment in which voluntary associations can organise themselves without unnecessary obstruction from the State. Such political space also requires a government that is using its power to facilitate development and encourage popular participation, rather than having as its primary concern the maintenance of its power.

Secondly, since voluntary activities require funding, it is necessary for the State to provide the 'fiscal environment' which promotes charitable giving. For example, in the UK, a variety of arrangements have been made which provide tax relief on contributions to such organisations. In addition, to name but a few methods which are used, the non-governmental sector may advertise on television and in the press, organise collections from the public and promote the funding of their activities through mass mailings.

The new legislation enacted by the Rwandese government (1994) prohibits foreign NGOs from raising funds in Rwanda, apparently in order to preserve local sources for their own national NGOs. It is interesting, however, to reflect on how photographs and films of the victims and news reports describing events are the very foundation of foreign NGOs' fundraising campaigns back in their own countries. Collecting such materials are activities which are necessarily carried out in the country affected by a disaster.

Regulating the non-governmental sector

If Britain's legislation is taken as an example (as Uganda has done), the reform of legislation to regulate the non-governmental sector must be a continuous process, which began with the Elizabethan legislation of 1601 and which has been followed by a myriad of reforms and amendments. The scope and scale of UK charity law is indeed daunting. Over the years, the reform of legislation has been prompted by abusive practices of organisations, especially in the field of fundraising from the public for purposes which were found not to be charitable.

The administration of charities is now governed by the Charities Acts of 1992 and 1993. The 1992 Act has been overtaken by the 1993 Charities Act, a consolidation Act which replaces the Charities Acts of 1960, 1985 and parts of the Charities Act of 1992. These laws are supplemented by a welter of subsidiary legislation, plus European Community directives and regulations.

To register as a charity in the UK, one has the choice of either registering as an 'unincorporated' or a 'corporated' or-

ganisation. Those falling under corporate organisations are companies, industrial provident societies or royal charter bodies. On the other hand, unincorporated associations include societies, clubs, trusts or friendly societies. The main difference between corporate or unincorporated organisations is that the former has a legal existence independent of its members while the latter has no separate legal existence apart from its members. For example, if an unincorporated organisation acquires property for purposes of its activities, the property can only be held on behalf of its members, usually its trustees.

The concept of a Trust is a very old English concept, regulated largely by judge-made law, which has been used over the centuries to establish and regulate formal relationships between three parties: the donor (first party) and the trustee(s) who hold the property for the benefit of the third party (the beneficiary).

The main advantages of registering as a charity under such laws are the tax benefits which accrue to the organisation as well as to those who give the money. Thus the Inland Revenue also has an interest in overseeing charitable organi-



Croatian refugees receive food packages distributed by ISRA (Islamic Relief Agency), 1995. Photo: B Harrell-Bond

Regulating the non-governmental sector : the dilemma *continued...*

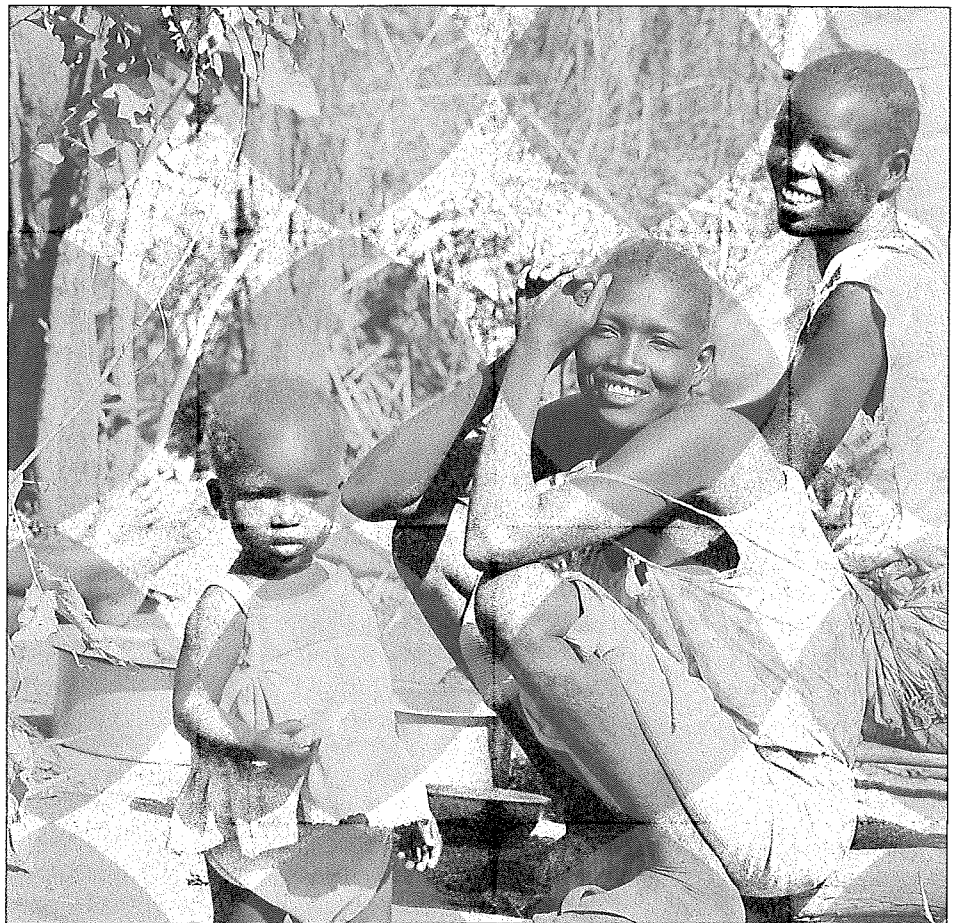
sations and during the process of vetting an application for charitable status, the Inland Revenue is automatically consulted. Since the Inland Revenue stands to lose tax each time an organisation attempts to register as a charity, there has been a tendency to introduce stricter criteria. Sometimes, even after an organisation has been registered, the Inland Revenue may still refuse tax relief if the income of the charity is considered not to have been applied to charitable purposes. Since the Charity Commissioners can register an organisation without the agreement of Inland Revenue, the latter has the option of challenging the registration in the High Court.

Generally, if the Commissioners find against an application, there is a right of appeal to the Chancery Division of the High Court, then to the Court of Appeal and, finally, with consent, to the House of Lords.

To be registered as a charity, an organisation will need to show that its purposes and objectives fall entirely under one or more of four headings: the relief of poverty, the advancement of education, the promotion of religion, and 'other purposes beneficial to the community in a way recognised as charitable'. The 'objects clause' is the foundation stone of a charity which can do nothing lawfully which does not fall entirely within its limits.

In applying for registration, the Charity Commissioners will look at an organisation's objectives in relation to the 'objects clause' and also at the answers to a series of questions aimed at eliciting the organisation's plans. Sometimes there can be difficulties with registration because the Commissioners are not satisfied with the wording of the organisation's draft constitution which has to accompany the application, because they are not convinced that the purposes of the organisation are actually 'charitable'.

Ironically, despite the long existence of charity law in the UK, the concept of what constitutes charity has never been statutorily defined. Activities which are construed as 'political' by the Charities



Sudanese refugees in Uganda, 1994. Photo: Barbara Harrell-Bond

Commissioners can cause an organisation to lose its charitable status. For example, Oxfam was challenged by the Commissioners for its campaigning against apartheid in South Africa. Oxfam argued that apartheid was a cause of poverty and therefore its lobbying was a lawful charitable activity. The Commissioners argued that anti-apartheid campaigning was plainly political and to protect its charitable status, Oxfam was forced to withdraw its campaigning literature on this topic.

Concerns which have led governments to introduce regulations

As was noted earlier, from reading the laws which have been introduced in the four countries with which we have been mainly concerned - 1989 (Uganda), 1990 (Kenya), 1994 (Rwanda) and the 1994 draft legislation of the Republic of Croatia - it would appear that one impetus for introducing legislation has arisen because of concerns over the behaviour

of foreign NGOs. Although, for example, British law may prohibit an NGO from engaging in political activities, it has no control over what a British agency does abroad except in so far as it may act through the application of constitutional conventions where an agency is seen to be compromising British foreign relations.

As one government official wrote from Croatia, there are some 790 'both local and foreign active NGOs ... It is a fact that foreign NGOs oppose any attempt to regulate their activities... that the government [which]... wants to do such could be accused of obstruction of democratic institutions of civilian society. In such situations the government ought to be determined because democracy still does not mean chaos'. Although NGOs are always accountable financially to donors, there are no legal means to regulate their activities abroad. (Some governments have threatened NGOs' tax status when they have criticised the foreign policy of the donor government.)

If problems with foreign NGOs have been the primary motivation for introducing legislation, it behoves foreign NGOs to take note; it is likely to be the national NGO movements which will suffer the greatest from attempts by governments to introduce draconian restrictions on this sector.

i. Registration and coordination

Governments which depend on foreign aid have good reason to be concerned about the rapid proliferation of NGO activity in their countries, especially under emergency conditions. Whether foreign or national, NGOs today control significant proportions of the resources available through international aid.

In many countries there has been no method for registering either foreign or local NGOs. Often governments are not informed of what each NGO is doing, whether they are actually carrying out their stated objectives and whether these objectives fit government policy, their own overall development plans, or actually address priority needs. Croatians, for example, have not always been convinced of the need for the large number of foreign NGOs which are intervening on behalf of persons deemed to be 'traumatised' or those who are victims of rape. Rwanda's law goes much further than any of the others by requiring NGOs to demonstrate the involvement of the beneficiary community in defining its own needs and in planning the project before the NGO can be registered. It also requires that the impact of projects be evaluated and approved by the responsible ministry before the NGO's registration can be extended.

Sometimes governments are not even made officially aware of the presence of a foreign NGO. Although the legislation in the four countries provides for the registration of NGOs, surprisingly, all have included provision for exemptions. In both Rwanda and Uganda there is discretion to exempt an NGO from registration in emergency situations. In Kenya, this power is vested in the Minister who may 'by notice in the Gazette,

exempt such non-governmental organisations from registration as he may determine'. Such discretionary powers leave space for abuse. Where not exempted, both Kenya and Uganda criminalise the activities of an NGO found in breach of the rules of registration. Staff can be fined and face stiff terms of imprisonment. (In Kenya, disqualification can lead to a sentence of ten years.) However, in the case of an expatriate, the Minister may recommend to the Ministry in charge of immigration that the non-Kenyan be expelled.

Although all organisations providing humanitarian relief are to be registered, our reading of Croatia's draft legislation suggests that it would effectively exempt the majority of organisations from registration and regulation. Exemptions include 'foreign legal persons, religious communities, and domestic legal persons', suggesting that the responsible ministry or government department will have no means of establishing whether these exempted organisations are carrying out their objectives in Croatia.

Governments are also concerned about their inability to coordinate NGO activity in order to avoid duplication, to ensure that NGO work fits in with the government's own development plan or emergency policies and to ensure the judicious use of funds to meet the most urgent needs. Both Uganda and Kenya have established NGO Boards whereas Rwanda has created a coordinating Bureau. In Kenya, the legislation met with stiff resistance from the NGO sector which resulted in their proposing alternative legislation to the government. The drafting group included both foreign and Kenyan NGOs. While the Kenyan government has not totally bowed to the NGOs' alternative proposal, it has introduced some amendments to its NGO Coordination Act 1990.

ii. Sources of funding and accounting

Given that foreign NGOs are major conduits for international assistance, governments feel they have a right to know the sources and amounts of money being brought into the country and the pur-

poses to which they are being put. In Britain, registered charities are required to provide the Charities Commissioners with annual audited accounts. Companies registered as charities are subject to financial scrutiny under both the Companies Act and charities legislation.

Many foreign NGOs depend on government sources to support their activities abroad. It is known that some donor governments use NGOs to transfer resources actively to support opposition groups (in the case of Renamo, even to transfer arms).

NGOs are the first to demand 'transparency' of governments. However, the suggestion that they should be similarly open about sources and amounts of their income and expenditures has been almost unanimously regarded as an unacceptable intrusion.

Foreign NGOs enjoy significant financial advantages over national organisations. Legislation provides for customs exemptions to foreign NGOs, their staff and families; no corresponding benefits are extended to local NGOs in Kenya, Rwanda and Uganda.

iii. Qualifications of expatriate staff

Since they are not in control of recruiting foreign NGO staff and many governments have had reasons to be concerned about the professional claims of these organisations, both Uganda and Rwanda are now demanding to see evidence of the qualifications of expatriates. However, it is unclear how such evidence can be verified. (In the case of one UK NGO planning to work in the Philippines, the embassy in London took responsibility for vetting the NGO before its staff were provided with entry visas.)

iv. The staffing of NGOs

Normally, foreign NGOs employ local staff but often neglect to observe local labour legislation. Some do not even provide them with contracts laying out conditions of service or job descriptions. An issue which is of great concern, but not adequately addressed by any of the laws thus far surveyed, is the question of salary scales.

In recognition of this problem, Uganda has attempted to introduce regulations on these matters but their ambiguity reflects what a controversial area this is. The section dealing with staffing requirements reads: the organisation 'shall ensure that any remuneration including salaries, allowances, fringe benefits and other terms and conditions of service of the Uganda employees of the organisation are reasonably comparable to those for the time being prevailing in the employment market in Uganda or reasonably comparable to those of their foreign counterparts'. The interposition of the word 'or' is very unfortunate. It gives the impression that a foreign NGO can choose whether to pay a Ugandan employee (doing the same work as the expatriate member of staff) those wages prevailing in the Ugandan employment market or pay according to the same scale considered appropriate to an expatriate. It is unlikely, given this option, that any NGO would opt for the higher salary bill.

At the same time, while a foreign NGO may avoid paying local staff on a par with its expatriates, nevertheless, most pay much more than can be earned locally. It is well known that one of the major forces which is weakening local institutions of governance is the extreme disparity between salaries in the public and private sector. For example, in Arua, Uganda, the office responsible for producing medical statistics was operating efficiently until the one trained official was employed by a foreign NGO as a registration clerk in a refugee camp. He had been lured by a salary many times higher than the government had been paying him. Since this officer could not be replaced, medical statistics are no longer produced.

Another concern relating to the staffing of NGOs is that of encouraging foreign NGOs to give preference to employing nationals. Kenya requires any registered NGO wishing to obtain entry permits for expatriate employees to show that no nationals with comparable skills are available or that such expatriates will contribute towards the training of Ken-

yans. Rwanda requires NGOs to limit stringently the numbers of expatriates employed and to indicate the time frame within which suitable nationals can replace the foreigners. Uganda simply requires a plan for replacing foreigners with qualified Ugandans.

A further issue related to staffing is the unfair advantage which expatriates have over local staff with regard to income tax. While abroad, expatriates are normally exempt from income tax and they are also exempt from paying tax in Croatia, Kenya, Rwanda and Uganda. At the same time, all nationals working for NGOs in these countries are liable to pay income tax and all NGOs are required to withhold the tax of their local employees. (Pakistan is one country where legislation does require expatriate NGO staff to pay income tax but one former employee there states that his agency's expatriate staff did not comply.)

v. Anti-social and criminal behaviour

Governments' concern about anti-social behaviour of expatriate staff is also reflected in some legislation. For example, Uganda requires a certificate of clearance on criminal record from the applicant's country of origin. The scope of this requirement is unclear. Does it mean that the applicant should never have had a criminal record? Under the UK Rehabilitation of Offenders Act 1974, once a person's convictions have been spent, the person is deemed no longer to have a criminal record.

Rwanda provides for criminal charges to be brought against the staff of the organisation in the event that they are found to be involved in 'anti-state or anti-social activities and/or acts hostile to the welfare and security of Rwandan people'. The limits and scope of these offences are not defined and appear so wide as to encompass any activity from the minor (using prohibited drugs?) to the very serious (importing arms?).

It might be assumed that expatriates guilty of breaches of either the civil or criminal law should be dealt with under

the appropriate laws of the country in which the offences have been committed. However, in practice, the tendency is simply to deport them. For example, after the head of one foreign NGO was apprehended the third time for dealing illegally in foreign exchange, rather than being tried in the courts of Malawi, he was simply sent home. While there may well be cases where governments introduce special exchange rates aimed to exploit charitable funds coming into their economies, it is equally worrying to hear of NGOs which make changing their foreign currency on the black market a regular practice - the dubious justification being that with more money, one can do more good.

vi. The 'agendas' of foreign NGOs

A major concern of governments which is reflected in legislation is the question of the covert objectives or agendas which are perceived to have negative political consequences or are in contradiction to the ruling party's national objectives.

As noted in the discussion of UK legislation, the purposes and objectives of NGOs must be to relieve poverty, advance education, promote religion or to be engaged in other activities which are beneficial to the community. The laws of the four countries with which this paper has been principally concerned reflect these objectives. Rwanda defines an NGO as an organisation which is non-political, non-government, no-profit making and humanitarian. It goes on to say that an NGO is also an organisation which uses its own resources in its activities which 'join in the national effort to eliminate poverty and improve people's welfare'. (If 'own resources' refers to voluntary contributions from the public, would this provision exclude NGOs who receive funds from government sources?)

Despite references to prohibiting NGOs from having political connections or affiliations, Kenya's legislation is unclear. The focus is on an NGO becoming affiliated to, or connected with, a foreign organisation or group of a political nature established outside Kenya - with

out the prior written consent of the NGO Board. It leaves the question of such political affiliations within Kenya untouched. There is a surprising lack of reference in the Ugandan legislation to NGOs being limited to 'non-political' activities. Croatia only emphasises that foreign NGOs undertake the specific activities which they have been approved to undertake. Its draft legislation, however, distinguishes between religious organisations, educational institutions and foundations which are covered by separate legislation.

Whatever prohibitions legislation might contain, many governments are concerned about the hidden agendas of foreign NGOs. For example, in the mid 1980s, Sudan threatened three foreign NGOs with expulsion on the alleged grounds that one was actively proselytising Muslims and the others of supporting the Sudanese People's Liberation Army.

Conclusion

A major problem facing all governments is the lack of resources to monitor and enforce legislation designed to regulate NGOs. To enforce its new legislation, Rwanda, for example, would require a very large staff of independent researchers to carry out impact studies. It has also failed to include proper appeal mechanisms and the requirement that a series of officials must approve applications for renewal of NGO registration leaves enormous space for misuse and abuse on all sides. What can be drawn from this discussion is that laws can never anticipate change nor encompass all dimensions of an issue. As the British example demonstrates, NGO legislation will require regular reform. If NGOs wish to act as a voice of civil society, it will be incumbent on them to develop effective ties with their own governments in order to meet each new challenge as it arises.

Eddie Adiin-Yaansah: of Grays Inn, Barrister, and Socio-Legal Centre, Wolfson College, University of Oxford. Dr Barbara Harrell-Bond: Director of Refugee Studies Programme and anthropologist of law, University of Oxford.

Research funded by ESCOR/ODA.

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RSP and RPN on E-mail

Information about RSP and abstracts/full text of RPN articles are now available on E-mail. You can access them either via the RSP's **Forced Migration discussion network** or via the RSP **World Wide Web** pages on:

<http://www.ox.ac.uk/depts/rspnet>

E-Mail networks

FORCED MIGRATION

The RSP has initiated a discussion network entitled 'Forced-Migration' with the aim of encouraging greater exchange of information and to promote discussion on refugee and forced migration issues. The aims of the group are as follows:

* To increase understanding of the causes, consequences and experiences of forced migration worldwide.

* To exchange information concerning ongoing research around the world.

* To inform the members of teaching and training opportunities.

* To inform the members of forthcoming conferences and other academic events.

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Legislation in Croatia : a letter from Zagreb

This letter was written to the RPN on 28 March 1995 from the Interim Management Committee, ICVA Zagreb (International Council of Voluntary Agencies).

There have been few concrete developments in respect of the discussions on Croatian legislation relative to NGOs. In practice, however, there have been a number of ministerial decisions designed to exercise stricter control over NGO activities. These moves are partly explained by Statehood growth and partly by what the government sees as an excessive number of foreign organisations, some with no clear objective. A commission for the supervision and control of humanitarian organisations was set up at the beginning of 1994 consisting principally of representatives of the Ministry of the Interior, the Financial Police and Customs and the office for Displaced Persons and Refugees. The establishment of this commission reflected the government's concerns regarding the activities of foreign based organisations in relation to the Muslim-Croat confrontation and conflict in Bosnia-Herzegovina from June 1993 until the creation of the Muslim-Croat Federation in Bosnia-Herzegovina in June 1994. Some few NGOs were regrettably found to be facilitating arms supply.

