

FORCED MIGRATION

5

August 1999

review

published by

the Refugee Studies Programme in association with the Norwegian Refugee Council/Global IDP Survey

Learning from Kosovo



- diplomacy and intervention
- failing the internally displaced
- coordination and chaos
- evacuation, reception and return
- popular v unpopular refugees

Plus:

- East Timor
- security for women
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Forced Migration Review provides a forum for the regular exchange of practical experience, information and ideas between researchers, refugees and internally displaced people, and those who work with them. It is published three times a year in English, Spanish and Arabic by the Refugee Studies Programme/University of Oxford in association with the Global IDP Survey/Norwegian Refugee Council. The Spanish translation, *Revista de Migraciones Forzadas*, is produced by HEGOA in Bilbao, Spain.

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Forthcoming features

December 1999: Art and culture of displaced communities
April 2000: Property and land issues

We encourage the submission of material in English, Spanish or Arabic, relating either to the special feature of each issue or to any other aspect of forced migration.

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from the editors

We are delighted to have our colleague Dr Matthew Gibney as Guest Editor for this issue with its focus on Kosovo. In his introduction 'Learning from Kosovo', on page 4, Matthew Gibney discusses the relevance of an issue on Kosovo and introduces the articles that follow.

We received so much material on Kosovo that the feature section is longer than usual; in the rest of the issue, you will find our usual regular features plus one general article – on East Timor – and an extract from a report on sexual and gender-based violence in Tanzania.

We would like to express our thanks to the Department for International Development (DFID) for their sponsorship of this issue of *Forced Migration Review*.

Forthcoming issues: *Forced Migration Review* issue 6 (due out December 1999) will include a feature section on the art and culture of displaced communities; issue 7 (April 2000) will focus on property and land issues relating to refugees and IDPs. If you would like to contribute, please contact the Editors (fmr@qeh.ox.ac.uk) to discuss your ideas or send us your written contribution (up to 3000 words) by email or post.



Corinne Owen

Launch of trial Russian edition: In June, at the meeting of the Commonwealth of Independent States Conference in Geneva (see p41 for report), we launched a 28-page trial Russian edition of *Forced Migration Review*. It was well received and we are now seeking long-term funding for a regular Russian edition. If you know of any organizations that might be interested in receiving a copy, do send us their details.

Website developments: We have a new (hopefully improved) website! You can still access our pages via the RSP website; alternatively you can go direct to www.fmreview.org for more immediate access.

Have you recently acquired or changed your email address? Please let us know. Contacting you by email - to renew your subscription, for example - saves us money, freeing up resources for developing *Forced Migration Review*.

Lastly, remember that we welcome comments on articles that appear in *Forced Migration Review*. We can put you in touch with the authors or discuss publication of your comments in our Debate section.

With our best wishes.

Marion Couldrey & Tim Morris
Editors

Cover photographs: *Refugees* (UNHCR/Le Moyne),
1st Battalion of the Parachute Regiment on Pristina road (Crown Copyright/Kevin Capon)

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Introduction: learning from Kosovo

by Matthew J Gibney, Guest Editor

This edition of *Forced Migration Review* was originally conceived as Part II of a discussion on forced migration and security. Very early on in planning, however, it became apparent that events in the Balkans were giving rise to Europe's largest movement of forced migrants in recent history. Faced with these developments, and a wealth of interest among academics and practitioners in these events, the Editors decided to dedicate most of this issue to the Kosovo crisis.

While the focus of this issue has changed, the theme of security remains extremely relevant. The Kosovo crisis powerfully illustrates the inextricable linkage between issues of forced migration and national and international security. Forced migrants have been a central element in every part of the response of states. Western involvement in the region was originally legitimated by the desire to prevent the instability and human misery caused by domestic and international displacement. The Serbian response to Western intervention, which reached its peak with the beginning of the NATO bombing campaign on 24 March, was to expel Kosovan Albanians from Kosovo, resulting in mass movements of refugees into Albania, Macedonia and Montenegro. As the crisis unfolded, it quickly became clear that the safe and secure return of the refugees to Kosovo was the West's fundamental requirement for an end to the bombing. Even now that most Kosovans have returned and NATO occupies Kosovo, forced migration remains the province's biggest challenge. As I write, the flight of Serbs and Romas threatens to reduce Kosovo to a virtual mono-ethnic polity. The cost of successful intervention on behalf of the Kosovan Albanians risks being a Kosovo unsafe for Serbs and Romas.

No event in recent memory illustrates so clearly how crucial forced migration has become in expanding the humanitarian objectives of states in the post Cold War world. Yet few events offer such a salu-

tary reminder of the problems and difficulties that confront states, NGOs and international organizations motivated by humanitarian imperatives. What can we learn from Kosovo?

The articles assembled here represent a cross-section of responses to this question from academics and those in NGOs and international organizations. They range from the relatively sanguine, if qualified, interpretation of the consequences of the NATO intervention of Richard Caplan's 'Kosovo: the implications for humanitarian intervention' to Michael Barutciski's more pessimistic account of how the bombing campaign will affect the authority of the UN Security Council and regional stability in the Balkans, 'Western diplomacy and the Kosovo refugee crisis'. In 'Failing the internally displaced', Roberta Cohen and David Korn remind us of the inadequacy of the international protection available to the most vulnerable of Kosovan Albanians, the IDPs, who could not access the humanitarian assistance available in neighbouring states.