Following upon the setting up of the Federation in Bosnia-Herzegovina, there has been a growing Statehood drive there also, resulting in similar complications for NGOs but with a background of the vestiges of ethnic tensions.

Before the conflict there was little tradition of voluntary work in this region, other than perhaps that in the Young Communist brigades which was socially compulsive under a label of voluntarism. Two humanitarian organisations were recognised in Croatian legislation dating back to 1941, namely the Red Cross and the Catholic organisation 'Caritas'. There is now a growing desire to get back to a state of affairs where NGO

functions are assumed by local organisations able to secure external funding rather than by foreign organisations.

NGOs played a very important role in general relief and assistance to Croatia in the early stages of the conflict. The large number of volunteers and the wide range of personal donations from the Croatian 'diaspora', many of whom had lived for long periods in countries where voluntarism was a concept, was instrumental in changing the previously held concepts of State intervention as the only legitimate form of relief and assistance. In the period before Croatia was recognised by the UN as an independent state (approximately a year after the outbreak of the conflict), NGOs provided virtually the only channel of external help. Up to Easter 1992 the needs were related to over half a million people displaced from occupied war ravaged areas of Croatia, some 60% of whom were taken in by private families. After Easter these problems were worsened by the arrival of an equal number of refugees from Bosnia-Herzegovina that were taken in by Croatia until July 1992, when the borders had to be closed to more refugees due to overloaded reception capacity.

To assist with these problems there was a steady growth of NGOs and the aid provided by them from 1991 to early 1994. The varied nature and random inputting of these donations called for some cooperation of effort to avoid duplication and to develop common approaches to the authorities. There were occasional meetings of donors, the most regular of which was the food aid donor meetings under the aegis of WFP. Various meetings of NGOs were held to endeavour to set up a coordinating committee; this met with some success when the action was devolved onto

sectoral interest groups such as food aid, shelter, social affairs, education, health, etc.

As time went by, this NGO growth along with the increased flow of inter-governmental aid (UNHCR, WFP, UNICEF, MSF) began to create a backlash, as those organisations with considerable external funding, some channelled through NGOs tended to become more 'visible' than the government. This in turn fuelled the present trend towards much greater government control of NGO actions and their inputs.

This new trend is shown in the greater number of authorisations required, not only in terms of registration of the organisation with the government but also in terms of the control of goods and services provided by the NGOs. Humanitarian inputs, generally defined as relief goods (food aid, hygenics, etc), fall under the Ministry responsible for Refugees and Displaced Persons; medical and paramedical supplies and equipment under the Ministry of Health; fuel under the Ministry for Petroleum, Fuel and Power; and other goods and services under the Ministry of Commerce. Those organisations that have the least problems are those that hand over their inputs directly to a government agency without asking questions about secondary distribution and beneficiaries.

The situation in the Croat-Muslim Federation areas of Bosnia-Herzegovina has become even more complex. It is only in the past nine months or so that there has been any effective government apparatus in the area. Even now the revenue and taxation base is not well developed and there is great dependency on external assistance often taking the form of budget support. There is an altruistic desire on the part of many

NGOs and related donors towards reconciliation projects as though to put Humpty Dumpty together again, whereas the main priority of the local authorities is to strengthen their own physical and political infrastructure. Agreements within the Federation area (that is areas not under Serbian occupation) have led to a percentile quota for humanitarian aid under which 74% should go to Bosnian Muslim controlled municipalities and 26% to Bosnian Croat ones.

It is of some comfort to note that the numbers of displaced people in Croatia has gone down to just over 250,000. Some of this reduction has been due to emigration but also quite a large percentage due to the rehabilitation of damaged properties with community participation, especially in rural areas where productivity and thus income generation could begin again. Much of this pioneering work, which many thought only possible once peace was signed, has been undertaken by NGOs.

Such actions are perforce limited to the displaced or refugees previously residing in areas to which access is still possible; there remain some 70% of the present displaced persons population who stem from Serbian occupied areas to which they cannot return. For these a different approach is required. In several areas of Croatia the authorities have allocated land and some credits to enable displaced families to resettle on productive land; many of these

programmes have been supported by NGOs providing tools, seeds and building materials.

Similar actions have been undertaken in selected areas of Bosnia-Herzegovina. Many of the returnee families had been refugees in Croatia.

Although Croatia is still hosting over 400,000 displaced persons and refugees, their living conditions are now acceptable in purely material terms but obviously not in psychological terms. The numbers in Bosnia-Herzegovina are at least double that figure but data are less available. A number of the affected families have been in collective centres for four winters which itself often compounds the trauma of having lost home and possessions and perhaps family members. Much effort has been put into the trauma problem by the NGO community but it has been found that the best treatment is to assist a return to normal living as far as possible.

With a general improvement in the repair of war-damage and agricultural productivity, the needs have shifted from pure relief with food aid and medicines to social services, income generation and infrastructure, which in turn has brought about changes in the types of NGOs operating in the area requiring different levels of competence for which the earlier Africa experience enjoyed by many NGOs may not be directly relevant. Many of the economic problems of Bosnia-Herzegovina are not due to a lack of expertise and

know-how but rather to the lack of a market. It is rather distressing to see that much of the NGO assistance still comes in the form of imports that could equally well be purchased locally, which in turn would stimulate the local economy. It can also be said that experience gained in NGO actions in this region may prove to be very valuable to those planning to move into the now more dramatic fields in Eastern Europe and the Caucasus.

It is perhaps worth remarking that most of the recent media and relief attention in this region has been centred around Bosnia-Herzegovina, while there is rarely a mention of the problems facing Macedonia which suffers from the Greek blockade of its southern frontier and acceptance of the UN blockade of Serbia on her northern border plus severe drought conditions in her eastern regions. Macedonia also has refugees from Serbia proper, from Kosovo and occupied areas of eastern Bosnia plus large numbers of social cases resulting from the undamaged yet strangled economy. But since no bombs fall in Macedonia, these problems receive little attention. Yet there has been a noteworthy initiative taken in Macedonia with the creation of a local NGO coordination apparatus that generates funds for refugee and minority group projects and is listened to by the authorities as well as the international community there. This action was catalysed by a short period of external assistance through a Dutch NGO. The development was undoubtedly facilitated by there not being an overwhelming foreign NGO presence in Macedonia as has been the case in Croatia and Bosnia-Herzegovina.

Kind regards.

John Wood

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In March 1995, the Interim Management Committee published the first issue of the *ICVA Zagreb Newsletter*. Two items included in the *Newsletter* are:

* **information on new regulations** concerning 'the delivery of humanitarian aid through and on the territory under control of Herzeg-Bosnia government': all organisations are obliged to ask permission for transport of humanitarian aid; the *Newsletter* gives full information, including contact names and telephone numbers of the relevant ministries/individuals. * **details of a new initiative** set up by a group of local NGOs to form a Croatian Center for Non-Governmental Development (Hrvatski centar za razvoj neprofitnog sektora).

For a copy of the *ICVA Zagreb Newsletter*, contact John Wood or Pamela Elizabeth at: ICVA Zagreb, UNHCR Headquarters, Kupska 2, 41000 Zagreb, Croatia. Tel: +385 1 629535. Fax: +385 1 629580.

NGO legislation : the Sri Lanka case

by Koen Van Brabant

NGO legislation has been a controversial issue in Sri Lanka since late 1990, less so as a principle than because of the way the issue is being addressed. In that year, an unpublished government report signalled a growth in the number of NGOs, an increase in the flow of funds to these NGOs and expanding links between NGOs and foreign donors. In response to the report, the then president Mr Premadasa in December 1990 created a 'Presidential Commission of Inquiry in Respect of Non-Governmental Organizations', also known as the 'NGO Commission'.

The NGO Commission 1991-93

The NGO Commission had very broad terms of reference. It was asked to:

- inquire into and obtain information concerning the activities of all NGOs in Sri Lanka, and the legal and institutional framework that existed to monitor and regulate them;

- report on misuses of funds, draft a legal framework for the supervision of NGOs and inquire into 'other related matters as appear relevant to the determination of the above matters';

- ascertain whether funds from NGOs had been misappropriated and/or were being used for activities prejudicial to national security, public order and/or economic interests, or for activities detrimental to the maintenance of ethnic, religious and cultural harmony among the people of Sri Lanka.

The four principal methods used to gather information were :

- information brought forward by the general public (anybody wishing to provide information or complaints about NGO activities could come and do so in front of the Commission, either publicly or anonymously and behind closed doors);

- detailed questionnaires issued to NGOs, asking for details of all staff, uses of funds, assets, and even bank accounts of spouses, children of senior staff and the board of directors;

- open session hearings by the Commission of members of the general public who had come forward on their own initiative or others called by the Commission;

- records of investigations and interrogations conducted by a police unit attached to the NGO commission.

These events, which also received significant media coverage, created much unrest among the NGO community. The tone of the open session hearings tended to be interrogative and, overall, often tended towards criminal investigation rather than information gathering.

An independent report published in November 1991 by the Geneva-based International Commission of Jurists, following its visit to Sri Lanka, concluded that whereas the intentions and the activities of the NGO Commission as such might be defended as 'reasonable', what was being done in its name was not acceptable. The ICJ felt that the government had used the NGO Commission to foster a negative, discrediting and intimidating climate around NGOs. NGOs felt that their rights to freedom of association and privacy were under threat.

The report recognises the government's desire to seek information on NGOs as a prelude to establishing a regulatory framework. It also does not doubt the integrity and impartiality of the members of the NGO Commission, chaired by a former judge of the Supreme Court. However, it questioned:

- the broad and sweeping terms of reference;

- the uncontrolled media coverage with its frequent undertone of assumed wrongdoing by NGOs, giving the inquiry and hearings a trial atmosphere;

- the reliance on individual initiatives to come forward as witnesses and the non-screening of such witnesses, with the risk of bias and judgement by default;

- the excessive requests for information, going beyond what is 'reasonably' required to establish a legal regulatory framework;

- the operations of the police unit, at-

tached to but not directed nor controlled by the NGO Commission;

- the focus on a large and well-known Sri Lankan NGO, called Sarvodaya, which has a presence in hundreds of villages and receives significant amounts of international funding.

NGO coordination and input into process

One mechanism through which NGOs throughout 1992 and 1993 discussed concerns with members of the NGO Commission was the 'NGO-Donor Forum'. This is a series of monthly meetings in Colombo, hosted and chaired by UNDP. It brings together mostly international NGOs, UN staff and representatives from mainly Western bilateral donors to discuss issues and exchange information. Government representatives occasionally attend these meetings. The Forum organised a one day workshop on the mandate, nature and scope of the Commission in September 1993. The workshop participants concluded that:

- NGOs should be formally constituted;

- they should have clarity of purpose and transparency of action;

- a professional code of conduct with self-governance would be preferable to government control;

- the relationship between government and NGOs should be developed so that NGOs can contribute to policy making;

- there is a need to strengthen NGOs, notably in their capacity to monitor and administer the funds being channelled through them.

The NGO-Donor Forum, however, only engages in information exchange and is not intended to represent the UN and/or

issues. Similarly, the NGO consortia existing in Sri Lanka are relatively weak and NGOs (with the exception of the human rights agencies) are typically not organised to anticipate and analyse policy developments and pro-actively to engage government in policy debate. Although Forum members were encouraged to make individual representations to the NGO Commission, the Forum members as a body (donors, UN and international NGOs) in the end decided not to make recommendations before the report was submitted.

The NGO Commission looked at NGO legislation in several other Asian countries and visited India and Bangladesh; in addition, the Sri Lankan Law and Society Trust prepared a report based on a comparative inquiry into the legislative frameworks of India, Pakistan, Nepal, Bangladesh and Sri Lanka. The review of the five South Asian countries revealed different mechanisms to try to regulate the NGO sector. Several countries had enacted potentially very restrictive regulations, although it had to be recognised that in practice their application could not be said to have caused a major impediment to NGO activity in general. Some states, such as Bangladesh and India, on the premise that the State has a legitimate interest in monitoring institutions operating with foreign funds, enacted controls over the receipt of foreign donations and contributions. In Sri Lanka the receipt of funds and their applications is only covered by those general laws concerning foreign exchange.

Report of the NGO Commission

The NGO Commission submitted its report to the President in late 1993; the report still has not been published. According to government statements, however, the report recommends compulsory registration, the monitoring of foreign funding, the creation of a post of Commissioner with its own secretariat, an NGO fund and an NGO coordinating mechanism.

An unofficial summary of the main recommendations reveals that the Commis-



*Kusumulatha was helped by SATYODAYA (a local NGO) to establish her own home garden.
Photo: Christian Aid/S Alam.*

sion found the NGO sector seemingly 'chaotic, anarchic and in disarray'. The report also criticises the undemocratic structure of some NGOs, big overheads and especially 'unlawful religious conversions'. To the degree that they seek to advocate the causes of poverty through advocacy and influencing policy with foreign funding, 'an alien hand' may directly or indirectly try to exercise power in Sri Lankan society. The report regrets that the NGO community had been uncooperative and seemingly hostile to the deliberations of the Commission. The report rejects the possibility of excessive legislation but acknowledges the State's right to supervise - in particular, to supervise the proper use of funds.

Recommendations

The report recommends the creation of a central office of the NGO Commissioner with support staff. Two advisory committees, one on 'administrative matters' and one on 'State/NGO relations',

would support the NGO Commissioner. A few members from the NGO sector would sit on the committees but all would be appointed by the President. The NGO Commissioner's office would be the focal point for all national and international NGOs; it would be authorised to make preliminary inquiries into matters of alleged misconduct or misappropriation but would then refer the case to the proper authorities if so warranted.

The report also recommends compulsory registration for foreign NGOs and national NGOs receiving foreign funding, as well as grassroots or community based organisations directly sponsored or directed by a registered NGO. Both national and international NGOs would be required to disclose very detailed and comprehensive information about the uses of foreign funds.

Significantly, the report states that NGOs would not only have to undertake to comply with the national laws but also not to undertake activities that might

upset the balance between communities and religions, or to interfere in political matters. This is of course utterly valid but slightly ironic, given that successive Sri Lankan governments since the Citizenship Act of 1948 have taken constitutional initiatives that have contributed to growing ethnic, political and religious tensions and conflict.

As these considerations were **not** transformed into public regulations, the work of NGOs working with displaced communities or in the LTTE (Liberation Tigers of Tamil Eelam) controlled areas has not in fact been affected. Indeed, NGOs continue to provide assistance to local government departments in the LTTE controlled north, notably through purchasing and transporting essential supplies for them. In the districts south of the frontline, NGOs provide assistance to displaced and resettled groups of people in ways and for time spans that have led observers to wonder whether they are filling a gap or substituting for government. NGOs primarily working in the north and the east are vulnerable, however, to the unofficial accusation of 'Tamil-lovers' and in the late 1980s the UNP (United National Party) government had an unofficial understanding with at least some international NGOs working mainly in the conflict affected areas that, in proportion to the relative impact of the civil war on the different communities, they would also channel some 25% of their total budget to Sinhalese areas.

Finally the report recommends the establishment of an NGO fund, contributed to by percentage allocations of government grants and foreign aid grants. The stated purpose of the fund would be to help prevent an 'uneven and skewed development of the country' and disproportionate funding going to 'selected groups'.

Regulations enacted

On 22 December 1993, the new President, Mr Wijetunga, issued the 'Emergency Regulation for Compulsory Registration of NGOs and Monitoring of Receipts and Disbursements through

Annual Statements of Accounts' under the Public Security Ordinance. The proclamation makes it mandatory for NGOs with an annual income of over Rs 50,000 (approximately US\$1,000) to register with the Director of Social Services and, for all those with an annual income of over Rs 100,000, to present an annual, audited statement of accounts with details far beyond the normal requirement.

Response of the NGOs

The first critiques from the NGO sector to this act targetted the non-disclosure and debate of the Commission's report in the first place, the enactment of legislation under the emergency regulations (bypassing debate and the scrutiny of the public and law-making institutions), the failure adequately to define 'NGO', the disrespect for the right to privacy and anonymity of donors and recipients of funds, and the threat to human rights organisations. The NGO sector felt that there was no discernible urgency or threat to the public security that warranted the enactment of legislation under Emergency Regulations.

Throughout the first half of 1994, the dialogue with the government continued through the 'NGO-Donor Forum'. Government representatives stressed their recognition of the good work of NGOs and its role as complementary to that of the government but stated that greater accountability and transparency on the part of NGOs were felt to be desirable.

The NGO sector argued that the thresholds of Rs 50,000 and Rs 100,000 were too low and that the financial details demanded on the whole were excessive. They also expressed the desire to be consulted in further legislative activities. The government admitted that the Department of Social Services did not have sufficient staff to process the applications for registration of all to whom it now applied.

Registration of NGOs had been enacted by Parliament in the 'Voluntary Social Service Organizations Act' of August 1980. One reason used by the government to justify the new enactment under

emergency regulations was that, in 13 years, few had registered voluntarily: therefore registration was now to be mandatory. Inevitably NGOs argued that the few extra months incurred by a parliamentary process would not have made much difference. They also pointed out that NGOs had been registering in a variety of other ways: through the Companies Act of 1982, the Trust Ordinance, the Societies Ordinance of 1891, as an unincorporated association or under an Act of Parliament; in addition, foreign NGOs usually entered into a Memorandum of Understanding with an appropriate government ministry.

The government's position was that the recourse to emergency regulations had only been taken as an interim measure. Legislation to be introduced by Act of Parliament would be prepared and the Minister of Social Services assured NGOs that the draft legislation would be discussed with national and international NGOs prior to finalisation. Publication of the Commission's report was promised. To date, more than a year later, this has not happened. In August 1994, the opposition coalition of the People's Alliance defeated the United National Party and in November 1994, the PA's Prime Minister, Mrs Chandrika Bandaranaike Kumaratunga, won the Presidential Elections. Since then, the initiation of a peace process and the articulation of economic policy have received the bulk of the government's attention and no known developments have taken place regarding the further articulation and enactment of NGO legislation.

Government and NGOs in Sri Lanka

The fear that the NGO Commission and the prospect of NGO legislation caused in the early 1990s should be understood in the context of a participatory democracy that had become much eroded under recent years of UNP rule. During the civil war, a wide gap had grown between the government and the NGO sector. Some civil servants could be overheard expressing their concerns about NGOs misrepresentating the situation in

Sri Lanka, about the growth of an NGO elite out of touch with the Sri Lankan population, about false and fake NGOs and about the abuse of funds and funds being channelled to or falling into the hands of 'terrorist groups'.

Currently there is a feeling that the new government of the People's Alliance will be more open, democratic and consultative, allowing space in which NGOs will be able to operate. Although so far no regular consultation is taking place on crucial matters such as a rehabilitation and recovery programme for the war-torn north and east of the country, the previously rather antagonistic atmosphere is no longer there.

It is not clear whether the government has specific views or opinions about international as opposed to national NGOs. International NGOs are granted some concessions, such as duty free import, while national NGOs are not. Both national and some international NGOs have engaged in joint programmes with government institutions or departments. By and large, the dependency of Sri Lanka on foreign aid is likely to lead the government to adopt a pragmatic attitude towards international agencies.

As regards relief for the refugees and the internally displaced, and the resettlement, rehabilitation and recovery programmes for the conflict-affected north

and east, the central government in Colombo interacts mainly with the UN and international NGOs, whereas local government in the districts finds itself dealing mostly with Sri Lankan NGOs. There is no framework nor are there any mechanisms as yet through which the NGO consortia in Colombo and the districts coordinate their actions and advocacy, nor do these respective NGO consortia have any close and institutionalised coordination with government departments. The NGOs themselves bear responsibility for this fragmented state of affairs.

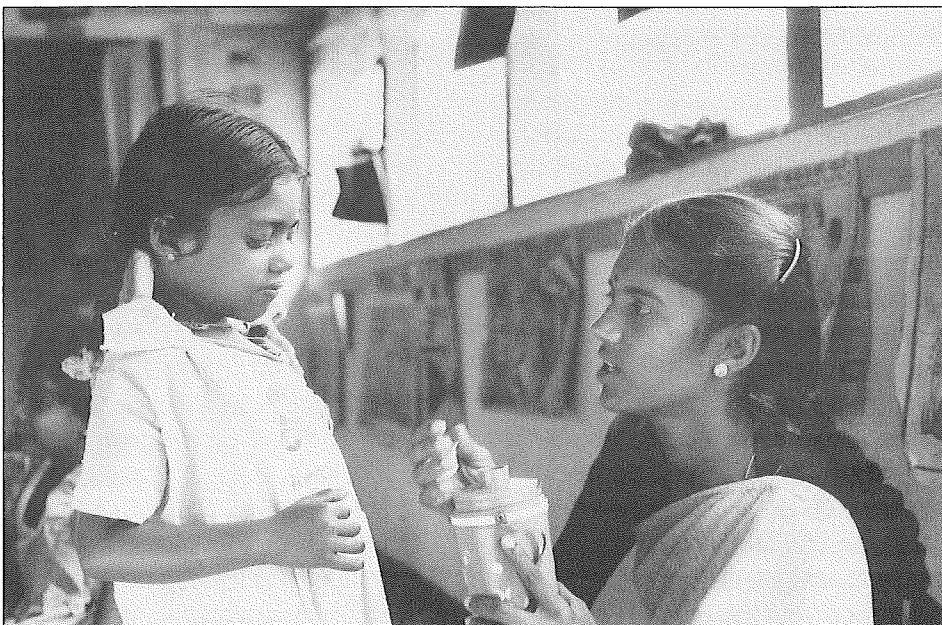
Interestingly enough, both international and national NGOs currently feel concern about possible pressure from the LTTE, all the more so since the government is consulting with the LTTE about the reconstruction programme. There are only a handful of international NGOs working in the LTTE controlled north where there is no legal recourse or protection for NGOs outside of LTTE structures. A few of these NGOs are directly operational while others fund a variety of small local NGOs. It is felt that the LTTE prefers to keep the international presence to the absolute minimum and would like international agencies to fund and develop the capacity of local NGOs. The latter however have little potential to negotiate LTTE directives.

Since independence in 1948, the Sri Lankan state has taken on extensive responsibility for the protection and welfare of its citizens, with a large degree of state ownership and state control of the economy. Over the past 15 years, however, privatisation and the importance of the private sector have become official economic policy, a trend that is further strengthened by the Structural Adjustment Programme that Sri Lanka has decided upon. The government currently runs a budget deficit of around 10% of GDP: thus, both for policy and fiscal reasons, it has to retrench. The challenge is to combine economic growth and employment creation with a reduction of government spending. This is only possible if the private sector and the non-governmental sector expand and take over roles and responsibilities previously exercised by government. Can a government opt to attract foreign investment and increase deregulation in the private sector, while simultaneously increasing its regulation over the civil society sector and controlling that sector's access to foreign funds?

Currently, the political rhetoric and election promises will not yet admit to the reduced role that government will have to assign itself. The Sri Lankan people expect the State to provide and governments are careful not to disillusion them lest they be ousted in the next elections. As long as this admission remains difficult, any debate about a legislative framework for NGOs remains equally difficult, and unease could continue to mark the relationship between government and the non-governmental sector.

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Gowry is a nursery school teacher in Goorookelle, Sri Lanka, supported by local NGO SATYODAYA. Photo: Christian Aid/S Alam

The NGO Code of Conduct : NGO obligations towards governments

by Jon Bennett

A common element in what has come to be known as 'complex emergencies' is a severe and chronic breakdown in the effective functioning of, or legitimacy accorded to, a government. Such emergencies often herald a period of transition, perhaps a completely new government, or the international isolation of an existing regime. Whatever the case, there is always a heightened awareness of the relative roles of government and aid agencies. Often the agenda of each are not entirely compatible, the result being mutual suspicion and distrust. The extraordinary concessions required to facilitate the swift and effective delivery of relief assistance may not accord with political, military or economic priorities set by the incumbent government. Aid in most forms either legitimises or undermines governments and can become subject to abuse. It also establishes the forces of neutral intervention - the aid agencies - as frontline arbiters of scarce resources.

There is a pressing need for northern NGOs in particular to develop clear guidelines for their engagement with governments during relief operations. The weakness of local authority structures in the large scale relief operations in Rwanda, Afghanistan, Mozambique and Somalia, for instance, explains to a large extent the ad hoc nature of NGO-government relations. Moreover, the relative freedom enjoyed by NGOs engaging in cross-border activities in the 1980s has, in many cases, resulted in operational codes of practice that implicitly assume that a host government is an obstacle to, rather than partner in, the development process. NGO field directors are not always sufficiently briefed prior to negotiating access and operational principles with a host government; clearer policy directives from NGO headquarters will help to avoid a negative backlash from governments that is, unfortunately, becoming all too common.

Recent NGO legislation introduced in Kenya, Sri Lanka and Rwanda¹ - to name but three of the most contentious in recent years - suggests that NGO-government relations during and after an emergency phase require urgent attention.

In mid 1994, eight non-governmental humanitarian agencies (NGHA), including the International Committee of the Red Cross (ICRC), prepared and published a **Code of Conduct** for their work in disaster relief (reproduced below). Despite the fact that the ten codes and three annexes were not binding and no suggestions were made for monitoring and enforcing them, it was nevertheless

a laudable attempt on the part of the major northern NGOs to summarise and reach consensus on a number of operational principles. It will probably be many years before a professional body for relief workers is established. The enforcement of codes of conduct cannot therefore entered into; voluntary adherence backed by public proclamation is the best one can hope for. Meanwhile, the Code of Conduct at least provides a standard against which the behaviour of the signatory agencies is measured. As well as the original eight agencies who developed the Code, a further 19 have registered support for it, though notably absent so far are other major NGOs such as CARE International, Médecins Sans Frontières and Médecins du Monde².

The Code recognises the role played by other principal 'actors' in the relief system - the governments of disaster affected countries, donor governments and intergovernmental organisations - and provides indicative guidelines for each. The one-sided nature of these guidelines, however, raises substantial questions over the likelihood of these 'actors' paying much attention to them until they are invited to participate in a more inclusive drafting of a future Code. Notably absent, for instance, is the recognition of obligations that NGOs/NGHAs have towards host governments.

In the Annex, five specific recommendations for the behaviour of host governments towards humanitarian agencies are listed but no reciprocal recommendations are mentioned for NGOs/NGHAs except for a general endeavour 'to co-operate with local government

structures where appropriate'. In fact, the text declares that: 'we [shall] formulate our own policies and implementation strategies and do not seek to implement the policy of any government, *except in so far as it coincides with our own independent policy [italics added]*'.

This is insufficient - but what alternatives are available to NGOs wishing to engage more fully with host governments? It is axiomatic that a thriving civil society provides an essential counterweight to state power, which is precisely why an increasing amount of attention is paid to supporting local institutions (not only NGOs). The strengthening of government systems, however, requires more than popular pressure from below. It often requires complex technical decisions, an 'enabling' legal, institutional and financial framework as well as considerable material resources out of reach of many southern governments.

Although traditionally such support has come through bilateral or multilateral channels, there have also been some interesting innovations from northern NGOs. Save the Children Fund-UK (SCF-UK), for instance, worked with the Mozambique government from 1982 onwards, helping to develop information systems within the Ministry of Health that were of vital importance in determining the nutritional status of the population during the worst drought years of the late 1980s. Indeed, it has been argued that only when NGOs like Oxfam-UK and SCF-UK became involved in Mozambique was it possible for the government to set up workable mechanisms for relief distribution³. In a more devel-

opmental context, SCF-UK also worked within the Ministry of Social Welfare in Uganda from 1987, helping to devise policy guidelines for Ugandan law related to the provision of assistance to children⁴.

Such close cooperation is rare, not least because change within state bureaucracies is usually very slow and few NGOs have the experience to offer effective 'process support' as opposed to material support. Paradoxically, a capacity building agenda may be at odds with a government's ultimate expectation of material assistance - precisely one of the problems of SCF's work in Mozambique⁵. It goes without saying that it is easier to work with governments committed to progressive reform, yet even here there can be pitfalls. The Ethiopian government, for instance, eager to deliver on promises made to a newly-enfranchised electorate, has perhaps moved too quickly with its policy of decentralisation without building up the necessary

skills base at local level. In Ethiopia's case, there was also a huge deficit in funds available to support the government's reforms.

NGOs thus face a dilemma. The mandates and relatively meagre resources available to NGOs severely restrict the contribution they can make towards 'good governance', yet it is only the long term reform of governments that will clear the way for a thriving third sector so important for the full realisation of democracy and human rights. The NGOs who drafted the Code of Conduct were wise to have restricted their guidelines to disaster relief; a code for sustainable development practice, taking into account resource limitations and the mandatory requirements of a non-governmental approach, might take a lot longer to develop.

Jon Bennett is a freelance consultant and Research Associate of the Refugee Studies Programme.

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Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief

Purpose of the Code

This Code of Conduct seeks to guard our standards of behaviour. It is not about operational details, such as how one should calculate food rations or set up a refugee camp. Rather, it seeks to maintain the high standards of independence, effectiveness and impact to which disaster response NGOs and the International Red Cross and Red Crescent Movement aspires. It is a voluntary code, enforced by the will of organisations accepting it to maintain the standards laid down in the Code.

In the event of armed conflict, the present Code of Conduct will be interpreted and applied in conformity with international humanitarian law.

The Code of Conduct is presented first. Attached to it are three annexes, describing the working environment that we would like to see created by Host Governments, Donor Governments and Inter-governmental Organisations in order to facilitate the effective delivery of humanitarian assistance.

Note: NGHA = Non-Governmental Humanitarian Agency IGO = Inter-Governmental Organisation

continued over..

The Code of Conduct

Principles of Conduct for The International Red Cross and Red Crescent Movement and NGOs in Disaster Response Programmes

1. The humanitarian imperative comes first.

* The right to receive humanitarian assistance, and to offer it, is a fundamental humanitarian principle which should be enjoyed by all citizens of all countries. As members of the international community, we recognise our obligation to provide humanitarian assistance wherever it is needed. Hence the need for unimpeded access to affected populations is of fundamental importance in exercising that responsibility. * The prime motivation of our response to disaster is to alleviate human suffering amongst those least able to withstand the stress caused by disaster. * When we give humanitarian aid it is not a partisan or political act and should not be viewed as such.

2. Aid is given regardless of the race, creed or nationality of the recipients and without adverse distinction of any kind. Aid priorities are calculated on the basis of need alone.

* Wherever possible, we will base the provision of relief aid upon a thorough assessment of the needs of the disaster victims and the local capacities already in place to meet those needs. * Within the entirety of our programmes, we will reflect considerations of proportionality. Human suffering must be alleviated whenever it is found; life is as precious in one part of a country as another. Thus, our provision of aid will reflect the degree of suffering it seeks to alleviate. * In implementing this approach, we recognise the crucial role played by women in disaster prone communities and will ensure that this role is supported, not diminished, by our aid programmes. * The implementation of such a universal, impartial and independent policy can only be effective if we and our partners have access to the necessary resources to provide for such equitable relief, and have equal access to all disaster victims.

3. Aid will not be used to further a particular political or religious standpoint.

* Humanitarian aid will be given according to the need of individuals, families and communities. Notwithstanding the right of NGOs to espouse particular political or religious opinions, we affirm that assistance will not be dependent on the adherence of the recipients to those opinions. * We will not tie the promise, delivery or distribution of assistance to the embracing or acceptance of a particular political or religious creed.

4. We shall endeavour not to act as instruments of government foreign policy.

* NGOs are agencies which act independently from governments. We therefore formulate our own policies and implementation strategies and do not seek to implement the policy of any government, except in so far as it coincides with our own independent policy. * We will never knowingly - or through negligence - allow ourselves, or our employees, to be used to gather information of a political, military or economically sensitive nature for governments or other bodies that may serve purposes other than those which are strictly humanitarian, nor will we act as instruments of foreign policy of donor governments. * We will use the assistance we receive to respond to needs and this assistance should not be driven by the need to dispose of donor commodity surpluses, nor by the political interest of any particular donor. * We value and promote the voluntary giving of labour and finances by concerned individuals to support our work and recognise the independence of action promoted by such voluntary motivation. In order to protect our independence we will seek to avoid dependence upon a single funding source.

5. We shall respect culture and custom.

* We will endeavour to respect the culture, structures and customs of the communities and countries we are working in.

6. We shall attempt to build disaster response on local capacities.

* All people and communities - even in disaster - possess capacities as well as vulnerabilities. Where possible, we will strengthen these capacities by employing local staff, purchasing local materials and trading with local companies. Where possible, we will work through local NGOs as partners in planning and implementation, and co-operate with local government structures where appropriate. * We will place a high priority on the proper co-ordination of our emergency responses. That is best done within the countries concerned by those most directly involved in the relief operations, and should include representatives of the relevant UN bodies.

7. Ways shall be found to involve programme beneficiaries in the management of relief aid.

* Disaster response assistance should never be imposed upon the beneficiaries. Effective relief and lasting rehabilitation can best be achieved where the intended beneficiaries are involved in the design, management and implementation of the assistance programme. We will strive to achieve full community participation in our relief and rehabilitation programmes.

8. Relief aid must strive to reduce future vulnerabilities to disaster as well as meeting basic needs.

* All relief actions affect the prospects for long term development, either in a positive or negative fashion. Recognising this, we will strive to implement relief programmes which actively reduce the beneficiaries' vulnerability to future disasters and help create sustainable lifestyles. We will pay particular attention to environmental concerns in the design and management of relief programmes. We will also endeavour to minimise the negative impact of humanitarian assistance, seeking to avoid long term beneficiary dependence upon external aid.

9. We hold ourselves accountable to both those we seek to assist and those from whom we accept resources.

* We often act as an institutional link in the partnership between those who wish to assist and those who need assistance during disasters. We therefore hold ourselves accountable to both constituencies. * All our dealings with donors and beneficiaries shall reflect an attitude of openness and transparency. * We recognise the need to report on our activities, both from a financial perspective and the perspective of effectiveness. * We recognise the obligation to ensure appropriate monitoring of aid distributions and to carry out regular assessments of the impact of disaster assistance. * We will also seek to report, in an open fashion, upon the impact of our work, and the factors limiting or enhancing that impact. * Our programmes will be based upon high standards of professionalism and expertise in order to minimise the wasting of valuable resources.

10. In our information, publicity and advertising activities, we shall recognise disaster victims as dignified humans, not hopeless objects.

* Respect for the disaster victim as an equal partner in action should never be lost. In our public information we shall portray an objective image of the disaster situation where the capacities and aspirations of disaster victims are highlighted, and not just their vulnerabilities and fears. * While we will co-operate with the media in order to enhance public response, we will not allow external or internal demands for publicity to take precedence over the principal of maximising overall relief assistance. * We will avoid competing with other disaster response agencies for media coverage in situations where such coverage may be to the detriment of the service provided to the beneficiaries or to the security of our staff or the beneficiaries.

The Working Environment

Having agreed unilaterally to strive to abide by the Code laid out above, we present below some indicative guidelines which describe the working environment we would like to see created by donor governments, host governments and their inter-governmental organisations - principally the agencies of the United Nations - in order to facilitate the effective participation of NGHAs in disaster response.

These guidelines are presented for guidance. They are not legally binding, nor do we expect governments and IGOs to indicate their acceptance of the guidelines through the signature of any document, although this may be a goal to work to in the future. They are presented in a spirit of openness and co-operation so that our partners will become aware of the ideal relationship we would seek with them.

[For reasons of space, the following annexes are presented in an edited version ie main points only.]

Annex I : Recommendations to the governments of disaster affected countries

1. Governments should recognise and respect the independent, humanitarian and impartial actions of NGHAs.
2. Host governments should facilitate rapid access to disaster victims for NGHAs.
3. Governments should facilitate the timely flow of relief goods and information during disasters.
4. Governments should seek to provide a co-ordinated disaster information and planning service.
5. Disaster relief in the event of armed conflict: in the event of armed conflict, relief actions are governed by the relevant provisions of international humanitarian law.

Annex II : Recommendations to donor governments

1. Donor governments should recognise and respect the independent, humanitarian and impartial actions of NGHAs.
2. Donor governments should provide funding with a guarantee of operational independence.
3. Donor governments should use their good offices to assist NGHAs in obtaining access to disaster victims.

Annex III : Recommendations to inter-governmental organisations

1. IGOs should recognise NGHAs, local and foreign, as valuable partners.
2. IGOs should assist host governments in providing an overall co-ordinating framework for international and local disaster relief.
3. IGOs should extend security protection provided for UN organisations, to NGHAs.
4. IGOs should provide NGHAs with the same access to relevant information as is granted to UN organisations.

The role of voluntary agencies in development : a recipient's perspective

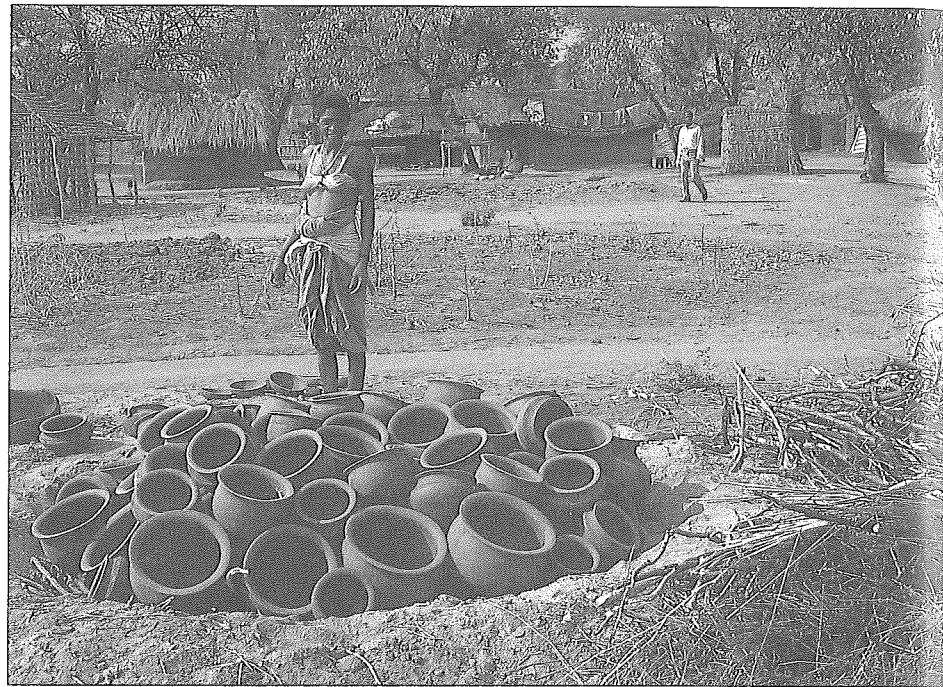
by Richard Laing

NGOs undertake a wide range of activities and whatever they do they will need to relate to each other and to the government. In my experience, coordination between NGOs is a rare event occurring only in times of crisis. How well do NGOs coordinate with governments? This is more difficult as frequently NGOs relate to various ministries and operate at different levels of society; this can be both a problem and an opportunity. A tension also exists between a government's and an NGO's objectives. Frequently the aim of an NGO is to develop the poor and the disadvantaged groups. A government's primary aim is to remain in power and this frequently means looking after powerful 'better off' groups such as urban elites.

NGOs should publish their aid policy, defining the areas they would wish to work in. They should also publish their method of selecting projects. Guidelines for applications and details of their appraisal methods should be available in the country and any appraisal committee should include locals. I have frequently noted that NGOs are keen to fund already successful projects frequently to a point when the project becomes unsustainable. It is extremely difficult to start a new project covering new ideas, for example, training people in AIDS counselling. NGOs should take risks and should look for innovative and progressive projects.

Dependency versus self-development

The issue of dependency is often discussed and it seems to me that the key factor is how the NGO operates. Is it supportive or oppressive? How the NGO plans is crucial. If a blueprint approach is used, rigid targets are set and everybody is forced to fulfil the plan. When a learning process approach is used, however, the implementors participate in developing the plan and so develop themselves.