The next three pieces look at Kosovo from the perspective of international agencies. Nicholas Morris, in 'UNHCR and Kosovo', analyses the development of UNHCR's involvement in the region. Peter Morris' 'Humanitarian interventions in Macedonia' discusses the involvement of NATO in the provision of humanitarian assistance and its relationship with UNHCR and NGOs. Finally, in 'Coordination in the midst of chaos', Toby Porter draws upon his experience in Albania to illustrate the problems associated with coordinating the activities of humanitarian organizations in refugee settings.

The final three pieces are Alice Bloch's 'Kosovan refugees in the UK', Peter Marsden's 'Myth and reality' and my 'Kosovo and beyond'. Bloch's piece considers refugees evacuated from Macedonia, contrasting their treatment in the UK with that of asylum seekers from Kosovo and other countries.



Corinne Owen

Marsden considers the issue of repatriation, raising doubts as to whether the conditions for voluntary return have been fully met in the case of refugees from Macedonia. Finally, I ask why the Kosovans elicited such a powerful humanitarian response among Western audiences, and consider the prospects for replicating this reaction for less popular forced migrants.

The dust has not settled in Kosovo. Tensions continue to rack the region, people are still being displaced, the KLA has yet to disarm, and not all the Kosovan Albanians have returned. Furthermore, we still lack the historical distance that would enable us to put Kosovo in context. What the contributors to this edition of *Forced Migration Review* offer are early reflections on the significance, implications and lessons of the Kosovo crisis. They disagree with each other on whether Kosovo represents a turning point in dealings with forced migration or whether it stands simply for lessons unlearned and problems repeated. Where they agree, as must all those concerned with the fate of forced migrants, is in the importance of learning from Kosovo.

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Kosovo: the implications for humanitarian intervention

by Richard Caplan

Do NATO's actions represent an advance or a setback for international order?

Asked, some 200 years after the event, to comment on the significance of the French Revolution, the Chinese Premier Zhou En-lai is reported to have replied, "It's too soon to tell". If it is still too early to assess the impact of the French Revolution, what can be said about the likely implications of NATO's war in Kosovo only a few months after the guns have fallen silent?

To many observers, NATO's war in Kosovo marks a dramatic shift in the contours of international relations that is likely to have far-reaching ramifications for years to come. States have long taken exception to the notion of humanitarian intervention because it threatens to undermine a bedrock principle of the international system: national sovereignty. Yet, in the case of Kosovo, the 19 states of the Atlantic Alliance chose to put aside their concerns for national sovereignty in favour of humanitarian

considerations.¹ They did so without the explicit authorisation of the UN Security Council - arguably the only legal basis for states to resort to force against other states apart from self-defence.

Do NATO's actions herald a sea change in state practice with respect to humanitarian intervention? Do they represent an advance or a setback for international order?

Historic trends

When viewed in the context of broader developments since the end of the Cold War, it becomes apparent that NATO's actions are part of a larger trend which has seen states give increased weight to human rights and humanitarian norms as matters of international concern. Starting with northern Iraq in 1991, when Britain, France and the US established a 'safe haven' to protect the

Kurdish population from violent attacks by Saddam Hussein, states have carried out humanitarian interventions in Bosnia, Somalia, Rwanda, Haiti and Albania. Many of these interventions were launched only after a crisis had assumed catastrophic proportions. States have thus come under pressure to take more effective measures in advance of humanitarian disasters.

It is not only by virtue of enforcement action that humanitarian norms have achieved increased prominence. The international community has also taken steps to give greater substance to humanitarian law. The establishment of two *ad hoc* war crimes tribunals (for Yugoslavia and Rwanda) and the initialing of a treaty in 1998 to set up a permanent international criminal court with jurisdiction over war crimes, genocide and crimes against humanity represent significant progress in this regard.

Alongside these developments NATO's actions in Kosovo begin to look less anomalous. A critical difference, however, between these events and NATO's war in

Kosovo, is that in every case but one they were UN-sanctioned initiatives while NATO's was not. (The one exception was northern Iraq, where the Security Council authorized a humanitarian relief operation but not the coercive measures taken by the Western allies in support of the operation.)²

Yet in Kosovo, NATO was not acting entirely independently of UN prescriptions. The Security Council had demanded, *inter alia*,



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that Belgrade cease all actions by its security forces affecting the civilian population of Kosovo, withdraw its units engaged in civilian repression from the province and enter into 'meaningful dialogue' with the Kosovan Albanians leading to a political settlement. (The Albanians, too, were subject to various demands.)³ The Security Council had warned repeatedly of an 'impending humanitarian catastrophe' if these and other demands were not met. It was in support of these objectives that NATO first issued and then acted on its threats to use force.