Self-employed woman potter, Tengani camp, Malawi. Photo: Roger Zetter

With planning comes the question of evaluation. Frequently evaluation is used as a means of control by external forces and it is the worst form of control. It controls through blaming, through criticism and after the event. How should evaluation be done? It should be structured to be sure that there is at least equal insider participation. Evaluation should be rapid so that immediate feedback can be given to those implementing the project in order that this may be acted upon. This question of feedback and dialogue in the field is critical. Frequently there will be disagreement but the evaluators should have the honesty to present their opinions to those whom they are criticising.

The role of expatriates

The role of expatriates in developing countries is extremely controversial. What should expatriates do? The simple answer is that they should provide skills that are not available in the country. But the answer is not that simple. Frequently the skills are available in the country but are concentrated in the private sector in the cities; this is particu-

larly true within the medical profession. Yet expatriates have an even more important role than skills transfer and that is in attitudinal example. Expatriates who are committed to ideals and are willing to live and work for these ideals have a powerful development effect.

We had unskilled volunteers from the agency Development Aid from People to People (DAPP) who came in the post Independence era and lived and worked in rural areas to rebuild the country; many of their projects were not very successful but the effect these Scandinavians had on the embittered young black people returning from Mozambique was remarkable. The fact that these white people would live and work as equals was invaluable in changing racial stereotypes. So I believe there may be a place for young volunteers to go out and work in rural areas as part of a programme.

The selection of expatriates is crucial. As I have said, the basic attitude of the person to politics, to development and to people is crucial. The skilled expatriate should also be able to transfer his or

her skills - so teaching and training abilities are as important as the basic skill.

May I make a plea that the recipients should be involved in the process of selection at the shortlist stage. The system of sending the CVs (resumés) of selected individuals is pointless. If the recipients reject the selected individual, the project is set back by six months or a year.

What I suggest is that, when the candidates are shortlisted, a national representative should be flown over to participate in the interviews. This would give the national a chance to brief all the candidates and be party to the selection. Furthermore once the expatriates are in the country there should be a mutual three months 'trial period'. This is important because at the end of this trial period the nationals should formally say 'Yes, we want you!' and the expatriates can say 'Yes, I want to stay'. This mutual commitment is important for the dynamic of the project.

The living standard of the expatriate is a subject guaranteed to excite controversy. My advice is that expatriates should live at the same level as their local government or NGO equivalents. No more, no less! I do not mind if they are paid extra in their home countries but let their in-country disposable income be the same. This would go a long way to reducing the tension and jealousies that exist.

Consultants

The role of consultants in development is controversial. In this area more than any other the importance of mutual cooperation is essential. Local consultants should always be requested to work with the external consultant. I accept that the local consultants may not be the 'same' but what they lack in polish they make up for in local knowledge. Also, by having expatriate and local consultants working together, methods and experiences can be shared and the skills of local consultants improved.

Conclusion

Voluntary agencies have a great opportunity to develop human resources. Skills training, participation in decision making and representing the agency can all combine to create an independent confident person who can take his or her place in the local society.

This process starts with respect for the recipient. There is a need to listen, to communicate and to support. These all take time but time invested in these three activities is always time well spent.

Dr Richard Laing was a senior medical officer in Zimbabwe.

RSP links

An-Najah National University

An-Najah National University in Nablus, West Bank, has established a multi-disciplinary unit to conduct and promote research and teaching, and to collect documents, on involuntary migration.

Two courses are being taught: Refugees in the contemporary world and The involuntary migration of the Palestinians. In addition, a library has been established and three books published, including one entitled *Palestinian Refugees: International and Future Perspective* (Jerusalem: Passia, 1994). A series of seminars is being held; findings will be published at the end of eight seminars.

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OXFORD JOURNALS



NGOs and the sub-contracting of humanitarian relief

by Mark Duffield

It is common to regard an internal emergency as separate and unconnected with the external humanitarian intervention which is meant to ameliorate the effects of the disaster. It is argued here, however, that the nature of the humanitarian intervention is itself part of, and a contributing factor to, the complexity of modern emergencies.

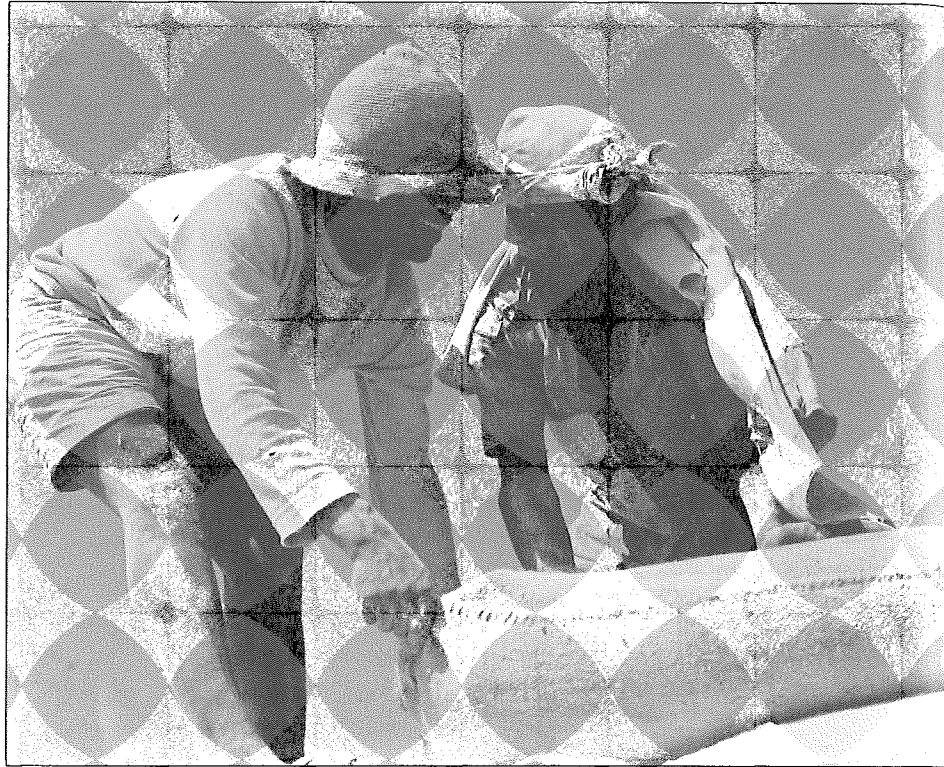
The linkage of the internal emergency with the external response had become manifest by the mid 1980s in the form of the internationalisation of public welfare. In crude terms, this is characterised by NGOs replacing the state in the provision of basic welfare services¹. This article describes the linkage between emergency and international response and how the latter helps fuel the former.

NGOs and the sub-contracting of humanitarian relief

During the latter part of the 1980s, Africa became the world's largest regional recipient of food aid and humanitarian assistance. As this concentration grew, NGOs became increasingly important in the management and targeting of this aid². This trend has also seen the growth in NGO budgets and organisational capacity and has been encouraged by the increasing willingness of western donor governments to direct official aid away from southern states and through NGOs³. In net terms, NGOs now collectively transfer more resources to the South than the World Bank.

In Africa, from the end of the 1970s, IMF/World Bank structural adjustment programmes have been attempting, with highly debatable consequences, to stimulate market reform and encourage local producers. For those people unable to benefit from these measures, since the mid 1980s an NGO welfare safety net - of development programmes and relief operations - has emerged.

Typical relief programmes involve a contractual relation between an international bilateral or multilateral donor and



Distribution of food aid, Sudan, 1985. Photo: Jon Bennett

an NGO, whereby the latter acts as an implementing agent of the former in an agreed programme of assistance. If present at all, African governments usually play a symbolic role. The growth of official funding channelled through NGOs, reinforced by the high cost of relief work, has given donors a significant measure of influence over welfare priorities as the safety net system has spread. This trend has changed many NGOs from relatively independent bodies into implementers of donor policy.

Relief operations have drawn many types of NGO, including African agencies, into sub-contracting relations.

Humanitarian relief and the support of the strong

Until the mid 1980s, aid to Africa usually followed a Cold War logic. Regimes inclined to the West received help while those still pursuing a centrally planned alternative were less favourably treated. Toward the end of the 1970s, however, changes were already underway. In 1977, the Carter Administration made the receipt of American development aid,

although not emergency assistance, conditional on the respect of human rights⁴. Although never rigorously applied by the Americans and ignored by the main European donors, the distinction between development and emergency assistance did have the effect of raising humanitarian relief above politics. It created, for example, a political space which allowed the USA and other western donors to disregard Ethiopian sovereignty from the mid 1980s and assist those areas of Eritrea and Tigray not under government control.

The weakening of sovereignty and loss of revenue that has accompanied the internationalisation of public welfare and the enhanced role of NGOs has had contradictory effects on the African state. In some cases, antagonistic relations have developed between it and the international humanitarian agencies, especially NGOs⁵. On the other hand, development aid has been declining since the end of the 1980s as a result of recessionary pressures. Western emergency assistance itself has therefore become increasingly important as a form of state support⁶. In countries like Su-

dan, for example, humanitarian relief is practically the only western aid it currently receives. It should be emphasised, however, much of this state help is an indirect or parallel consequence of the manner in which disaster relief is organised. Moreover, although the redirection of official aid from governments and toward NGOs has been mentioned, the indirect gains that the state is able to achieve from large-scale international relief operations greatly exceeds this potential loss. Essentially, one is dealing with a contradictory and inadequate form of assistance which is open to exploitation and abuse in a number of ways:

i. State finance

The treasuries of several governments in the Horn of Africa have been big beneficiaries of international humanitarian operations. In Ethiopia and Sudan, the official overvaluing of local currencies relative to hard currency has been the main means of facilitating this. It has had the effect of imposing an unofficial relief tax every time the UN or an NGO needs to exchange hard for local currency to support the relief effort. Given the high cost of large-scale relief operations, the financial benefit of overvalued currencies cannot be underestimated. In 1989 in Sudan, the UN's Operation Life Line into the southern war zone was begun. It has been speculated that from this operation alone (and there were several other large relief operations running at the time) the Sudanese government could have secured the equivalent of half its annual military expenditure⁷.

ii. Diversion of food aid

The control of food aid is of vital strategic importance. In Ethiopia, relief food was regularly used to feed government troops and especially its unpaid peasant militia. Similar diversions have occurred on both sides of the conflict in South Sudan. Within a large-scale emergency, a 5% leakage of food aid is generally regarded by donors as acceptable. Due to the amounts involved, however, this can still support a lot of people. In the case of Ethiopia, 5% would have fed

300,000-400,000 for several months in the latter part of the 1980s: equivalent to the entire armed forces⁸.

Another aspect of the diversion of food aid concerns the co-option of NGO sub-contractors. In many respects, especially in a situation of internal war or divided governance, NGO relief operations, lacking an international mandate or externally guaranteed access, will almost inevitably be co-opted by one side or another. Indeed, the perceived threat to an NGO's operations by straying from the government's domain has commonly been used to justify non-intervention in contested areas. Few international agencies practice the 'active neutrality' of MSF which aims to work on both sides of a conflict⁹.

iii. Tacit donor support and the denial of food aid

In Sudan and Ethiopia, the state's denial of international food aid to civilians in contested areas was accomplished by a variety of means ranging from a reluctance to acknowledge emergency conditions; assurances to donors that relief supplies were reaching all the needy; claiming insurmountable security and logistical problems to account for interminable delays; denying access for assessment purposes; through to plain obstruction. In Sudan since 1989 some bilateral donors have become more critical and in some cases have cut development assistance. The UN and many NGOs operating in the North, however, have continued to provide tacit support for predatory government policies including the forcible re-location of displaced Southerners from Khartoum¹⁰ and Nuba from the Nuba Mountains¹¹.

iv. Grain speculation

The delays between assessment and the delivery of emergency food aid, together with the increasing demand on the world's emergency stock, has meant that stated emergency requirements have seldom been met in full or on time¹². This has necessitated various stopgap measures - mainly local purchase and swop arrangements - which have created op-

portunities for speculative and parallel activity.

Without having to detail the important local employment effects of large relief operations, or the support for the rented property market, transport and so on, enough has been said to indicate that humanitarian intervention provides a significant amount of political and especially economic support, albeit often indirect or as the result of otherwise benign processes, for the dominant political and commercial groups. However, while diversion and indirect gains flowing to predatory structures are difficult to condone, the effect of withdrawing or restricting aid could be worse.

Humanitarian relief and the support of the weak

Given the indirect and appropriated benefits that disaster relief can impart to the politically strong, it is legitimate to ask what do the losers, the object of the humanitarian intervention, receive? Where estimates have been made the answer is, broadly speaking, very little. In Darfur during 1984-85, in relatively good operational conditions, it has been suggested that the international relief programme supplied no more than 12% of required assistance¹³. In Ethiopia, a figure of 10% has been suggested. While still important to the groups concerned, relief aid should not hide the fact that the other 90% or so has been supplied through peoples' own coping strategies.

For donors, the basic principle of African relief operations is to define, usually according to nutritional status, the most vulnerable groups within a population and target them with the minimum necessary food, water and shelter to sustain life. The problem here is that one is not dealing with a temporary emergency, involving a normally robust and self-sustaining population which can eventually resume its former life. Relief operations may, to varying degrees, help keep people alive but, even at best, this is all they do. The way such programmes are conceived and resourced means they are usually unable to tackle the process of resource depletion. It is no coincidence

that since that since the role of NGOs has become clearly established, vulnerability and impoverishment have continued to grow apace.

It should be noted that the donor/NGO relationship is a contradictory one. As mentioned above, not all NGOs involved in relief work have uncritically embraced a sub-contracting role. This conflict, and the manner in which agencies have attempted to align themselves either to the weak or, often by default, to the strong has effected a rough division between 'progressive' and 'conservative' NGOs. Progressive NGOs usually attempt to maintain a certain independence in relation to large sub-contracting operations. They have also tried to protect subsistence assets using a variety of means (such as cattle vaccination programmes and credit schemes). Furthermore, they have pressed human rights issues and have attempted to expose the limitations of the international humanitarian system¹⁴. Despite the enhanced role of NGOs and their frequent cooperation in consortia, however, the sheer scale of impoverishment means that NGOs are over-stretched, under-resourced and, apart from political obstacles, frequently face major logistical constraints. Sub-contracting from individual donors, moreover, makes for fragmentation and poor overall coordination. In almost every respect, the donor/NGO safety net is an inadequate response to the unfolding crisis.

Establishing a new framework of analysis

The drafting of humanitarian policy in such situations is a difficult matter. Realistic policies can only emerge from an adequate understanding of the situation that one wishes to ameliorate. The evidence suggests that the international community continues to misunderstand the significance of complex emergencies and to disregard the importance of parallel activities. If international intervention is not to continue to fuel a process of active underdevelopment, then a framework of analysis needs to be established. This involves:

- *the recognition that in complex emergencies humanitarian policy can only develop as part of a political process.*

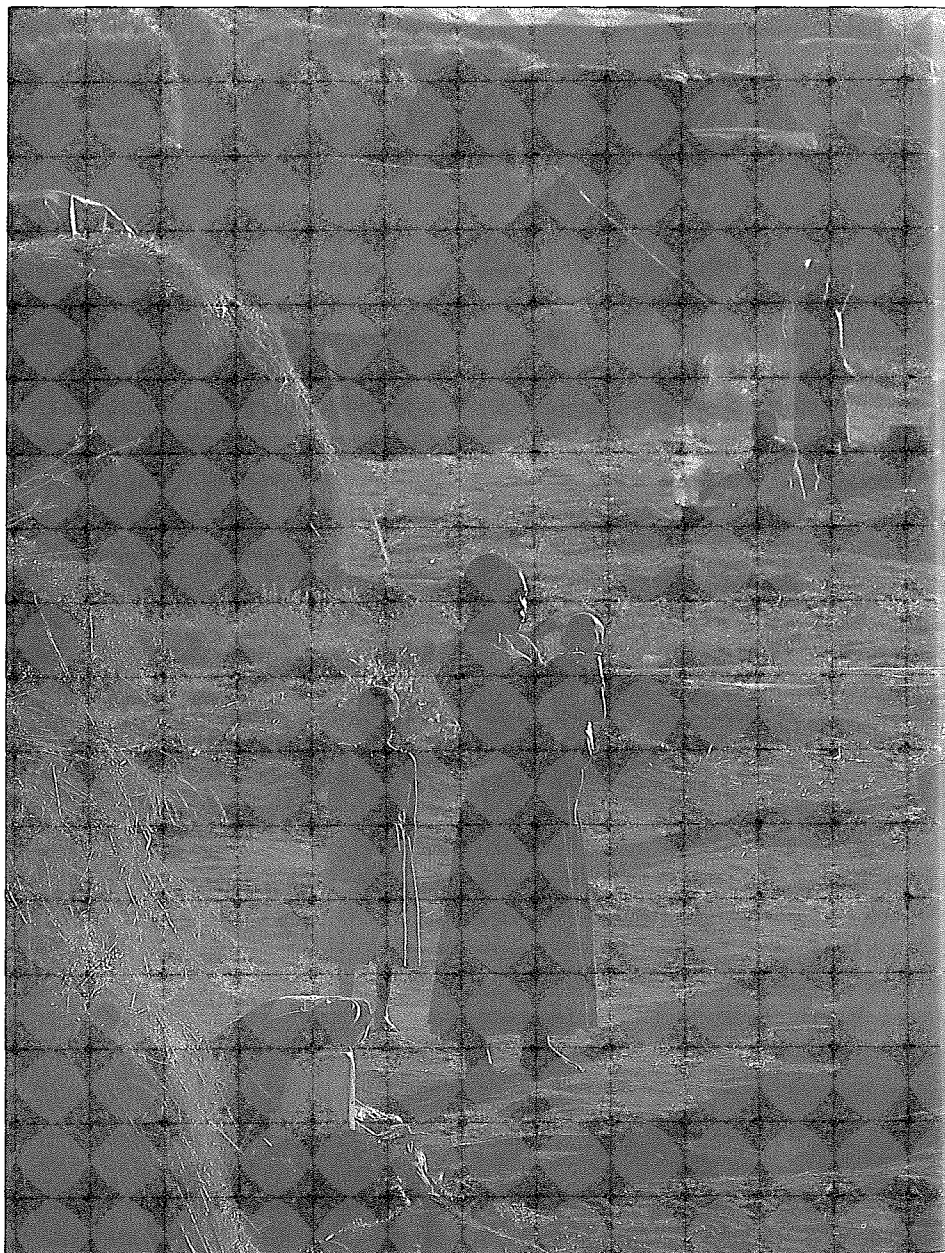
- *policy must be premised upon the centrality of indigenous political relations.* This demands levels of analysis and local understanding not usually demanded by conventional practice. International efforts therefore must be geared to developing popular and alternative indigenous solutions.

- *the internationalisation of public welfare means that an internal emergency and its external response are organically linked.* The challenge to the international community therefore is to con-

sciously direct the wide ranging effects that its assistance has to support the emergence of alternative and popular political structures.

- *the causes and response to complex emergencies are symptomatic of an historic transformation of North-South relations.* The challenge is to reform humanitarian aid and, in a period in which the nation state is becoming less significant, to define new global roles and responsibilities for regional organisations, governments, political parties, NGOs and peoples.

In the Horn of Africa, there is a growing danger of disengagement by the main



Rwandan refugees in Benaco camp, Tanzania, 1994. Photo: BBC Horizon

donor governments leaving NGOs and an increasingly financially and politically marginalised UN to pick up the pieces. For those in the region who stand to gain from permanent emergency, the under-resourcing of disaster relief together with the lack of clear policy and political will within the international community means that, for them, the future is perhaps less uncertain.

[Extract from *War and hunger: rethinking international responses to complex emergencies*, ed Joanna Macrae and Anthony Zwi with Mark Duffield and Hugo Slim. Published with SCF (UK). London, Zed Press, 1994. See p41 of this RPN for abstract.]

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The Cambodia Campaign to Ban Landmines

On 24 February 1995, 20,000 people joined in a march in Phnom Penh, Cambodia, to hand a petition of 285,000 signatures to the Prime Minister. The petition called for a total ban on landmines and represents one of the many lobbying activities of the Cambodia Campaign to Ban Landmines, launched in August 1994.

Cambodia has some 8.5 million inhabitants - and an estimated 6-10 million unexploded landmines. Already approximately one out of every 300 Cambodians has been injured by a landmine. Usually resulting in amputation, these injuries can radically alter the lives of the victim's entire family. Injury and death rates rise significantly with the start of the dry season when people are able to go further afield.

Among the 20,000 people demonstrating on 24 February were more than 5,000 disabled Cambodians. One of them was Sared who lost both his legs in December 1982. Forced to fight against the Vietnamese during his years as a refugee, he was injured in battle when he stepped on a landmine laid by the Khmer Rouge. In the years that followed, he became an active participant in workshops established by the Jesuit Refugee Service to teach vocational skills; he is now Vice-Chairman of their wheelchair-producing workshop which builds 60 wheelchairs a month (costing US\$70 each), both for landmine victims and children disabled by diseases such as polio.

Sared is a frequent spokesperson for the Campaign and has addressed Cambodia's members of parliament. To date, they have agreed a moratorium on export but are divided on whether a ban on landmines within Cambodia should be extended to include self-destructing landmines as well as non self-destructing mines. The liberal party favours an extension of the ban; the labour party does not. The Campaign's first International Landmines Conference, to be held in Phnom Penh from 2-4 June 1995, hopes to encourage the government to become the first 'southern' mine-affected country to agree a total legal ban on the use of landmines within its borders.

For more information, contact: Landmines Conference, PO Box 1112, Phnom Penh, Cambodia. Tel/fax: +855 23 60480. E-mail: ngoforum@pactok.peg.apc.org

Directory of RPN Participants

This worldwide directory of RPN members was last updated and published in early 1993. It lists all RPN members alphabetically by country with their regional and disciplinary interests plus field of work and was designed to encourage networking on a local basis. However, it inevitably goes out of date almost as soon as it is printed, as the RPN membership grows and changes continually. It is also expensive to mail as it is almost twice the size of the newsletter.

We have therefore decided to produce it on an ad hoc basis by country and on request, printed direct from the computer mailing list. It may not be as attractive as the original worldwide directory but it will certainly be up to date! Copies for up to three countries will be provided free of charge to members on request.

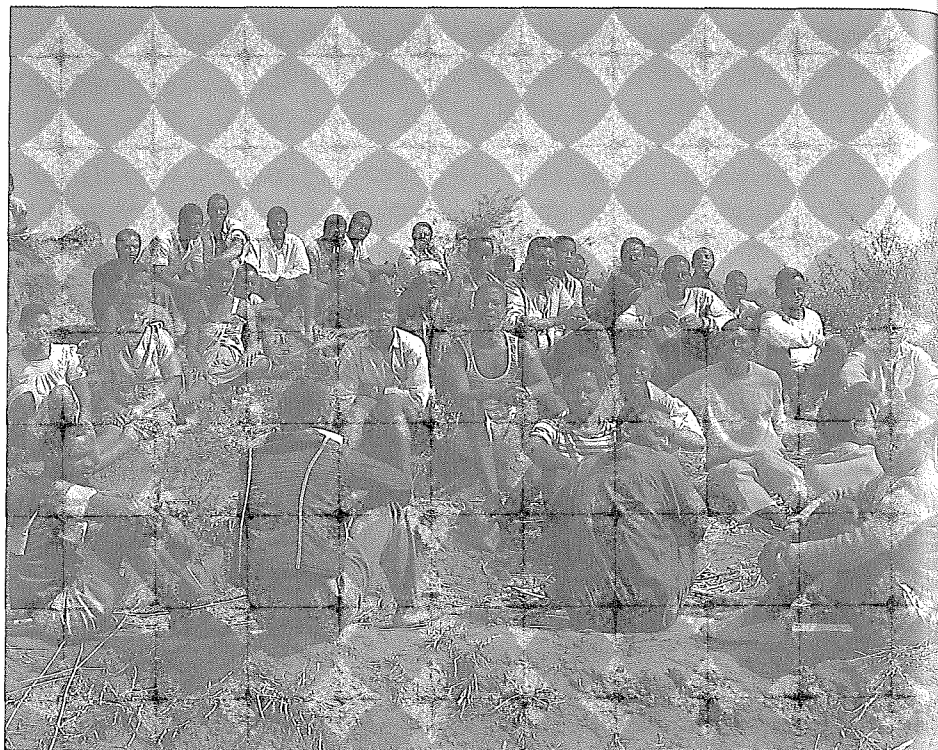
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Enhancing the capacity of local NGOs in refugee assistance: experience from Malawi and Zimbabwe

by Roger Zetter

Although well placed to render assistance to refugees, indigenous NGOs usually play only a marginal role compared with the northern NGOs which dominate most humanitarian aid programmes. This article reviews the imbalance between northern agencies and donors and southern NGOs in the delivery of refugee assistance. It examines the strategies and conditions by which some indigenous NGOs in Malawi and Zimbabwe successfully challenged this prevailing situation.

The study is based on the experiences mainly of five LNGOs (three secular and two church based agencies) which form part of a larger sample of NGOs which operated in the largely NNGO dominated refugee assistance programmes in those countries. These five LNGOs display, in different ways, some of the characteristics of indigenous NGO empowerment.



*Instruction workshop for participants in a market-gardening project, Malawi.
Photo: Roger Zetter*

The north/south divide and refugee assistance

During the last two decades, NGOs have assumed a high profile role in responding to refugee influxes and in supporting refugee survival. There are, however, irresistible pressures to internationalise the delivery of assistance in major refugee crises and it is the internationally-based 'northern' NGOs (NNGOs) which provide the main channel for this assistance, rather than indigenous, local NGOs (LNGOs) of the 'south'. Entrusted by major governmental donors and intergovernmental agencies, NNGOs frequently play the dominant role (in Africa at least) in the mobilisation and implementation of refugee relief, whereas LNGOs are often no more than dependent counterparts, frequently marginalised from the main relief programme.

The general advantages which, it is presumed, NNGOs have in the developmen-

tal field, also relate to the specifics of refugee relief. Briefly, these are that NNGOs: provide greater managerial efficiency and effectiveness; have more direct access to major donors and professional expertise; possess wider experience, are better networked and thus offer enhanced capacity to mobilise, more speedily, funds and stockpiles of equipment (especially important in the emergency conditions of refugee crises); offer project and, crucially, programme and core management capability; and respond more easily to the demands for accountability and financial probity.

Evidence confirms, however, that NNGOs are not necessarily always better placed or experienced than LNGOs to render assistance to refugees. In the African context, research demonstrates that it is the local coping mechanisms, linked to a local understanding of the capacities of refugees and the adaptive responses of their hosts, which are crucial elements in refugee survival and the

response to refugee influxes - often well before the situations become 'internationalised'¹. By developing from grass roots responses, local resources and coping mechanisms can be tapped more efficiently and there is likely to be greater cultural sensitivity to the needs of both hosts and refugees. A pragmatic consideration is that local agencies may be more cost effective. Potentially, a more self reliant response is likely to be more self sustainable. None of these arguments, however, deny the need for burden sharing with internationally based counterparts and organisations.

The current imbalance of power imposes a number of constraints on the ability of LNGOs to develop competitively.

i. Technocratic constraints to LNGO autonomy

There is a lack of LNGO institution building since, given the speed of action often needed in refugee emergencies, they are too rarely trusted with sufficient pro-

gramme autonomy by their NNGO counterparts². LNGOs acquire limited financial responsibility and expertise related to the specific demands of emergency situations because reliance on NNGOs and their donors inevitably creates dependency and unequal sharing of power³. Incapacity to develop beyond small-scale relief and welfare projects⁴ arises because locally responsive potential is marginalised by the apparently superior technical specification of imported NNGO ready-made projects deployed in other refugee crises⁵. By concentrating on emergency demands of project implementation, NNGOs do not support core development (in supposedly ephemeral refugee crises), which would stimulate programme diversification and managerial capability. This picture is often reinforced by prejudicial expatriate perceptions of local professional and institutional capacity in refugee situations. In short, these distorting stereotypes, which undermine the growth of effective partnership and reciprocity, ensure that the continued dependency or disempowerment of LNGOs in refugee relief and assistance programmes is a cyclical and self-fulfilling outcome.

ii. Refugee emergencies and NGO capability

Denying all the empirical evidence that most refugees experience protracted exile, the conventional approach to humanitarian assistance is relief-driven rather than developmental, emergency rather than long term. This conventional model has important implications for the relationship between NNGOs and LNGOs and the potentiality of LNGOs.

With limited access to financial resources (especially external sources), compounded by doubts about long-term viability, LNGOs are unable to build up their expertise sufficiently quickly to deliver emergency aid; neither can they offer long term employment security or training opportunities to their staff. Conversely, NNGOs have considerable advantage. Whilst some NNGOs specialise in refugee assistance, for many larger NNGOs, refugee relief is likely to be only one programme area in a diverse

portfolio. In addition, they possess sectoral specialisation which cannot be matched by indigenous agencies struggling to get off the ground. Finally, they offer wide comparative experience of refugee crises (whether used effectively or not).

Consequently, LNGOs are frequently relegated to the low level role of implementing partners, mobilised to cope with an expansion in demand and then laid off when the crisis subsides and programmes are wound down.

iii. Ethics and trust

Many of those who challenge the current distribution of power between NNGOs and LNGOs argue instead that, as a fundamental principle, the burden of responsibility must lie with indigenous agencies and capabilities⁶. Agency intervention and support is likely to be most effective when it resonates with local cultural conditions and needs, is rooted in indigenous settings rather than being imposed on them and fully recognises the value of local experience. To ignore these factors undermines local capability, creates a model which may be blind to indigenous responses and invariably leads to refugee dependency.

Field experience and the lessons learned

To what extent was this orthodoxy challenged in Malawi and Zimbabwe? In both countries a few proactive LNGOs successfully expanded their scope of operations and challenged the prevailing framework of donor interests. Their growth and capacity building was contingent on some or all of the following four factors.

i. Institution building

All the LNGOs in the sample gave priority to the development of their professional capability by paying particular attention to managerial capacity and organizational structure, and by expanding the core activities of project bid preparation, financial accountability and project management, monitoring and evaluation capacity.

First, the field directors and programme/project managers became rapidly conversant with the details of a standard range of evaluation methodologies and the essential format of project bids. These qualities were always backed up by high quality professional reporting and familiarity with the use and meaning of the donors' vocabulary - participation rates, feasibility studies, project inputs, etc.

Second, the agencies incorporated modest overheads in their project bids which were gradually aggregated to build up core capability. Overheads of up to 10%, though frequently less, were cited for computers, office support staff, operational management, training in financial accounting and book keeping. Likewise, other core costs and capital equipment purchases (such as vehicles) were off-loaded, where possible, onto project costs to build up the agency's logistical capacity which could be rolled over to succeeding projects.

Third was the trend to larger projects. Typical of the initial stages in the development of indigenous NGOs, they tended to promote a number of small scale, disparate, low investment niche projects - household level gardening, homecraft for women, distribution of supplementary supplies. Although valuable projects in themselves, they were often mobilised on a one-off basis in a particular location. Those LNGOs which broke out of this mould used their experience to reach a threshold where they could specialise in a relatively small number of larger projects. Moreover, like their northern counterparts, they often replicated the projects in different camps or agglomerations of self settled refugees.

In addition, these LNGOs employed carefully selected professional field staff and created management structures which gave the agencies greater institutional credibility. Though not able to offer salaries and working conditions generally competitive with NNGOs, they could offer their staff high levels of responsibility, discretion and autonomy in refugee settlements.

These developments placed a premium on accountability, coordination and supervision, hence the conventional hierarchical organisation which many of the agencies developed but which they recognised as a two-edged sword. While, in general, the LNGOs considered that clear levels of accountability and line management control met with donor approval, they also realised that some donors, particularly NNGO parent agencies, preferred their LNGO partners to have much less bureaucratic structures and greater delegation to and participation at the grass roots.

In general it took the agencies, on average, about three years to accomplish this transformation in their development to a stage where they could compete successfully and credibly with NNGOs for large scale project funding.

ii. Donor diversification

This was accomplished by preparing a portfolio of several project bids and targeting several donors with the different projects, plus networking to ascertain and ensure compatibility with donor preferences and the kind of projects likely to be supported. The agencies mainly tapped external donors, since local funding was rarely sufficient to match their ambitions.

iii. Project specialisation and project visibility

As the emergency phase evolved into protracted refugee exile, the handful of agencies in this study perceived the changing opportunities that were emerging. On the one hand they were determined not to miss out on the developmental phase, especially when the donor base expanded. On the other hand, the local agencies were often better placed to recognise and provide for specialist needs and target groups. By developing variations around a specialist theme, the LNGOs could avoid the dangers of project diversification. Moreover, their growing expertise and detailed understanding of the needs of their target group, provided them with a more convincing basis on which to argue the extension of their programmes. Thus one LNGO, specialising in food production in refugee vegetable growing projects, developed expertise in seed varieties, irrigation and cultivation methods and pest control. Another had developed a comprehensive programme for the elderly including: supplementary feeding and food production, physical rehabilitation, welfare and counselling work and community mobilisation.

In addition, and where possible, the agencies also mobilised projects which

tended to have high visibility, either in terms of accessible locations or through the physical impact of well constructed project workshops, shelters, stores and extensive vegetable gardening or forestry schemes. This strategy, particularly characteristic of refugee relief programmes, was a lesson learned from NNGOs. Another feature of their programme expansion, also replicating the approach of some NNGOs, was to mobilise projects which emphasised relief substitution or which had a significant multiplier (such as training or facilitating trainers among the refugee community).

Finally, in developing their programme credibility, the LNGOs ensured that their projects were well managed, with an additional insistence on high standards of equipment and premises.

Conclusions

Clearly, in expanding their role and despite the initially promising responses attuned to indigenous capabilities and local needs, the LNGOs in this study did not develop alternative models for the delivery of assistance; rather they replicated the approaches of the NNGOs which were not significantly more responsive to refugee needs and capabilities nor any more empowering than those of NNGOs.

The more important question is whether the empowerment of LNGOs has been sustained in the more conventional development arena now that the refugee crisis and the associated relief programme has been wound down. Here the evidence is not optimistic.

First, to the extent that the LNGOs still relied substantially on northern donors, they could not be considered truly indigenous. Nevertheless, evidence of their increasingly proactive stance was their demonstrable ability to confront their donors' or parent agency's demands and to act without necessarily surrendering their autonomy.

Second, although the LNGOs successfully grew during the refugee crisis, they had not, in fact, consolidated their insti-



Tin-smithing project of an indigenous NGO, Malawi. Photo: Roger Zetter

tutional strength sufficiently to be able to switch into (or to revert to) large scale developmental programmes.

Third, although there are important lessons to learn about the strategies and methods which LNGOs in Malawi and Zimbabwe deployed to enhance their autonomy and capability, this did not result in a fundamental reformulation of the current institutional framework of refugee assistance.

Regardless of the comparative strength and capability of LNGOs and NNGOs to provide refugee assistance, the larger issue remains: that is, the extent to which NGOs, whatever their provenance, are really in the business of empowering refugees as opposed to providing palliative support which merely enforces refugee dependency on an international humanitarian regime.

[This article is an edited version of a longer paper entitled 'On the Margins or in the Mainstream? Indigenous NGOs and Refugee Assistance: some lessons from Malawi and Zimbabwe' to be published in *Development and Practice*, Vol 6:1 (February 1996), Oxfam. Contact: Caroline Knowles, Oxfam, 274 Banbury Road, Oxford OX2 7DZ. Tel: +44 (0)1865 311311. Fax: +44 (0)1865 312600.]

Dr Roger Zetter is Deputy Head of the School of Planning, Oxford Brookes University, Oxford, UK, and Editor of the Journal of Refugee Studies.

* Field work funded by the ESRC (UK), the Pew Charitable Trusts (USA) and facilitated by Georgetown University, Washington DC.

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ATTENTION!

Relocation of the Refugee Studies Programme at the University of Dar Es Salaam, Tanzania

The Refugees Studies Programme at the University of Dar Es Salaam is being reorganised. The new programme will be multidisciplinary and will be relocated to the Faculty of Law. All enquiries and correspondences should be addressed to: *Mr Bonaventure Rutinwa, Coordinator, Refugees Studies Programme, Faculty of Law, University of Dar Es Salaam, PO Box 35093, Dar Es Salaam, Tanzania. Tel: +255 51 43500/8 ext 2364.*

The Directorship of the Refugee Studies Programme

The challenge gift of US\$500,000 offered in 1994 to the University by the Joyce Mertz-Gilmore Foundation to endow the Directorship of the RSP has been met: £400,000 comes from the Estate of the late Leopold Muller (for whom the post will be named); a further bequest from a donor in Jersey provides the remainder as well as a second endowed Lectureship in the University. This second academic post, named in honour of Elizabeth Colson, will be filled in 1996. Interviews for the new Director's position will be held in June 1995 for the post to be taken up on 1 August 1996.

Acknowledgement of donors

The RPN is funded mainly by grants from institutions and agencies involved in development and humanitarian work; the rest is provided by voluntary subscriptions from members. We would like to thank all donors and in particular the following organisations for their generous support of this RPN and for their commitment to the RPN in 1995:

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Resettling the displaced : development affected people and refugees

by Chris McDowell

The last issue of the RPN (January) focused on environment and displacement. As a follow-up, this article reports on a conference on development-induced displacement and impoverishment (DIDI) which took place in Oxford, UK, in January 1995.

'Population displacement by development programmes is now a world-wide problem of a magnitude previously unsuspected'¹

The forced uprooting of people is now widely recognised as a matter of global concern which raises important issues of human rights. At two recent Oxford conferences, delegates were told that in addition to 18 million cross-border refugees and 24 million internally displaced, there are now a further 25 million 'environmental refugees'² and at least 90 million people displaced as a consequence of infrastructure programmes for dam construction and urban transportation developments³.

Following the Refugee Studies Programme's January conference on development-induced displacement and impoverishment (DIDI), a paragraph on displacement and resettlement was included in the final document of the World Social Summit in Copenhagen, emphasising social disintegration as a major consequence of forced displacement. Having alerted world leaders, policy makers, donors and lenders to the problems, efforts are now focused on finding ways of combating the social disintegration and impoverishment which arise out of failed attempts to resettle those displaced as a consequence of planned development.

The DIDI conference highlighted again the need to bring together the two bodies of literature: research knowledge and practical expertise gathered by those engaged, on the one hand, in the resettlement of **disaster-related** displacees (both refugees and internally-displaced) and on the other, in the resettlement of **development** displacees⁴. In 1996 the RSP will host a second conference with the aim of achieving precisely this, by addressing the nature of impoverishment

in both contexts and examining the current priorities, both in research and at the operational level, for improving resettlement and the rehabilitation of displaced communities. It is recognised that those displaced by development face similar problems to refugees and others uprooted by war or political violence: for too many the move is life-threatening. By drawing together the strengths of social science research into resettlement, the processes of forced displacement - whether the prime cause be poverty, environmental degradation, dam building, war or political manipulation - will be better understood. Working with economists and planners, researchers can directly contribute towards improving the devising, supervision and evaluation of displacement and resettlement operations, by putting first those who are caught in the displacement process.

The development sectors in which forced evacuations occur are expanding as developing nations respond to, and direct, urban growth and demographic trends, with infrastructure investments, expanded irrigation and food production, and politically-motivated decisions which add to displacement.

It is now fifteen years since the World Bank first developed a policy on involuntary resettlement. In the intervening years the Bank has been only partially successful in ensuring that such guidelines are followed in its own assisted projects⁵; other aid agencies, lending organisations and governments have been slower still to incorporate international standards into their own policies and legal frameworks. Mistakes that were made thirty years ago are being repeated today⁶. If displacement is unavoidable and resettlement is to be properly managed, then a first step must be to ensure that firm policies and legal

frameworks are enacted. But what should those policies address?

First there is the link between human rights and policies for promoting development, and the need to protect basic human rights, including the rights and entitlements of project-affected people. Human rights issues here include general economic rights, particularly in ensuring that the displaced share equitably in the benefits of development for which they have made sacrifices. As Michael Cernea (the World Bank's Senior Social Policy Advisor) has pointed out, the legal questions regarding the definition of rights and entitlements are central to how displacement and resettlement take place⁷.