The failure of the Serbian authorities to comply with the UN's demands did not, however, provide sufficient legal justification for NATO's actions, notwithstanding the claims some states made to that effect. The resolutions contain references to 'further action' and 'additional measures' which the Security Council was only prepared to 'consider'. Yet it would be wrong to suggest that the member states of NATO side-stepped the UN wilfully. All of these states, though no doubt some more than others, would have preferred to see the Security Council manage the crisis - if the Security Council had been able to do so effectively. Indeed, they sought successfully to return the matter to the Security Council once Belgrade had agreed to NATO's demands. In the end the Atlantic Alliance acted without UN authorisation because it could not countenance the prospect that a Russian and Chinese veto of enforcement measures would allow Belgrade to proceed with its campaign of violence.

Bridging the gap

The problem here, as in other humanitarian crises, is one of the UN 'willing the end but not the means', as Adam Roberts has aptly put it.⁴ NATO can be said to have responded to a fundamental weakness in the global humanitarian order that entitles individuals to certain protections, by virtue of international covenants or binding UN resolutions, but does not offer effective mechanisms to ensure respect of them. NATO member states thus saw their actions possessing in legitimacy what they may have lacked in legality. This distinction was reflected in remarks by French President Jacques Chirac on the eve of NATO's threatened use of force in October 1998. France, he said, "considers that any military action must be requested and decided by the



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Soldiers patrol the village of Gornje Zakut, watched by returning Albanians

Security Council [but] the humanitarian situation constitutes a ground that can justify an exception to a rule, however strong and firm it is."⁵

It was, and remains, a risky proposition. In principle any state would have been in its right to come to the defence of Yugoslavia in what was construed by some, including Russia and China, to be an act of NATO aggression against a sovereign state. Naturally the political and military realities were such that counter-measures of this kind were highly unlikely. Indeed, when offered the opportunity to demand an immediate end to the air strikes, 12 out of 15 Security Council members voted against the Russian-sponsored resolution - an indication, arguably, of some recognition of the necessity of the NATO campaign.

More worrying, perhaps, is the precedent which NATO's actions have established. Will other states now feel freer to take enforcement measures in response to humanitarian crises when a UN consensus cannot be achieved? In some cases we might welcome such a development, as with Vietnam's intervention in Pol Pot's Cambodia and Tanzania's in Idi Amin's Uganda - two genocidal regimes whose elimination many applauded, however much states felt constrained to condemn the violations of national sovereignty which these interventions entailed. It is easy, however, to imagine other cases where the projection of mili-

tary force into another state will raise concerns, notwithstanding legitimate humanitarian grounds for such action. Even in the cases of Vietnam and Tanzania, the motivations for intervention were principally strategic: both states were responding to cross-border raids by their neighbours.

It is in part because motivations may be mixed and the intervening parties opportunistic - Hanoi went on to install a puppet regime in Phnom Penh - that states are hesitant to challenge the principle of non-intervention, as NATO's actions in Kosovo have done. Yet the alternative - unswerving adherence to the letter of the law - would arguably make the world safe for all manner of unconscionable acts carried out within a state's own borders, unless the Security Council were to determine that such acts posed a threat to international peace and security (the formal requirement for a UN-mandated enforcement action).

A way forward?

The conundrum is a very real one. It has only now become so pressing because the end of the Cold War has made it possible for states to undertake interventions which would hitherto have courted nuclear disaster and have thus been unthinkable.

Mindful of the challenge, the British government has been seeking to devise new

rules of the road. In a speech in Chicago in April 1999 Tony Blair declared "the principle of non-interference must be qualified in important respects". But the Prime Minister focused largely on the issues of when and whether to intervene, not how to do so. The options for change are numerous - from seeking greater cooperation among the permanent five (P-5) members of the Security Council to reforming the Security Council decision-making process to establishing a new legal basis for intervention. The attendant difficulties are also many.

Greater cooperation among the P-5 is already an option, albeit the least reliable one, as the diplomacy over Kosovo itself has shown. Chastened by NATO's recent actions, Russia and China may now seek to ensure that future Security Council resolutions preclude any possibility of intervention. Greater NATO accommodation of Russian security concerns, however, could help to establish a more cooperative relationship on the Security Council.

Reform of the Security Council decision-making process, through either the abolition or dilution of the veto, would be even harder to achieve and still might not guarantee results. Most states, while sensitive to the humanitarian imperative, are wary of facilitating interventions, especially when it is the former colonial powers that would probably be exercising the prerogative. Greater UN control over a military operation might mitigate their concerns but would rankle the US - a key player - unless perhaps a UN voluntary force can one day be established.⁶

An international or regional convention on intervention would be as difficult to achieve as fundamental UN reform. Indeed, the UN Charter would almost certainly need to be amended to accommodate such a treaty.⁷ There is also only limited scope for the emergence of regional customary law in this area. Although it is possible for customary rights to develop among a group of states, to be valid these rights would require the unanimous consent of all affected - including, in the case of Europe, that of Russia.

The obstacles to the formulation of new rules are therefore great. In the absence of a consensus for change, however, it is likely that some states will find it necessary to act outside the UN. Telling in this regard is the recommendation made by US Senator William Roth, president of the North Atlantic Assembly, NATO's parliamentary body, and adopted by the Assembly in November 1998: "NATO must preserve its freedom to act: the Allies must always seek to act in unison,

some states will find it necessary to act outside the UN

preferably with a mandate from the United Nations (UN) or the Organization for Security and Cooperation in Europe (OSCE), the framework for collective security in

Europe. Even though all NATO member states undoubtedly would prefer to act with such a mandate, they must not limit themselves to acting only when such a mandate can be agreed."⁸

Humanitarian intervention is likely to remain the exception rather than the rule. Yet as sovereignty comes increasingly to imply a government's responsibility towards its people and not just the scope for independent action, the pressures for states to intervene in response to urgent humanitarian catastrophes will also increase. If states find it necessary to act outside the framework of the UN Charter, the result may be to weaken one of the central pillars of international order. However, the failure to take effective action to ameliorate humanitarian catastrophes could have even graver consequences.

Richard Caplan is a fellow of Jesus College, University of Oxford, and co-editor of Europe's New Nationalism: States and Minorities in Conflict (Oxford University Press, 1996).

1 For a view of NATO's other 'agendas' in Kosovo, see Richard Falk, 'Reflections on the war', *The Nation*, 28 June 1999, pp11-15.

2 UN Security Council Resolution 688 (5 April 1991).

3 The relevant UN Security Council resolutions are 1160 (31 March 1998), 1199 (23 September 1998) and 1230 (24 October 1998).

4 Adam Roberts, 'Willing the end but not the means', *The World Today*, May 1999, pp8-12.

5 Cited in Catherine Guicherd, 'International law and the war in Kosovo', *Survival*, Summer 1999, p28.

6 See Brian Urquhart, 'For a UN volunteer military force', *New York Review of Books*, 10 June 1993, pp3-4

7 Article 103 of the UN Charter reads: 'In the event of a conflict between the obligations of Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail'.

8 'Summary recommendations', *NATO in the 21st century*, available at the Assembly's website: <http://www.naa.be>.

Humanitarian Evacuation Programme

Destination of Kosovan refugees airlifted from Macedonia

Germany	14,689
United States	9,198
Turkey	8,340
France	6,339
Norway	6,072
Italy	5,829
Canada	5,438
Austria	5,080
United Kingdom	4,346
Netherlands	4,060
Australia	3,969
Sweden	3,675
Denmark	2,823
Switzerland	1,687
Spain	1,426
Portugal	1,271
Belgium	1,223
Poland	1,049
Ireland	1,033
Finland	958
Czech Republic	824
Slovenia	745
Croatia	370
Israel	206
Malta	105
Luxembourg	101
Slovakia	90
Iceland	70
Romania	41
Total	91,057

Western diplomacy and the Kosovo refugee crisis

by Michael Barutciski

This article argues that Western diplomatic options in Kosovo were not fully exhausted before resorting to the use of force.

Recent violent events in Kosovo are part of an independence struggle that has existed for many years in both the old and new Yugoslavia. Until the NATO intervention, the most important new factor was an increase in the use of force by both sides to the conflict. This escalation followed a period during which Kosovo's Albanians were denied some of their basic human rights and openly expressed their intention not to abide by Yugoslav or Serbian laws. Over the last decade, Kosovo's Albanians created a parallel society, including government structures, an education system and tax collection, which unofficially existed alongside Belgrade's repressive rule. Given that politicians, both in Belgrade and Pristina, relied on nationalism to maintain their popularity, it became clear that it was in the interest of all actors to radicalise their societies in order to make compromise less feasible in the context of a disintegrating Yugoslavia.

From a humanitarian point of view, the hard-line position taken by certain NATO members involved in the Rambouillet peace process has only aggravated the Kosovo conflict. NATO's decision to bomb cities throughout Yugoslavia has destabilized Balkan states by transforming an internal low-intensity conflict into a regional humanitarian crisis. In view of the advances made by previous international attempts to resolve the crisis, other means should have been fully explored before resorting to the use of force. However, as is often the case in military operations motivated by humanitarian concerns, other preoccupations played a more prominent role. Unfortunately, civilian populations in the Balkans have paid a heavy price and will continue to

live in an unstable environment in the coming years.

To understand the consequences of Western diplomacy in the Kosovo crisis, it is necessary to distinguish the humanitarian situation that existed before and after early March 1999. NATO's decision to begin bombing Yugoslavia on 24 March must be placed in the context of its ultimatum to the Yugoslav government at the end of the Rambouillet peace talks (19 March) and the pullout of the international observers of the Kosovo Verification Mission (20 March). This context is quite distinct from the period preceding the second round of the Rambouillet talks (15-19 March).

Prior to March 1999

Kosovo benefited from extensive international preventive efforts throughout most of the 1990s. The international mediation conducted by certain NGOs since 1992 helped the Albanians and Serbs to clarify difficult issues of negotiation such as education curricula and the use of official languages. From 1992 to early 1999, the UN participated in a preventive mission in the Former Yugoslav Republic of Macedonia that had received little attention from the international news media despite its direct relevance to the situation in Kosovo. This mission concentrated its efforts on the threat of regional instability resulting from ethnic tensions related to the Kosovo crisis and a possible outflow of refugees into Macedonia. The UN military units that patrolled the country's borders with Kosovo and Albania represented a unique example of preventive action in the history of the UN. The discreet presence was appreciated by locals and helped to calm tensions.