Lassailly-Jacob, writing about resettlement in Africa, has concluded that it is vital that relocatees (especially on already inhabited relocation sites) have full title to the land guaranteeing security of tenure and 'a motivation to conserve their land as a viable asset and to invest their own resources in its improvement'⁸. Economic rights should include also the payment of just compensation for land, property and other assets lost. Failure to recognise the right to compensation has led to active resistance against resettlement and sharp political conflicts.

In the discussion of human rights and development, the position of the world's 300 million indigenous people has become increasingly prominent. Indigenous people tend to be more affected by infrastructure projects, such as the construction of dams, because they are frequently found in more isolated areas and because of their special sacred ties to their territories and cultures. Relocation is a traumatic experience for indigenous people not only personally but because of the threats to their lands, lives and cultures as a consequence of initia-

tives which invariably reap only short-term economic benefit for a few interested powerful minorities. Gray's conclusion that the costs of development projects should 'include the economic, social and cultural impoverishment arising from [their] implementation', has a relevance to all project affected people⁹.

Importantly, Cernea is working to ensure that the social and personal costs of uprootment arising out of planned development are part of the realistic appraisal of the feasibility of development projects funded by the World Bank. He has expounded most clearly a model of the impoverishment process which is both a warning model of displacement/impoverishment and a means of analysis, highlighting almost certain outcomes of poor planning and mismanagement, and offering a basis for the re-establishment of displaced communities and re-directed policies. There are eight characteristics or sub-processes in impoverishment: landlessness, joblessness, homelessness, marginalisation, increased morbidity, food insecurity, loss of access to common property and the umbrella process of social disintegration.

Over the past few decades numerous research projects have examined this impoverishing process: how populations are affected when they are forced from their homes and required to adjust to new physical and social environments, often with diminished capital and other resources¹⁰ and with major disruptions to their social organisation and culture. Studies have shown that programmes designed to help reduce poverty are fraught with serious long-term risks of people actually becoming poorer than before displacement. Understanding of this impoverishing process is vital in informing policy making and influencing project design, resource allocation and assistance strategies.

A series of papers presented at the DIDI conference substantiated this impoverishing trend with examples from a range of development situations in the Philippines¹¹, Mexico¹² and India¹³. Of Cernea's eight characteristics of impoverishment, what came through most

clearly was the final one: that of social disintegration. While most of the prior features refer to individual households, social disintegration refers to the breakdown of whole communities, of local systems, of the social fabric altogether. If we cannot prevent the process of social disintegration, there is a responsibility to turn it on its head, to seek ways of rebuilding communities, to advance the social integration of resettlers, to reconstruct family and kinship networks, to advance mutual help networks.

It is in this endeavour that benefit could be derived from analysing and comparing shared experiences between development displacees and refugees - by examining causality, magnitude, impoverishment processes, rights and entitlements and assistance strategies and the social mechanisms adopted in both settings for coping and for re-establishment. While the similarities between development relocatees and refugees should not be overstated, the resemblances are many:

*Both lose their houses and households and they temporarily or permanently lose their lands, water, wells, workshops, vending stalls or other assets. In both cases, their productive systems are dismantled, their ways of living are disrupted and their very livelihood is critically jeopardised. The supporting social networks in which their existence was embedded are unravelled. Both relocate to previously unknown places, among host populations that are often suspicious or directly hostile.*¹⁴

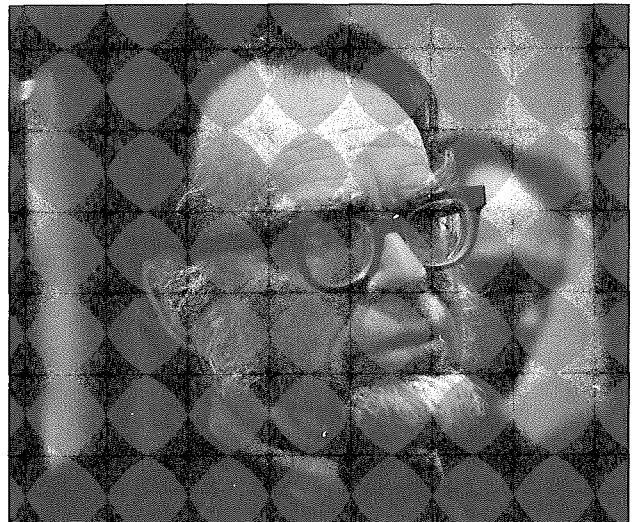
By understanding the similarities in the consequences of these two types of uprooting, the research community would be in a position to contribute directly in devising strategy alternatives to assist the resettlement of refugees and development displacees. The key to both is the kind of intervention that enables people to shake

off their dependency on relief aid, re-establish themselves on a productive basis and to become self-sustaining again. As Harrell-Bond observed, often the least addressed dimensions in such programmes are the cultural and psychological ones, including the patient social engineering work necessary to re-establish the refugee population in new viable settlements, with access to productive activities, some employment and services¹⁵. Within this territory of comparative research there is a need to examine the administrative regime which in both cases manages the removal of populations and their resettlement in a camp or new rural or urban location, and the provision of food aid.

The 1996 DIDI conference, in drawing together the two sets of knowledge, will offer a fresh perspective on the 'development versus relief' issue and the role of humanitarian assistance for those uprooted and relocated. The deployment of resources and the approach and strategy used in socio-economic re-establishment will be examined by those who have experience of one or both assistance environments.

Dr Chris McDowell, with Julia Champtaloup, organised the RSP's DIDI Conference at Wadham College, Oxford, in January 1995. His doctoral dissertation was for the University of Zurich on Sri Lankan Tamil asylum-seekers; he is currently a researcher at the Refugee Studies Programme.

[references overleaf]



Prof Thayer Scudder, a founding academic in the field of development-induced involuntary displacement, at DIDI conference. Photo: B Harrell-Bond

'Yit hae'

by Tom Solomon

Dr Tom Solomon sends this account of daily life from a clinic at one of Hong Kong's Vietnamese refugee camps.

'And how long has this sore throat been troubling you?' I ask wearily. Khiem Duong, unperturbed, glances at his watch: 'Oh, about an hour.' After the routine examination and brief reassurance, I reach for the pad and write out yet another prescription for paracetamol and cough linctus. This must be my hundredth of the day. The week as a locum GP in one of Hong Kong's refugee camps is proving difficult but not in the way I expected.

My next patient, a three year old child, has a headache, runny nose and sore throat. From the notes, I can tell that this is her third visit in six days. On each occasion she has been given a five day supply of paracetamol and cough linctus. How can they have run out already? What are they doing with it all? Her mother's answer is that she has vomited some of the medicine up and so had to take more. I cannot argue with this although my interpreter confirms my suspicion that paracetamol and cough medicine are the currency of the camp.

I attempt to reassure Lop Vuong that his runny nose will get better on its own and no medication is needed. But Phu, my interpreter and guide in this most difficult of working environments, gently steers me towards another prescription. I am thankful. We have done the right thing.



Dr Tom Solomon examining a child born in the refugee camp.

There is something marvellous about breaking every rule I learnt at medical school. 'Shouldn't you be trying to change things, if it's bad medicine?' asks my expatriate friend and host. But who says it is bad medicine? Can the refugees help it if there is no chemist? If they have to visit the doctor for even simple medication? Why should I try to deprive them of their visit to the clinic - their one distraction in a tedious day during which work is forbidden. Even if they sell the drugs or exchange them for a few cigarettes, should I deny these desperate people their few small pleasures? Isn't the job of a doctor to do whatever he can to help, not hinder, his patients?

Of course, not every consultation in the clinic is trivial. Skin infestations, tuberculosis and chest infections are common, as in any overcrowded

community. And, as always among refugee populations, the birth rate is very high.

Towards the end of the week my attempts to use the few Vietnamese words I know create great hilarity. Several patients leave in giggles, forgetting the drugs they came for. I was never taught this as a way to avoid unnecessary prescribing.

My last patient Te Dunh complains of 'Yit Hae' - a Chinese expression interpreted as a vague feeling inside that things are not quite right. After an extraordinary week, he is not the only one to complain of 'Yit Hae'.

When Tom Solomon was a medical student at Oxford, he participated in the RSP's student field trips, spending time in Mozambique. He won a prize for his discovery of an improved treatment for malaria and used the money to provide the necessary equipment for the hospital in which he worked.

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The Wall

by Saul Takahashi

I walk into the office. The files are full of people's lives.

As soon as I get in the phone rings. It is Wang. Wang is a Chinese who was involved in the pro-democracy movement. He was refused asylum in Japan and is now in the detention centre. All he does every day is wait for them to send him back. His lawyer took his case to the courts but lost. The courts have never overturned a government asylum decision. In the office, we call the courts 'the wall'.

Wang is crying. He is pleading for me to help him. He says he can't go back, that they'll kill him. But it is over for him. There is no hope. All legal venues have been taken. All possibilities pursued. There is nothing we can do. I tell him that. 'I'm sorry. There's just nothing we can do.'

I hang up the phone and it rings again. It is an emergency. A freighter full of Chinese has been intercepted by the coast guard in Japanese waters. So many of these ships lately. The government has announced that they will deal with the Chinese in the same way as they always do. They will not be allowed to land. They will be kept on the ship until the Chinese government agrees to take them back. No-one from the outside will be allowed access. The Chinese will be given no information on the Japanese asylum procedures and no chance to apply for asylum. After all, they're just 'illegal entrants'.

The press people call us one after the other. They want to know our position. I write a statement and fax it to the press. I write a letter to the government requesting that we be given access to the Chinese. I know it is futile but I have to do it.

I have an appointment. His name is Mohammed, a Nuba from Sudan. The Nuba are being exterminated by the government. He has been arrested by the army and tortured. He was whipped on the head with barbed wire

and left out in the rain. He shows me the scar. He does not know what has happened to his family. He has written to them a hundred times but never received an answer. They are probably dead.

I explain the situation to him. It is all routine. I tell him that it is practically impossible to get asylum in Japan. I tell him that it will take years and during this time he will not get a work permit or any aid at all. I tell him that after they turn him down, he may be detained and deported. Mohammed is silent for a minute. Then he says that he must try. He has no choice. He can't go home. He has no place to go.

I give him the number of a lawyer and I promise I'll do what I can to help. Another file, another file.

I get a call. He says his name is Ahmed and is Somali. He says he just went to the immigration office. He saw

the people in the refugee division and told them that he needed asylum, that he couldn't go back to his country. He asked them for help. They just kicked him out. No explanation, nothing. They didn't even give him the form to apply. He is confused and angry. I am not. It happens all the time. I can't afford to become angry anymore. I listen to his claim and ask him to come over tomorrow. I promise I'll go with him and make sure his application is registered. The officers at the immigrations don't fool around if we're there.

How many people has this happened to? How many people have I gone to Immigrations with? How many people never find my number and never get the chance to call for help? How many people?

Saul Takahashi is a case officer and lobbyist with Amnesty International in Japan, currently undertaking a year's study on the RSP's Foundation Course.

[Note: Amnesty International has described the Japanese determination procedures as 'gravely inadequate' and 'far below international standards'.

The organisation has published two reports: *Japan: Inadequate Protection for Refugees and Asylum Seekers* and *Japan: Asylum Seekers Still at Risk* in March 1993 and January 1994 respectively. The reports describe in detail the many procedural shortcomings and how individuals considered by Amnesty International and even the UNHCR to be at risk of human rights violations are routinely refused protection.]



Indochinese refugee in transit. Photo: UNHCR/J Becket

On the Burma border

by Crystal Ashley-duVerglas

Olivia Saiduangchai, aged 54, is a descendent of Thai hilltribes. Educated in Liverpool and Rangoon, she is also a health professional, a community developer and what you might call a horticulturalist for humanity.

The Kwai River Christian Hospital, where she has a small office, provides medical relief to the hundreds of impoverished local tribals on both sides of the Burma/Thailand border. The ethnic groups here, mostly of the Mon and Karen tribes, overlap the political boundary where the jungles sprawl for hundreds of square miles. Sharing language and culture, these Thai and Burmese also share many of the same health problems: this is one of the worst regions in the world for malaria. Tuberculosis and leprosy are common, as are anaemia, malnutrition and edema.

But since the bloody crackdowns on rural minorities by the Burmese government in recent years intensified against the Karen, devastating injuries from landmines and gunfire are usually borne by the Burmese alone. There are over 75,000 Burmese refugees in Thailand. Forced to flee villages which are burned by troops or bombed from the air, abandoning farms because the government has repeatedly confiscated their harvests and left them starving, the Mon and Karen often arrive in Thailand with nothing but crying babies and terrible fear.

Olivia is on call every day of the year: at the hospital, going from house to house for check-ups and follow-ups, and making lengthy, exhausting forest treks to refugee encampments. She tends to her pregnant patients, following them for several months each, and has regular rounds to rural school huts to monitor the children there.

The 'orchard' is yet another of Olivia's far-reaching community health projects. For about a decade, she has collected shoots, saplings,

seeds and plants of the species she collects for people to eat. The payoff is astounding. Olivia's meagre eight acres flaunt mango, jackfruit, cashew, coconut, betelnut, pomelo, tangerine, banana, papaya, durian, guava, star apple, mangosteen and passion fruit trees. With the help of refugee friends, she planted 1,000 pineapple plants during her short two week vacation one year, her goal being 1,000 new banana trees as well.

'Two or three hundred sugar canes would be nice, too', she adds. 'The family of refugees living with me right now feel so good when they can harvest and sell our produce.'

'Most of all, I always encourage people in poverty to earn a living if they can, and not depend on others,' she explains. 'I try to find out what they know how to do, then provide the raw materials. I get vegetable seeds for them. I buy thread and yarn and if they can do their traditional weaving, I sell it to foreign and city friends of mine, always giving the weavers the profit to keep production going. Now, many of the ladies are buying their own weaving materials.'

But what about 'burnout'? Thirty years is a long time to see people suffering, especially to see things worsen. Olivia tells of once coming upon a family with all six members shivering from severe chronic malaria, all very anaemic. She brought them to the hospital for treatment and nutrition supplements. She relates now the happy sensation of, one year later, seeing the whole family fully recovered; one of the sisters had even given birth to a healthy baby. 'That keeps me going,' Olivia smiles. 'My mother used to say: 'If you can, always share. Then you'll never need.' That's why I feel so satisfied. I have enough to eat, and extra to share.'

Crystal Ashley-duVerglas has worked with refugees in six countries and is an education specialist currently training teachers in Hungary.

RPN Back Issues : themes

Back issues of the RPN are available to all members. As with subscriptions to the RPN, we follow a discretionary policy with regard to charges. Technically, we charge £2.00 per back issue but will waive this charge if you work in a country without a hard currency or for other extenuating circumstances. (*Please only order those you need - postage overseas is expensive.*)

If possible, please pay by sterling cheque or draft (payable to QEHRSP) drawn on a bank in the UK. Foreign cheques for amounts less than the equivalent of £8.00 cost too much to cash!

Those for which 'originals' are available are marked with an *. All others are available in photocopied format.

Year	No	Title/theme
1995	18*	Burning issues (environment and displacement)
1994	17*	Partnership: issues of co-ordination and participation
	16*	The cost of conflict
1993	15	Policy, practice and practitioners
	14	Refugees in Europe
1992	13*	Who's in charge? Management issues in refugee assistance
	12	Refugee children
1991	11*	Welcome home! Repatriation
	10	Avoiding camps
1990	9	Mine warfare
	8*	Do traditional healers have a role in refugee health care?
	7	The fearless children of the stone (Intifada)

Earlier issues did not have specific themes, although education featured strongly in two issues in 1989. Remember that each RPN covers subjects other than those linked specifically to the theme; if you want to know if we have published articles on specific subjects, please contact the Editor.

Letters to the Editor

We welcome letters from our readers on any subject relating to forced migration. Both letters below refer back to the previous issue of the RPN (January 1995) which focused on the theme of environment.

Dear Editor

I was very interested to read a letter from E LaMont-Gregory published in RPN 17 August 1994 under the title 'Cooking Fuel Policies are not enough'. I agree whole-heartedly with most of what he has to say. Working, as I do, with Afghan refugees in Pakistan and internally displaced persons in Afghanistan, one can see very clearly that enormous environmental damage is caused by a sudden, or even a gradual, influx of people into ecologically fragile regions. As the writer says, 'the damage is obvious' but I would beg to disagree with the remainder of his statement that 'the existence of such wide scale environmental damage has not prompted humanitarian agencies to address the fuel needs of aid recipients'.

Recent displacement of people from Afghanistan's capital, Kabul, has caused the setting up of camps in a desert region east of Jalalabad, one of which houses approximately 120,000 people. This has caused further deforestation in the surrounding regions, and people rely on kerosene supplies from UNHCR and others for their cooking needs, in addition to what little wood they can forage for at the risk of being injured or killed by unexploded ordnances and land mines. At the SERVE Solar Project we have developed a low cost Solar Oven for use in this particular camp. The pilot project proved successful and we were able to secure funding from the UN to place approximately 5,700 of these solar ovens with families in the camp. These are being installed as I write [March] and will take seven weeks including training of personnel from the camp.

The SERVE Solar Ovens are appropriate for the culture because they will cook almost every part of the traditional Afghan diet, and will certainly cook everything in the normal camp ration. They are very safe to use, and fuel is free! In a region where there are at least 300 days of sunshine per year Solar Ovens are not a complete replacement for other fuels but can dramatically reduce the need for wood and other fuels for cooking. Over 7,000 Afghan families own a portable Solar Oven produced by refugees in our workshop in Peshawar, Pakistan, so we are confident that the simpler version we are using in the camp will be well received.

The materials for the oven itself cost less than £8 sterling per piece including 4 cooking pots - enough to cook a full meal for 7 or 8 people (an average sized Afghan family). The families themselves construct the ovens, much of the work employing traditional mud building techniques. Ladies from within the camp are trained in solar cooking and in how to teach and demonstrate cooking techniques to others. This means that every family receiving an oven can be taught how to use it effectively, and followed up to ensure continued usage. A sheet giving written instruction on use, maintenance and repair, with some recipes (all in the two local languages), is also distributed with each oven.

We will have to wait and see if this attempt at addressing the energy requirements of displaced Afghans, and at addressing the environmental damage being caused by this number of displaced people fighting for survival, really works. We are fairly confident that it will certainly help, and the long term benefit of having this number of people aware that solar technology works is a secondary advantage for the country as a whole when people get the opportunity to rebuild their lives.

Yours sincerely

Stephen A Brown BEng (Hons)

Solar Project Director, SERVE, PO Box 477, Peshawar 25000, Pakistan
Tel: +92 521 840292 Fax: +92 521 840422 E-Mail: solar%serve@sdpnk.undp.org

Dear Editor

Readers of the last issue will have noticed Eric LaMont-Gregory's selective quoting of my letter, ignoring the term 'relative' preceding the word 'niceties', to describe the importance and urgency of environmental protection measures in refugee crises.

In Burundi, IFRC [International Federation of the Red Cross] has devoted tremendous resources to its environmental protection programme and, as the instigator of the programme who has worked on it for the last year, I am the last person who would seek to belittle its importance.

Had Mr LaMont-Gregory been in Goma during August last year, where up to 30,000 people died of dysentery and cholera in a ten-day period, perhaps he would have understood my use of the term 'relative niceties' when referring to environmental protection in such a situation.

Yours sincerely

Bernard Ross

*c/o British Red Cross Society,
Grosvenor Crescent, London, UK*

A recent BBC Horizon documentary ('Exodus') looks at the environmental impact of the influx of Rwandan refugees in Tanzania, focusing on Benaco camp. It discusses the environmental impact assessment carried out by CARE (see RPN 18 publications section for abstract) and also covers the debate between Bernard Ross and E LaMont-Gregory over their different approaches to environmental protection in refugee crises (see *Letters to the Editor* in RPN 18 and above).

Some copies of the transcript are available from the RPN (see p2 for address). Copies of the video cost £124.55 (incl VAT & post/packaging) and may be obtained from BBC Videos for Education and Training, Room AG150, BBC Worldwide Ltd, 80 Wood Lane, London W12 0TT, UK. Tel: +44 (0)181 576 2415. Fax: +44 (0)181 576 2916.