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Bomb damage to road bridge between Pristina and Podujevo

The deployment also involved UNHCR personnel who prepared contingency plans in case a refugee movement destabilised the region. UNHCR's contingency planning was appropriately based on containment of any potential displacement. It was not possible to prepare for the large-scale displacement that could follow a dramatic escalation of the conflict because effective planning would require an unrealistic level of cooperation on the part of local governments and support from external actors who were promoting a peace plan. For example, the news media in Macedonia would have applied tremendous pressure on the fragile government if it ever considered the possibility that hundreds of thousands of Kosovo's Albanians would be provided with refuge on the small country's territory. Likewise, acceptance by Western governments of burden-sharing plans for a large outflow would have undermined the Rambouillet process.

From February 1998, when fighting intensified between separatist Albanian guerrillas and repressive Serb forces,

until the end of February 1999, UNHCR's estimates suggest perhaps as many as 200,000 to 300,000 persons were displaced in Kosovo. This was essentially a temporary rural displacement resulting from government operations against villages suspected of sympathizing with guerrillas. The figures are cumulative in the sense that many of the displaced persons returned to their damaged homes over the course of the year. News sources suggest total conflict-related casualties may have included 1,000 to 2,000 deaths over this one-year period. The very real suffering in Kosovo warranted international involvement, yet deciding the appropriate international response required careful analysis.

Until the end of February 1999, Western-led diplomacy over the Kosovo crisis was achieving positive results. Under pressure, the government in Belgrade had made significant concessions. Contrary to the pronouncements of the Yugoslav federal parliament in May 1998, the government accepted international mediation. It is difficult to imagine many countries allowing foreign involvement over such an internal issue. Indeed, the Milosevic-Holbrooke agreement of October 1998 led to the deployment of over 1,400 monitors from the Kosovo Verification Mission (KVM). These monitors, under the authority of the Organization for Security and Co-operation in Europe, were largely Western military personnel on a civilian mission. They travelled freely throughout Kosovo in 4-wheel drive vehicles and reported on abuses committed by both sides to the conflict. The agreement also allowed NATO to conduct aerial surveillance missions over Kosovo. In a further major concession from a government concerned about the exercise of sovereignty over its territory, UNHCR-led convoys were allowed to distribute emergency aid directly to the rural families of the separatist guerrillas.

Most importantly, the government in Belgrade had generally accepted the political dimension of the Rambouillet peace plan: enhanced autonomy for the province of Kosovo. Over the previous decade, Belgrade had used the secessionist challenge to national security and the constitutional order as justification for directly governing Kosovo and limiting the local autonomy re-affirmed in the

Serbian Constitution of 1990. By early 1999, Yugoslav politicians had publicly accepted that the Albanians of Kosovo were going to govern themselves with minimal interference from Belgrade. Western pressure had achieved these advances even though Albanian politicians had not renounced their claims to independence and had made little by way of concessions.

The humanitarian situation in March 1999

It is a basic principle of international law that all diplomatic means must be exhausted before resorting to the use of force. Unfortunately, key NATO members chose not to capitalise on the diplomatic successes and momentum

described above. Instead, they embarked on a more dangerous trajectory.

The Rambouillet peace process

ended because the Yugoslav authorities would not accept the military dimension of the plan: control of Kosovo by a NATO-led presence. Key NATO members failed to provide credible reasons why this was the only type of international presence that they were willing to accept. This is particularly important given that the political dimension of the Rambouillet plan included autonomy for Albanians in Kosovo on all internal issues, including security (Serb security forces would withdraw and the various guerrilla factions under the umbrella of the Kosovo Liberation Army would be transformed into police units). Clearly, it is hard to deny that the withdrawal of the Serb forces would have dramatically reduced the threat to the Albanian population. The situation was very distinct from the conflict within Bosnia-Herzegovina where territory continues to be contested by rival security forces.

Other forms of international presence were not explored even though President Milutinovic of Serbia indicated that the government was willing to discuss an expansion of the international presence in Kosovo. If part of the political context suggests that it is necessary to take into account that NATO is intent on assuming a robust role in the Balkans, why did Western diplomacy not focus on expanding the KVM and buttressing it with troop deployments also involving non-

NATO members that would monitor the Serb withdrawal? Sanctions and even the use of force could have been contemplated if the timetable for withdrawal had not been respected by Belgrade.

As the Rambouillet talks broke down and NATO warnings intensified, ground forces from NATO gathered at the Kosovo-Macedonia border. This tense situation led to an increase in the Yugoslav army presence in Kosovo. Due to the threat of a land invasion, Yugoslav forces particularly increased their presence and entrenched their positions in the border region. This was immediately followed by increased guerrilla activities (focusing on provocation and harassment) along the border. Significant refugee flows began arriving in Macedonia at this point as populations fled from the Yugoslav army presence and skirmishes with the guerrillas. The KVM's unilateral decision to pull out on 20 March was a further sign that diplomatic means had been abandoned. At this moment reports first began indicating that the inhabitants of certain towns were being expelled even though they were not linked clearly to guerrilla movements.

NATO's bombing campaign began a few days later. If our primary concern is the humanitarian plight of civilian populations, there seems little doubt that NATO's decision was ill-conceived. Not surprisingly, reports of violence and atrocities increased during the bombing campaign. Many more people were displaced as Serb forces rampaged throughout the province. Perhaps over half of Kosovo's approximately two million inhabitants were displaced over the two months of the bombing campaign. Beginning with the least complex and controversial types, it is possible to identify at least four types of displacement.

Firstly, villagers fled from the increased government operations against guerrilla strongholds. This temporary rural displacement undoubtedly became more desperate because of the overall increase in fighting and consequent difficulties in finding refuge in other villages. Secondly, certain inhabitants closely associated with guerrilla activities withdrew because of the guerrillas' inability to hold some strategic locations. Thirdly, the concentrated NATO bombing in Kosovo provoked the departure of many civilians seeking safer areas, just as many people throughout Yugoslavia left potential target areas. Fourthly, and

*diplomatic means
had been abandoned*

most influential for Western television audiences, Serb forces engaged in large-scale expulsions of perceived enemy populations. It is likely that many Serb troops were motivated by revenge and anger as modern cities throughout Yugoslavia were being bombed daily. This in no way excuses Serb violence but it is worth noting that there have been no international reports suggesting that the large Albanian populations in Belgrade or the rest of Serbia were mistreated during the conflict.

In describing the recent humanitarian plight of the Albanians from Kosovo, many Western commentators and politicians have made references to the Second World War and more particularly to crimes committed by the Nazis. It should be clear from the situation described above that such analogies are not accurate and do not advance our understanding of the Kosovo conflict. Instead of adopting a careful approach to Kosovo that takes into account the human rights of Albanians and the legitimate concerns of Serbs, the language of humanitarianism has obscured the deli-

nounced than in Macedonia. It is possible that the current government's fragile coalition composed of the more nationalist elements of the majority Slav population and minority Albanian population will not hold until the presidential elections later this year. The two communities were already profoundly divided and now there is little trust left following the harsh responses of the Ministries of Interior and Defence to the refugees arriving at the border. Yet it should be noted that the government had to deal with a refugee inflow that would have been considered destabilising in any country (proportionally, it is as if the US were to be confronted by the sudden arrival of 30 million refugees on its shores).

The refugees from Kosovo were Albanians who had grievances regarding their status in Yugoslavia and who then joined Albanians who had grievances regarding their status in Macedonia. Even if the repatriation programmes are effectively implemented, it is unlikely that the current constitutional arrangement in Macedonia will hold for long.

significant advances regarding the root causes of the tensions.

However, the resulting increase in regional instability might have been avoided if Western powers had respected international law by exhausting all diplomatic means before resorting to the use of force. The suggestion that the UN Security Council was not able to deal with the humanitarian situation is simply not accurate. All permanent members showed their willingness not to veto UN authorised military operations against Serb forces in Bosnia-Herzegovina. Following serious and extensive debates on the Kosovo crisis, the Security Council adopted a resolution declaring that the situation represented a threat to international peace and security. While this was an indication that a wide range of coercive measures available to the UN could be considered, some permanent members of the Security Council did not believe the time was right for military action. NATO engaged in air strikes without a Security Council resolution explicitly authorising the use of force precisely because its leaders knew that the action was controversial and unlikely to garner widespread international support.

The fact that powerful Western governments have acted with disregard for the UN Charter will have profound consequences for the new century. When the example of the Kosovo intervention is taken together with the unauthorised air strikes against Iraq, we should not be surprised that many populations around the world are worried by this new Western military adventurism and willingness to act outside the confines of international law. The next time that a regional military power acts outside the law and invokes moral reasons for justifying its 'humanitarian intervention' in the territory of a sovereign neighbour, it will be more difficult for the international community to respond with any credibility because of its actions in Kosovo. This should remind us that interventions have implications not just for refugees but also for the regional and international orders that ultimately determine the security of states and respect for human rights.

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it will be more difficult for the international community to respond with any credibility because of its actions in Kosovo

cate issues of co-existence in this part of the Balkans. Consequently, NATO has transformed a relatively small-scale political conflict into a regional humanitarian crisis.

The large refugee burden on Albania is being used by local actors in the political struggle for control over this unstable country. After all, we should not forget that there was a coup attempt in October 1998 and that a significant international military presence was deployed in the country during the anarchic period of 1997. Montenegro's difficult relations with Serbia have been aggravated by the divisions between the political leadership of these two Yugoslav republics. It is likely that the constitutional relationship between the remaining *de facto* entities of the Yugoslav federation will undergo severe strain in the near future.

Nowhere are the divisions provoked by NATO's bombing campaign more pro-

Recent history has provided the international community with an example of a state that collapsed because of the opportunities and grievances provoked by a large refugee presence. Indeed, Zaire no longer exists because the refugee presence led to a rebellion that overthrew the central authorities and created a new state, the Democratic Republic of Congo.