Courses

Refugee Studies Programme : courses and study opportunities 1995 - 1996

The Foundation Course of Study on Forced Migration

The Foundation Course is a nine-month (September-June), multi-disciplinary programme of study, designed to provide comprehensive background in the field of forced migration. It also provides specialised training for: government officials and staff of UN, inter- and non-governmental organisations and; students with a proven interest in displaced populations. The course is taught at Masters level and participants are assessed by examinations and/or essays.

Prerequisites include a first degree and/or demonstrated equivalent professional training and experiences supported through references. The course modules can be taken on a term basis.

International Summer School

4-week residential course : July

The International Summer School is designed for people who are involved in such areas as policy, management, coordination and implementation of assistance to displaced populations. Its objectives are: to provide participants with a multi-disciplinary framework for analysing the phenomenon of refugee flows; to draw on the participants' experience in order to highlight examples of good practice and problem areas; and to identify appropriate strategies for improving responses. Though full-time and intensive, this one-month course offers opportunity for reflection and further study in a setting removed from day-to-day pressures.

Individual study options

The RSP can offer the opportunity for short periods of supervised, individual study and/or research on a topic of interest. Study options will be tailor-made according to the area of interest and time available. Study periods can be combined with short courses where relevant. (See below for sponsorship opportunities for Thai nationals.)

For further information, please contact

The Coordinator

*Education Unit, RSP, QEH, 21 St
Giles, Oxford OX1 3LA, UK.*

Tel: +44 (0)1865 270723

Fax: +44 (0)1865 270721

E-mail: RSPNET@VAX.OXFORD.AC.UK

Grant and sponsorship opportunities for RSP courses/study

Ford Foundation grant for *Southeast Asian* refugee practitioners

The Refugee Studies Programme has been awarded a supplementary grant by the Ford Foundation to support further visits of senior Southeast Asian practitioners with experience in Indonesia, Burma, Laos, Thailand, Singapore, Malaysia, Brunei or the Philippines. The aim is to promote greater dialogue and exchange of information between researchers and practitioners, to provide an opportunity for practitioners to make their experience available through publication to others who are working in this field, and to expand the RSP's knowledge of the region.

Government officials or senior practitioners with experience in refugee assistance programmes, interested in writing up their experience and using RSP's Documentation Centre and resources, and willing to share their experience through a lecture or informal talk, in-service courses and/or seminars with RSP, are invited to apply for periods of four to six weeks.

Applications from Southeast Asian nationals are particularly welcome.

Sponsorship for *Thai* nationals

Training opportunities for Thai national officials and practitioners working with displaced people in Thailand. Open to government officials and to Thai staff in UN, inter-governmental and non-governmental organisations in Thailand.

Sponsorship will be awarded to selected candidates to attend RSP's Summer School (1995) and/or an individual study option or the Foundation Course (1995-6): see details above. Courses are taught in English.



All UK telephone and fax numbers have changed; most have an additional 1. For example, the RPN phone number has changed from 0865 270730 (+44 865 270730 for overseas callers) to 01865 270730 (+44 1865 270730).

Conferences

Announcements

Palestinians in Transition: rehabilitation and community development Second International Conference

Gaza, Palestine : 13 - 15 September 1995

Organised by the Gaza Community Mental Health Programme. Themes: role of mental health workers; effects of violence; ideology, democracy and mental health; national mental health planning and rehabilitation; women; children; psychological aspects of peace and war. *Contact: Ms Nadia Kamal, Conference Coordinator, GCMHP, PO Box 1049, Gaza, Palestine. Tel: +972 7 865949. Fax: +972 7 824072.*

The Roles of the Military in Humanitarian Emergencies

Oxford, UK : 29 - 31 October 1995

Speakers/participants: senior members of the military who have had experience in recent humanitarian emergencies. These will include representatives of the member countries of the NATO alliance and major non-NATO contributors to the UN peace-keeping operation. *Contact: Rick Ryscavage SJ, RSP, QEH, 21 St Giles, Oxford OX1 3LA, UK. Tel: +44 (0)1865 270728. Fax: +44 (0)1865 270721. E-mail: RSP@QEH.OX.AC.UK*

Caring for Survivors of Torture *Challenges for the Medical and Health Professions*

VII International Symposium

Cape Town, South Africa : 15 - 17 November 1995

Organised by the International Rehabilitation Council for Torture Victims (Copenhagen) and the Trauma Centre for Victims of Violence and Torture (Cape Town). A limited number of fellowships are available for conference participants presenting papers; priority will be given to speakers from African countries. *Contact: IRCT, Borgergade 13, PO Box 2107, DK 1014 Copenhagen, Denmark (tel: +45 33 760600; fax: +45 33 760500) or TCVVT, Cowley House, 126 Chapel Street, Cape Town 8001, South Africa (tel: +27 21 457373; fax: +27 21 4623143).*

Reports

The Sharjah Declaration

Recommendations of the International Conference on Uprooted Muslim Women (12-15 November 1994, Sharjah, UAE)

Organised by the International NGO Working Group on Refugee Women and the International Islamic Relief Organisation, the conference fell within the context of NGO action in preparation for the Fourth World Conference on the Status of Women to be held in Beijing in September 1995. It brought together some 44 displaced, refugee and returnee Muslim women from 14 countries, plus representatives of UN specialised agencies, national and international Muslim and non-Muslim NGOs as well as scholars and policy makers. Over 250 participants in all, representing 42 countries, attended the conference.

After an introductory presentation on women's rights, values and perception in Islam, the conference addressed issues of: gender-related protection issues (legal and physical); treatment of victims of torture and violence; the reality of the role of women in the household: implications for delivery of assistance; emergency needs and resource analysis: a People Oriented Approach; effective strategies for mobilising women to self reliance, and preparing for durable solutions; repatriation and reintegration; approaches to education and skills training (women and children); the girl child (with a focus on health issues); third country adjustment: resettlement to Muslim/non-Muslim countries; and addressing the root causes: conflict resolution, peacemaking and reconciliation.

Dr Khadija Elmadmad, a human rights lawyer from Casablanca and former RSP Research Fellow, represented the Refugee Studies Programme at this conference.

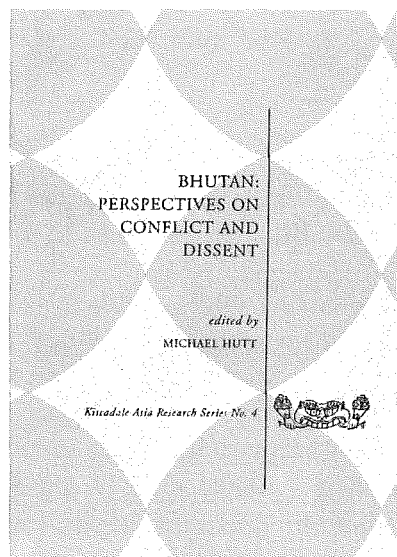
The 19-page initial set of recommendations relating to the above points is available in English and Arabic. A more detailed report of conference proceedings is also being prepared. *Contact: Elisabeth Janz Mayer-Rieckh, International NGO Working Group on Refugee Women, c/o Webster University, 13-15 route de Collex, CH-1293 Bellevue, Switzerland. Tel: +22 774 2452. Fax: +22 774 3013.*

Protection of African refugees and internally displaced Seminar held in Harare, Zimbabwe, 16-18 February 1994

This seminar was organised by the African Commission on Human and People's Rights in collaboration with the Southern African Research and Documentation Centre (SARDC). It had two main objectives: to review the general picture of national, regional and international governmental or non-governmental action relating to African refugees and internally displaced persons; and to debate the problems of African refugees and internally displaced persons in the context of promotion of and ensuring respect for human rights with the view of consolidating action in their favour, with special reference to the needs of children and women.

For a copy of the 7-page report of conclusions, contact: SARDC, Box 5690, Harare, Zimbabwe. Tel: +263 4 738694. Fax: +263 4 738693. E-mail: SARDC@MANGO.APC.ORG

Reviews



Bhutan: perspectives on conflict and dissent

Edited by Michael Hutt. 1994. 244pp. ISBN 1-870838-02-5. £17.50. Kiscadale Asia Research series No 4, Paul Strachan-Kiscadale, Gartmore. Available from: Lavis Marketing, 73 Lime Walk, Headington, Oxford OX3 7AD. Tel: +44 (0)1865 67575. Fax: +44 (0)1865 750079.

In 1991-92 tens of thousands of ethnic Nepalis fled the Himalayan kingdom of Bhutan, where most of them had lived all their lives and had a strong claim to citizenship. According to UNHCR, as of August 1993, nearly 84,500 of these refugees from Bhutan remained in eight camps in Nepal. Another 10,000 or so had fled to India.

This volume, which draws on papers presented at a conference on Bhutan held at the School of Oriental and African Studies in London early in 1993, fills in the background to this mass exodus, which occurred during a period of growing pressure for political reform in the kingdom. Very useful overviews of Bhutan's history, politics and society are presented in the opening chapters by Michael Hutt and Michael Aris. Chapters by Jigmi Thinley and Kinley Dorji present the official Bhutanese view of the crisis and its background. Christopher Strawn presents the dissident case, based on interviews with

exiles, and Rachael Reilly provides a perspective from the refugee camps in Nepal. Other chapters look at questions of nation-building, the role of the monarchy, the question of 'greater Nepal', and media reportage on Bhutan.

As the contributions to the book show, the crisis which led to the mass exodus derived from increasing tensions in the 1980s between the Buddhist peoples of the north, collectively known as the Drukpa, and the Nepali-speaking and mainly Hindu peoples of southern Bhutan, known as the Lhotshampa. As in other episodes of mass exodus of this kind (and there are striking parallels with the contemporary mass exodus of Muslim Rohingyas from Burma to Bangladesh), the crisis hinged on the disputed origins and length of settlement of the population in question and on official allegations of 'swamping' by immigrants. The Drukpa-dominated Bhutanese authorities alleged that the ethnic Nepalis were mostly recent immigrants and feared their increasing demographic domination, while the ethnic Nepalis claimed much longer settlement and citizenship of Bhutan. These issues gathered momentum with the introduction of a revised citizenship law of 1985 (which laid down a cut-off date of 1958 for Bhutanese citizenship, retrospectively depriving many ethnic Nepalis of it), a census of 1988 in southern Bhutan to identify 'Bhutanese nationals', and, as measures of 'Bhutanisation', the imposition of Drukpa dress throughout the country and the discontinuation of the teaching of Nepali in schools. Dissent against these measures precipitated arrests, repression and ultimately the flight of refugees, many of whom claimed that torture, brutality and rape had forced them to flee.

This is a very useful and informative volume for those interested in ethnic conflict and refugee movement in an under-researched part of the world. The fact that the pages of the review copy were bound on the right and the cover fixed upside-down made the book difficult to read but gave it additional exotic quality.

Reviewer: Nicholas Van Hear, Research Officer, Refugee Studies Programme

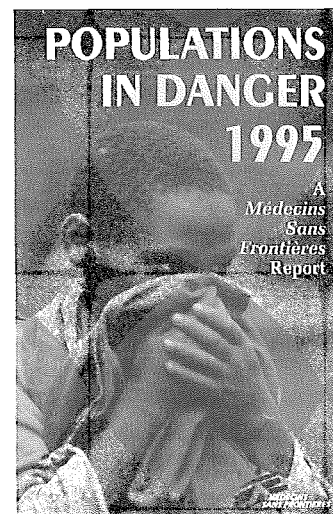
Populations in Danger 1995 A Médecins Sans Frontières Report

Edited by Francois Jean. 1995. 170pp. ISBN 0-9525057-0-3. £9.95. Available in English, French and German. Published by: Médecins Sans Frontières, 124-132 Clerkenwell Road, London EC1R 5DL, UK.

Populations in Danger 1995 portrays the inability of the international community to act within the boundaries of humanitarian aid and calls for a unified political will and a wider and stronger human rights support. In the year in which the world is expected to celebrate fifty years of peace and a promise of 'never again' to genocide, Médecins Sans Frontières looks at wars without end: Rwanda, Haiti, Bosnia, Zaire, Afghanistan, Burundi, South Sudan and Tajikistan. The analysis of major world crises is represented by articles of the Médecins Sans Frontières opinion: was 'armed humanitarianism' called for in Rwanda?; does the UN represent justice or chaos?; and what are the solutions to the suffering caused by anti-personnel mines? The analysis of principal problems faced by the humanitarian organisations (called the 'humanitarian atlas') looks into the issues of famines, refugees, conflicts and epidemics. Each problem is first depicted globally and then individually - by specific case studies with original regional maps.

This report is valuable not only for the information on the Médecins Sans Frontières programmes, but also for the identification and detailed accounts of global crises, as well as suggestions for their rational and humane solutions.

Lejla Somun, Visiting Study Fellow, Refugee Studies Programme



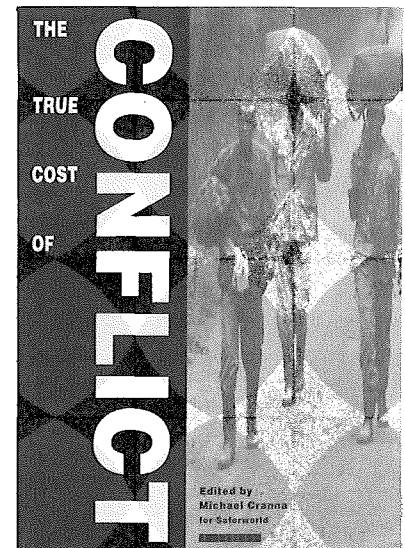
The True Cost of Conflict

Edited by Michael Cranna for Saferworld. 1994. 208pp. ISBN 1-85383-254-5. £14.95. Published by: Earthscan Publications Ltd, 120 Pentonville Road, London N1 9JN. Tel: +44 (0)171 278 0433. Fax: +44 (0)171 278 1142.

The True Cost of Conflict reports on Saferworld's ambitious project to evaluate the costs and benefits of conflict. Based on seven case studies, the study concludes that conflicts fail an economic cost-benefit test. In all the cases (the Gulf War, Indonesia's invasion of East Timor, the civil wars in Mozambique and Sudan, Peru's guerrilla war, Kashmir's independence struggle and the war in ex-Yugoslavia), the impact of conflict on human lives, economic development and environment was devastating and short-term benefits were far outweighed by the long-term costs. It was not only the countries involved but also their trading partners and the Western industrial countries which incurred huge costs in the form of lost investment opportunities and markets. The study concludes by suggesting ways of conflict prevention, resolution and/or management that the international community could adopt.

This publication provides vivid descriptions of the costs of conflict yet does so without a social structural analysis to account for change and conflict. Thus it gives an aestheticised version of economism in which war is depicted solely as a catastrophe, and not as an historical process, in which the dramatic, provisional and technical are celebrated at the expense of highlighting long-term social processes. For instance, in the case of Mozambique, no mention is made of the 'unintended consequences' of the conflict, such as the emergence of a dynamic grass-roots war economy, changes in social relations and the redefinition of state/civil society relationships. The major shortcoming of the publication is on 'what is to be done'. First, its proposals assume a consensus on the acceptability and sustainability of the nation-state system, thereby foreclosing the very issues that should serve as the subject matter to be investigated. Second, the suggestion that the World Bank and the IMF could pressurise governments to promote human rights glosses over the fact that, in many 'Third World' countries, it is the IMF-World Bank structural adjustment conditionalities which have resulted in the increasing violation of human rights. Nonetheless, the book is useful in that, by 'laying bare the true costs and benefits' of conflict to the human race, it alerts the international community to the need to deal urgently with conflict.

Reviewer: Mark Chingono, Research Officer, Refugee Studies Programme



The Isabellas: the Long March

Writer/director/producer: Sally Ingleton. 1994. 54 minutes. Singing Nomads Production. International sales: Celluliod Dreams, 24 rue Lamartine, 75009 Paris, France. Tel: +33 1 49700370. Fax: +33 1 49700371.

The Isabellas: the Long March is an Australian television documentary focusing on a group of 56 Chinese refugees who made their way on a small boat (later named 'Isabella' by the Australian authorities) to the north coast of Australia to seek asylum. The documentary follows Mr Chen Xing Liang, a pro-democracy activist and one of the leaders of the Chinese. He tells the tale of how, upon arrival, they were promptly charged with 'illegal entry' and thrown into a detention centre. Mr Liang and some other leaders were moved to a normal prison after being classified as a 'security risk' when they organised a hunger strike in protest. Though the exact timeframe is not altogether clear, it seems most of the Chinese spent years before being recognised as refugees and released. The documentary is moving; Mr Liang is poetic and his lines are inspiring. However, after viewing the programme, one cannot help but feel that a lot was missing. Much of the documentary focuses on the physical perils of the journey from China and on how they survived in the Australian desert until rescued and detained. Dramatic stuff perhaps; but that simply is not the issue.

The issue is that in China human rights violations are a daily fact of life. Any sort of perceived opposition to the government line is brutally stamped out. That is why countless people flee, so desperate that they would risk their lives on what was little more than a raft. The many people (in Australia and elsewhere) who think refugees are 'bogus', out to snatch welfare benefits, seem to overlook this fact: people looking for a couple of easy bucks are not usually that motivated. The issue is that in Australia those who seek asylum at the border without 'prior authorisation' to enter the country (ie a genuine passport and visa - impossible to obtain when fleeing your country) are automatically detained. This is mandatory, in most cases is not subject to any review and lasts for the duration of the refugee determination procedure. This practice is contrary to numerous international standards, not the least of which is Article 31 of the Refugee Convention itself. Finally, we must never lose sight of the fact that Mr Liang and his colleagues who were recognised as refugees are the lucky few. Chinese arriving by boat in Japan are detained and sent back automatically, with no chance even to lodge an application for refugee status. These are the issues that have to be addressed.

Reviewer: Saul Takahashi, Visiting Study Fellow, Refugee Studies Programme



Publications

Publications are arranged in alphabetical order under three headings: Newsletters, journals and papers; General; and Research findings.

Newsletters, journals and papers

Liaison News is published every month except January and August and provides NGO news on North-South action in the European Union. Available in French and English. Free. Issue 5 (March 1995) includes reports on Belgium's historic lead in banning landmines and the European NGO campaign on desertification. *Contact: Liaison Committee of Development NGOs to the European Communities, Square Ambiorix 10, B-1040 Brussels, Belgium. Tel: +32 2 736 4087. Fax: +32 2 732 1934. E-mail: clong@gn.apc.org*

Refuge (Canada's periodical on refugees) is published ten times a year and provides a forum for sharing information and opinion on Canadian and international issues pertaining to refugees. December 1994 and January 1995 comprise a two part special issue on women refugees. Annual subscription costs: Canada Can\$50; all other countries US\$60. (Cheques drawn on Canadian or US banks only.) Single issues available. *Contact: York Lane Press, Centre for Refugee Studies, Suite 351, York Lanes, York University, 4700 Keele Street, North York, Ontario, Canada M3J 1P3. Tel: +1 416 736 5843. Fax: +1 416 736 5837. E-mail: refuge@vml.yorku.ca*

Tamil Information is the news bulletin of the Tamil Information Centre. Subscriptions: UK £7.00; other countries £12.00. *Contact: the Tamil Information Centre, Thamil House, 720 Romford Road, London E12 6BT. Tel: +44 (0)181 514 6390.*

Tapol is the bulletin of the Indonesia Human Rights Campaign. Produced six times a year. ISSN 1356-1154. Range of subscriptions available. *Contact: Tapol, 111 Northwood Road, Thornton Heath, Surrey CCR7 8HW, UK. Tel: +44 (0)181 771 2904. E-mail: tapol@gn.apc.org*

The Sri Lanka Monitor is part of an information processing service set up by the British Refugee Council to keep Sri Lankan refugees in Britain, Europe and elsewhere informed about the current situation in their home areas. ISSN 0955-5943. *Contact: The Sri Lanka Project, The Refugee Council, 3/9 Bondway, London SW8 1SJ, UK. Tel: +44 (0)171 582 6922. Fax: +44 (0)171 582 9929.*

Transformation is an International Evangelical Dialogue on Mission and Ethics. The April/June 1995 issue is based on reports, articles and resolutions which emerged from the January 1995 study programme 'The Refugee Question: a critical issue for mission' held at the Oxford Centre for Mission Studies, Oxford, UK. Particular emphasis on Rwanda. Cost for individual copies: equivalent to £3.00 in your own currency (cheques only); half price for developing country purchasers. Cheques payable to Oxford Centre for Mission Studies. Subscriptions also available. *Contact: OCMS, PO Box 70, Oxford OX2 6HB, UK. Tel: +44 (0)1865 56071. Fax: +44 (0)1865 510823. E-mail: Compuserve 100270,2155*

Women's Commission News is the quarterly newsletter of the members' network of the Women's Commission for Refugee Women and Children. Annual membership costs US\$35. *Contact: WCRWC, c/o IRC, 122 East 42nd Street, New York, NY 10168-1289. Tel: +212 551 3086. E-mail: WCRWC@IRC.COM*

General publications

Asylum in Europe [Volume II]: review of refugee and asylum laws and procedures in selected European countries *European Council on Refugees and Exiles (ECRE). October 1994. 306pp. ISBN 0-9521634-1-1. £12.00 (including post and packing). Contact: ECRE, Bondway House, 3 Bondway, London SW8 1SJ, UK. Tel: +44 (0)171 582 9928. Fax: +44 (0)171 820 9725.* This is Volume II of the 4th edition of *Asylum in Europe* (Volume I was reviewed in RPN 16, March 1994). Volume II describes the laws and procedures of five countries - Denmark, Finland, Germany, Hungary and Switzerland - in a comparative format. The itinerary of the refugee from the initial volatile

condition of asylum seeker to the official recognition of refugee status is analysed in three major phases: arrival - provisional asylum - refugee status.