Conclusion

The process that led to the dissolution of the former Yugoslavia essentially began in 1981, when Albanians in Pristina rebelled and sought a new status for Kosovo. Serb responses in the late 1980s reinforced this process. Serb abuses committed over the last decade have seriously undermined Belgrade's legitimate claim to exercise sovereignty over Kosovo. In this perspective, international involvement over the crisis was fully justified and had, before the bombing, actually contributed in making

Failing the internally displaced

by Roberta Cohen and David A Korn

The people most at risk in Kosovo throughout the long emergency were the internally displaced.

Whereas the 900,000 ethnic Albanians forced out of Kosovo received protection and assistance from the international community, those forcibly displaced inside basically remained unaided and unprotected. Between 24 March, when NATO airstrikes began, and 20 June, when Yugoslav forces withdrew, an estimated 400,000 to 500,000 people became uprooted within Kosovo.

Assault and displacement

Unlike in other emergencies, most of the internally displaced were men. Serb forces separated tens of thousands from their families and prevented them from crossing to safety in Macedonia, Albania and Montenegro. Some were killed (estimates range up to 10,000); others were beaten, starved and detained; still others were used as human shields or forced to do physical labour. Many are still 'missing'. Most ominously, many hundreds are reported to have been taken to unknown locations in Serbia by withdrawing Serb forces.

Tens of thousands of internally displaced people managed to hide in the hills and mountains, partly protected by the Kosovo Liberation Army (KLA) although, as food and medical supplies dwindled, some may have perished. Others went underground, moving from one hiding place to another while still others moved around in caravans from village to village in search of shelter and food. Large numbers crowded into destroyed villages and cities where they faced daily persecution: taunts and threats by Serb soldiers, the refusal at times of Serb shops to sell them food, and the denial of medical help.



UNHCR/U Meissner

Some internally displaced did not leave Kosovo because they were too old or infirm to make the trek or because they believed they might be safer at home (some areas were relatively unaffected). Others found borders closed to them or were barred from leaving by Yugoslav troops. Still others refused to go as a matter of principle: not to further the goal of 'ethnic cleansing'. How they survived - or did not - is a story only now beginning to be told. UN Under-Secretary-General for Humanitarian Affairs, Sergio Vieira de Mello, who was allowed into Kosovo with a team at the end of May, reported that "the period from March 24 to April 10 saw a ram-

page of killing, burning, looting, forced expulsions, violence, vendetta and terror." Nothing, he observed, could possibly justify "the extent and magnitude of the brutal treatment of civilian populations."¹

The systematic abuse of Kosovan Albanians did not, however, begin on 24 March; it only accelerated then. The International Committee of the Red Cross (ICRC) reported more than six months earlier that "tens of thousands of civilians are caught up in a devastating cycle of attacks and displacement ... exposed to violence, including threats to their lives, destruction of their homes,

separation from their families and abductions. Thousands of them have nowhere left to go and no one to turn to for protection.”² Indeed, as many as 250,000 were internally displaced in Kosovo before the bombing began. The total had been even higher earlier - about 500,000 - but half returned to their homes after the October ceasefire agreement between Serb forces and the KLA.

Throughout the crisis, forced displacement was a deliberate political and military tool of the Serbs. Initially, Serb forces sought to clear areas where the KLA had a strong civilian base. This quickly escalated into a plan to change the demographic composition of the province through expulsion.

The role of the international community

In the face of this challenge, the international community placed only unarmed humanitarian staff on the ground prior

by all other humanitarian workers.

The impact of military action

In such circumstances, military action, or the threat of military action, becomes the only means of deterrence. But in this case, the decision to take military action came late, and the military action chosen did not provide the needed protection. The military strategy selected by NATO to stop the uprooting and assaults was a long-term one that could not immediately defend Kosovan Albanians from attacks on the ground. The air strike campaign focused initially on military and industrial targets in the Federal Republic of Yugoslavia in an effort to cripple Milosevic's overall capacity to wage war in the Balkans. Only later did NATO concentrate its air strikes against Serb forces in Kosovo.

During the three months that it took for the air campaign to succeed, internally displaced Kosovan Albanians were left

unprotected, and measures that could have been taken to help them were ruled out as posing too much of a risk to

NATO forces. Thus, air strikes were conducted from heights of 15,000 feet or more, even though lower bombing runs would have been more effective in stopping Serb forces and tanks engaged in

the door-to-door ‘ethnic cleansing’.

Lower strikes would also have lessened the danger of NATO missiles and bombs hitting caravans of internally displaced people, trains carrying the displaced to the border and patients in hospitals.

Likewise, airdrops of food and medicines to internally displaced populations were rejected by NATO and the UN as too risky - even when hunger began to be reported and deaths recorded due to lack of medicines. Only one courageous NGO - the International Rescue Committee - began to mount small-scale airdrops toward the very end of the military campaign. NATO also ruled out any move to create humanitarian assistance corridors or protected areas where internally displaced people could have fled *en route* to other countries or where they could have remained in safety until the war's end.

Whereas NATO feared casualties, other opponents of safe havens pointed to the international community's failure to protect the safe areas of Bosnia - in Srebrenica and Zepa in 1995. But there UN forces were lightly armed and had highly ambiguous mandates which they interpreted to mean that they should defend mainly themselves from attack. Well-armed NATO troops in Kosovo, protected by air cover, would have been another matter. Safe havens were also opposed by refugee advocates who argued that they would keep people trapped inside the province instead of allowing them to seek safety outside.