A world safe from natural disasters: the journey of Latin America and the Caribbean *Pan American Health Organisation [Regional Office of the World Health Organisation]. 1994. 112pp. ISBN 92-75-12114-1. US\$20.00. Contact: Emergency Preparedness and Disaster Relief Coordination Program, Pan American Health Organisation, 525 23rd St NW, Washington, DC 20037, USA. Fax: +202 775 4578.*

E-mail: DISASTER@PAHO.ORG
Published midway through the International Decade for Natural Disaster Reduction, this publication aims to remind policy makers and the international community that a modest but sustained investment in disaster reduction in Latin America and the Caribbean has saved, and will continue to save, in a non-dramatic but effective way, a large number of lives and avoid tragedies which would otherwise drain resources for humanitarian assistance. Issues covered include: from improvisation to response planning; disaster preparedness; mitigation and prevention. The publication also gives an overview of the region. Colour photos throughout.

Burundi: ethnocide as discourse and practice by René Lemarchand. 1994. 206pp. ISBN 0-521-45176-0. £30.00. *Contact: Cambridge University Press/Woodrow Wilson Center Press, The Pitt Building, Trumpington Street, Cambridge CB2 1RP, UK; 40 West 20th Street, New York, NY 10011-4211, USA.* This book offers a wide-ranging discussion of the roots and consequences of ethnic strife in Burundi. It provides a background for an understanding of Burundi's 1993 transition to multiparty democracy and the coup and violence that followed. The main emphasis is on how ethnicity can be exploited to transform and mobilise the system of political discourse and ultimately invest it with the horrors and irrationality of genocidal violence.

Let the dawn come (Social development: looking behind the clichés) *Panos/NOVIB. 1995. 152pp. ISBN 1-870670-33-7. £8.95. Contact: Panos Publications Ltd, 9 White Lion*

Street, London N1 9PD, UK. In this book, journalists from Africa, Asia and Latin America present the views of ordinary men and women striving to improve their lives with the help of NGOs. The introductory chapter examines forces for and against social development. It is followed by five chapters looking at examples in Guatemala, India, Uganda, Zimbabwe and Bangladesh. The appendices comprise a proposed action agenda for the Social Summit; a new world social charter; and common messages from the case studies.

Meeting needs: NGO coordination in practice by Jon Bennett. March 1995. 190pp. ISBN 1-85383-235-9. £13.95. Contact: Earthscan Publications Ltd, 120 Pentonville Road, London N1 9JN, UK. Tel: +44 (0)171 278 0433. Fax: +44 (0)171 278 1142. *Meeting Needs* looks at the ways NGO collaboration is developing and brings together the experiences of various coordination bodies. The introduction looks at recent trends in relief aid and is followed by eight detailed case studies (Afghanistan, Ethiopia, Eritrea and Tigray, Mozambique, Kenya, Lebanon, Central America and Cambodia). The studies illustrate the different approaches to coordination and reveal ways in which NGOs can work better together, both at an international level and on the ground.

Refugio y conflicto en el mundo [Refuge and conflict in the world] HEGOA dossier. December 1994. 64pp. Contact: HEGOA, Facultad de Ciencias Económicas, Avenida Lehendakari Agirre 83, 48015 Bilbao, Spain. Fax: +34 4 4762653. This reference dossier presents a compilation of articles from various publications specialising in migration and refuge. The articles are arranged under four headings: refuge and asylum (concept and evolution); causes of the search for refuge; vulnerable sectors and cooperation; repatriated refugees and displaced persons in the world. Available in Spanish only.

Sexual violence against refugees: guidelines on prevention and response UNHCR. March 1995. 65pp. Contact: UNHCR, Palais des Nations, CH-1211 Geneva 10, Switzerland. Sexual violence against refugees is a global problem. These Guidelines provide a primer on when and how sexual violence can occur in the refugee context and the physical, psycho-

logical and social effects it can have. They highlight the fact that many (perhaps most) incidents of sexual violence remain unreported for reasons including shame, social stigma and fear of reprisal or the case going to trial. The Guidelines address ways to combat the occurrence of sexual violence and how to respond when incidents occur. They emphasise the need for education, training and information campaigns, and underline the need for refugees - and in particular refugee women - to receive legal awareness training, leadership and skills training, and education.

The Refugee Convention, 1951 the *Travaux Préparatoires* analysed with a commentary by Dr Paul Weis. 1995. 383pp. ISBN 0-521-47295-4. £75.00. Contact: Cambridge University Press, Publishing Division, The Edinburgh Building, Shaftesbury Road, Cambridge CB2 2RU, UK. The late Dr Paul Weis played an active part in the work leading to the preparation of the 1951 Convention and the 1967 Protocol, and was universally recognised as an expert on international refugee law. In addition to providing useful guidance for the interpretation of specific provisions of the Convention, the *travaux préparatoires* are of considerable historical significance. They illustrate the various issues which the refugee problem presented for the historical community at that time and the manner in which these issues were addressed, both on the conceptual and on the practical levels. They sometimes display a remarkable similarity to many of the issues arising out of contemporary refugee problems and thus provide a valuable point of reference. [In addition to publishing this book with Grotius, the RSP has also acquired Paul Weis' personal papers which are currently being archived and catalogued for researchers.]

War & hunger: rethinking international responses to complex emergencies edited by Joanna Macrae and Anthony Zwi with Mark Duffield and Hugo Slim. Published with SCF (UK). 1994. 242pp. ISBN 1-85649-292-3. Contact: Zed Books Ltd, 7 Cynthia Street, London N1 9JF, UK (tel: +44 (0)181 986 2946); 165 First Avenue, Atlantic Highlands, New Jersey 07716, USA (+2 908 872 1441). The authors explore ways in which warfare creates hunger. The cases of Angola, Sudan, Tigray, Eritrea, Mozambique and Somalia illuminate the nature of complex emergen-

cies in situations of war. Other chapters focus on the reforms required of the UN's machinery, reassess the role of relief in time of war, and ask how the international community should respond to the new circumstances of post Cold War international interventions.

World disasters report 1995 *International Federation of Red Cross and Red Crescent Societies*. May 1995. 150pp. ISBN 90-411-0038-5. Cost: 60 Swiss francs. Contact: IFRC, Case postale 372, CH-1211 Geneva 19, Switzerland. Tel: +41 22 730 4222. Fax: +41 22 733 0395. This annual report provides global information on disasters, conflicts and aid. It includes features on: Rwanda; Ethiopia ten years on; who suffers under sanctions in Iraq, Serbia and Haiti; early warning from Sudan's famines to Japan's earthquakes; Mozambique homecoming; humanitarian needs in conflict; surviving Bangladesh cyclones; plus all 1994's major disasters and appeals. Available in English, French, Spanish and Arabic.

Research findings

Crisis or transition in foreign aid edited by Adrian Hewitt. ODI special report. 1994. 97pp. ISBN 0-85003-208-3. £17.50. Contact: Overseas Development Institute, Regent's College, Inner Circle, Regent's Park, London NW1 4NS, UK. Fax: +44 (0)171 487 7590. Has the end of the Cold War caused a crisis in official aid, already beset by budgetary cuts, challenges on effectiveness and so-called 'donor fatigue'? Or are the problems specific to a few donors, while others move ahead with more constructive policies, stronger and broader-based public support, and larger programmes? This Special Report assesses the current position in eleven of the leading donor countries (UK, USA, Canada, Japan, France, Germany, Italy, Netherlands, Norway, Sweden and Denmark) plus the European Union and looks to the future of foreign aid.

Palestinian resettlement in Lebanon: behind the debate by Professor Hilal Khashan, American University of Beirut. April 1994. Contact: Inter-University Consortium for Arab Studies, Université de Montréal, CP 6128, succursale 'A', Montréal, Québec H3C

Publications continued...

3J7, Canada. Fax: +1 514 343 2360. Part of an occasional papers series 'Montreal Studies on the contemporary Arab world' published by the Inter-University Consortium for Arab Studies. The objective of the study is to provide information on the views of Lebanese respondents concerning the controversial issue of resettling Palestinian refugees in Lebanon. It examines: 1. the intensity of awareness on the issue of Palestinian resettlement in Lebanon; 2. its perceived impact on Lebanese politics; 3. proposed reaction to the possibility of its imposition; and 4. its expected impact on Lebanon's individual sectarian groups. The findings show that many of the same 986 respondents do not seem to know much about the continuing debate on resettling Palestinians in Lebanon, although most of them tend to oppose the idea. They fear that resettlement will have damaging repercussions for the domestic situation in Lebanon. The majority of respondents believe, however, that the resettlement of Palestinians should not be contested, even if it hurts the political and economic assets of Lebanon's confessional groups.

Post-conflict rehabilitation: preliminary issues for consideration by the health sector

by Joanna Macrae and Anthony Zwi with Vivienne Forsyth. *London School of Hygiene & Tropical Medicine*. 1995. 63pp. ISBN 0-902-65754-2. £10 for institutions in industrialised countries; £5.00 elsewhere. Contact: The Editor, Public Health and Policy Publications, London School of Hygiene & Tropical Medicine, Keppel Street, London WC1E 7HT, UK. Tel: +44 (0)171 636 8636. Fax: +44 (0)171 637 5391. This study was commissioned by the ODA (Health and Population Division) to identify the key issues and implications facing international agencies working to improve the functioning of the health sector in situations of 'post'-conflict transition. The report argues that in many countries considerable resources have been invested in rehabilitating health systems; sustaining these investments in the longer term has proved extremely difficult. It concludes that improving the quality and sustainability of rehabilitation interventions will depend upon making significant adjustments in the conceptual, organisational and operational aspects of health policy. These are discussed in detail in the context of current debates concerning the relief-development continuum. Also available from the same address is an earlier report

concerned with 'post'-conflict rehabilitation of the health sector in Uganda.

Refugee and labour movements in Sub-Saharan Africa: a review and Shelter provision and settlement policies for refugees: a state of the art review

by Dr Jonathan Baker (Senior Researcher at the Nordic Africa Institute, Uppsala, Sweden) and Dr Roger Zetter (Deputy Head, School of Planning, Oxford Brookes University, Oxford, UK). 1995. 106pp. ISBN 91-7106-362-5. £5.00. Contact: The Nordic Africa Institute, PO Box 1903, S-751 47 Uppsala, Sweden. This is Report No 2 of the Studies on Emergencies and Disaster Relief by the Nordic Africa Institute, produced in cooperation with SIDA, and comprising two separate reports. Dr Baker provides recent data on refugees in sub-Saharan Africa and two main features emerge from his discussion. First, the region has the highest number of refugees of any continent and hosts 36% of global refugees. Second, the plight of internally displaced populations as a result of conflict has not been accorded the attention that it deserves, often because of government sensitivities. Dr Zetter's study challenges some of the underlying but misleading assumptions regarding the subject of refugee shelter provision and settlement policy. The apparent dilemma facing policy makers and governments is the contradiction between the permanency of housing - a basic refugee need - and the presumed temporariness of refugees. Important lessons and experiences from earlier situations are rarely transferred to new refugee contexts. Also available are Reports no 1 (*Internally displaced, refugees and returnees from and in Mozambique* by Ken Wilson; 1992; 61pp) and no 3 (*Somali refugees in the Horn of Africa* by Sidney Waldron and Naima Hasci; 1995; 88pp). £5.00 each. From above address.

Refugee women and reproductive health care: reassessing priorities

by Deidre Wulf, Women's Commission for Refugee Women and Children. June 1994. 77pp. ISBN 0-96377111-6. Free but US\$2 for shipping/handling required. Contact: WCRWC, c/o IRC, 122 East 42nd Street, New York, NY 10168-1289. Tel: +212 551 3086. Fax: +212 551 3186. E-mail: WCRWC@IRC.COM This publication contains the results of a year-long study of availability and feasibility of reproductive

health services for refugee women. The initial 'principal report' on general reproductive health needs among refugee women is followed by eight country reports: Liberian refugees in Côte d'Ivoire, Rwandan refugees, Somali refugees in Kenya, Afghan refugees in Pakistan, Central American asylum-seekers in Belize, refugees on the Laos and Burma borders of Thailand, Vietnamese refugees in Hong Kong and returning refugees to Cambodia.

Sudan's invisible citizens: the policy of abuse against displaced people in the north

African Rights. February 1995. 60pp. £5.95/US\$8.95 including postage; single copies free to African individuals in Africa. Contact: African Rights, 11 Marshalsea Road, London SE1 1EP, UK. Tel: +44 (0)171 717 1224. Fax: +44 (0)171 717 1240. This report describes how the government of Sudan is inflicting appalling suffering on several million of its citizens who are displaced from their homes, through a systematic and brutal policy of forcible change of cultural identity, discrimination through the law, the demolition of their houses and forced relocation. Also available: Discussion Paper no 2: *Components of a lasting peace in Sudan: first thoughts*. December 1993. 28pp. £3.95/US\$5.95.

The Return of Guatemalan Refugees: Two Years After

by Beate Thoresen, ICVA Representative in Guatemala. March 1995. 11pp. Contact: ICVA, Case Postale 216, Geneva 21, Switzerland. Tel: +41 22 732 6600. Fax: +41 22 738 9904. E-mail: icva.geneva@cnet.com This short report looks at issues such as the development of the returns; refugees with land and refugees without land; numbers of returnees; reasons for slow return; negotiations; and changes in the situation at the beginning of 1995.

Do you have publications to share or advertise?

If you produce a publication which might be of interest to other RPN readers, please send details (and a copy if possible) to the Editor (address p2). Remember to include any price/subscription charges plus address and tel/fax numbers. Deadline for the next issue of the RPN is 1 August 1995.

Join the Refugee Participation Network...

The Refugee Participation Network is a network of some 2,200 individuals and organisations in 110 countries, bringing together researchers, policy-makers, refugees and those working on the ground with refugees. Members receive the RPN Newsletter which is published three times a year and includes articles and reports, book reviews, letters and updates on publications, forthcoming conferences, etc. Themes are advertised in advance and members are encouraged to contribute.

Membership is free but we urge all of you who can afford it to pay a voluntary subscription of £20 (US\$30) a year. A subscription of £40 (US\$60) would cover the subscription of someone less able to pay. (If possible, please pay by sterling cheque or draft drawn on a bank in the UK.)

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RSP news : documentation and research activities

Documentation Centre

The RSP Documentation Centre has been successful in its bid to the British Library for a grant to preserve its collection of grey literature. The grant of £5,000 will be used to purchase acid-free archival envelopes and closed boxes to re-house its fragile documentation. The Centre has also recently acquired funding from the University of Oxford's equipment fund. This was used to upgrade and increase the number of computers for both readers and staff, and to purchase a laser printer. These have provided much needed OPAC access for the RSP catalogue and, with the installation of ethernet, wider and quicker access to outside online networks.

Research : impact of migration on social integration

As part of its contribution to the World Summit for Social Development held in March 1995 in Copenhagen, the United Nations Research Institute for Social Development (UNRISD) asked **Dr Nicholas Van Hear** to prepare a paper looking into the impact of migration on social integration. This has appeared as *Migration, displacement and social integration*, UNRISD Occasional paper 9 for the World Summit for Social Development, Geneva, November 1994. The paper also appears in abridged and edited form as 'Global citizens on the move: a new era of international migration' (with Peter Stalker) in *States of disarray: the social effects of globalization*, an UNRISD report for the World Summit for Social Development, edited by Peter Stalker, UNRISD, Geneva, March 1995.

Both the paper and the book are available from UNRISD, Palais des Nations, CH-1211, Geneva 10, Switzerland.

Dr Nicholas Van Hear is a Research Officer at the Refugee Studies Programme.

Report on field research with Guatemalan returnees

In March 1995, **Dr Giorgia Donà** undertook field research in Guatemala. The aim was to investigate the social, political, cultural and psychological conditions of Guatemalan refugees who have repatriated from Mexico to the northwestern part of Guatemala (Ixcàn), and to assess the prospects for reintegration.

Since January 1993, about 4,800 Guatemalans have returned in organised and collective fashion in Ixcàn, Department of El Quiché, north-west Guatemala. About 15,000 have already signed up to return in the near future.

The settlements where the refugees have now returned are interspersed with 'model villages', with army bases, and with Communities of Populations in Resistance (CPR). In model villages under army influence, men have to take turns in a programme of civil vigilance by which they control the activities and whereabouts of the other members of the village. CPRs are communities of internally displaced individuals who withdrew into remote localities to escape army attacks in the 80s, and who have now emerged and returned.

Four main issues need to be analysed in order to understand and foster reintegration:

Land : One of the conditions for the collective and organised return was the reappropriation of land previously owned and the acquisition of land for those who did not own it. Progress in this area is much slower than anticipated. There are still families who returned to Guatemala in January 1993 and who have not been allocated land. They are supporting themselves by cultivating small portions of land wherever available but they are experiencing insecurity and frustration.

Security : The Guatemalan government has accepted that the returnees have international accompaniment. According to this agreement, foreigners live in the returned settlements to ensure that no attacks by the army will be carried out. Since 1993, one returnee has been found dead on the side of the road. There were signs of torture on his body. The CPRs also have international accompaniment.

International Assistance : International assistance is focusing on the returnees, for whom schools, roads and health centres are being built. In some instances, the local villagers benefit from this type of assistance (such as roads) but there are situations in which the members of the CPR and the inhabitants of model villages are in a disadvantaged condition.

Cultural & psychological experiences : Since 1981-1982, Guatemalans have undergone diverse experiences at a social, political, cultural and psychological level. The refugees who went to Mexico have received international attention and support from various organisations. Those living in model villages received help from the government while the CPRs received some help through non-governmental organisations.

The refugees who went to Mexico have become aware of their rights as citizens of a country and also have got used to receiving support for projects so are unlikely to implement projects if they are not supported by outsiders. The CPRs, because of their isolation in the mountains, have developed a system of self-reliance and a strong feeling of community life and sharing. Individuals living in model villages have developed a strategy of submission and at times mistrust of each other. As a consequence there are three different types of communities.

At present, integration is occurring at different paces among the different groups. Because of the common experience of flight and resistance, the returnees and the CPRs have achieved more contact and sharing than the other groups. Reintegration with the inhabitants of the model villages is proceeding more slowly and it will require an increase in trust. So far, fear and mistrust permeate the relations with the soldiers in the army bases.

Findings are presented in a paper entitled 'El retorno: The Collective and Organized Return of Guatemalan Refugees and its Effects on the Process of Reintegration'.

Dr Giorgia Donà is a Senior Research Officer at the RSP.