Protecting the internally displaced would have meant taking risks

to 24 March. ICRC had a staff of 70; most other international organizations and NGOs had only minimal presence. The Organization for Security and Cooperation in Europe (OSCE) did deploy 2,000 unarmed monitors - the Kosovo Verification Mission (KVM) - to verify the ceasefire. And while the KVM also took steps to end violence and deter abuse, it could not have been expected to stop the egregious violations of human rights and humanitarian law taking place. As KVM's head, William Walker, pointed out, the verifiers were basically helpless in the face of massive troop build-ups by the Yugoslav army.³ They also became the targets of threats, accusations and beatings, making it impossible for them to operate. ICRC, although specifically mandated to protect civilians in times of war, had to depart as well, joined

Lacking proper building materials, a returning IDP tries to rebuild his house from rubble and mud, Nekovce, Glogovac Municipality.



UNHCR/U Meissner

But in Kosovo not all those endangered could get out.

Although NATO in the end forced all Serb forces to withdraw, its intervention did not prevent the mass killings, deportations, rapes and other war crimes and crimes against the humanity now being investigated. Only the international regime set up to protect refugees operated reasonably effectively in the Kosovo crisis. The international community mobilized to meet the basic needs of food and shelter, as well as the security concerns, of the hundreds of thousands of Kosovan refugees who were deported or who fled over the border. But aiding the internally displaced was a challenge it was not prepared to assume.

Assumption of international responsibility

Protecting the internally displaced would have meant taking risks. It would have meant credible threats of force early on to deter Yugoslav forces from their 'ethnic cleansing' campaign. It would have meant readiness to deploy ground troops as a publicly acknowledged option in order to give serious back-up to NATO warnings that the practices carried out in Bosnia would not be tolerated in Kosovo. It would have meant arrests of those indicted for war crimes and crimes against humanity in Bosnia so as to underscore this point. Once the air campaign had begun, it would have meant strikes directly targeting Serb forces engaged in the expulsions and atrocities. It would have meant the creation of humanitarian supply corridors and protected areas to provide immediate support to those trapped inside. At the very least, it would have meant the immediate air-drop of needed supplies. In sum, it would have meant the assumption of an international responsibility toward those being assaulted inside.

The Secretary-General's Representative on Internally Displaced Persons, Francis M Deng, has called upon the international community to take "bold steps" to address the perilous gap in the international system that leaves the internally displaced without adequate protection.⁴ The President of the UN Security Council added his voice to this plea on 3 June when he drew attention to the need for "equal treatment" for refugees and internally displaced people worldwide.⁵

Surely it is time for the international community to begin to address the totality of humanitarian and human rights crises and overcome the myopic view that displacement can only be dealt with across borders but not within countries. Priority must be given in the 21st century to creating an international system that looks at both sides of the border and addresses protection needs in internal conflicts more comprehensively.

Roberta Cohen is Co-Director of the Brookings Institution Project on Internal Displacement. David A Korn, former diplomat, is author of *Exodus Within Borders: An Introduction to the Crisis of Internal Displacement* (Brookings, 1999).

New website for the Brookings Institution Project on Internal Displacement: www.brook.edu/fp/projects/idp/idp.htm

1. Briefing to the Security Council, 2 June 1999, by Sergio Vieira de Mello, OCHA, New York.

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4. Secretary-General's Representative Calls Internally Displaced Persons Hidden Side of Kosovo Tragedy, Statement to the Press, HR/99/29, 16 April 1999, Geneva.

5. Press Statement by the President of the Security Council, 3 June 1999, New York.

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UNHCR and Kosovo: a personal view from within UNHCR

by Nicholas Morris

In this article, the author discusses how the mass arrival of refugees in Albania and Macedonia challenged every aspect of the international community's ability to respond.

Since early 1998 international attention to Kosovo has had a very strong humanitarian focus. The problems faced by the majority Kosovan Albanian inhabitants and the international response have often been presented primarily in terms of the need for humanitarian assistance and reconstruction. Yet, as the UN High Commissioner for Refugees noted when reporting on her September 1998 mission to the province and region, "Kosovo is a political problem, with devastating humanitarian consequences, for which there is only a political solution". At the heart of this problem have been long-standing abuses of human rights. The first phase of this tragedy, the crisis in Kosovo itself, was above all a challenge of protection: the over-riding concern of the victims of the conflict was security, not material assistance. The second phase, the mass arrival of refugees in Albania and Macedonia during the NATO air campaign, challenged every aspect of the international community's ability to respond.

The early stages

The current crisis began in late February 1998 when the first serious clashes between the Yugoslav and Serbian security forces [henceforth 'security forces'] and

the Kosovo Liberation Army (KLA) and its suspected sympathisers led to dozens of civilian deaths at the hands of the security forces. Localized severe human rights abuses by the security forces, the emergence of the KLA and its increasing control of territory and roads characterized this stage. There was only limited need for relief assistance. A new phase began in the second half of July 1998 with the expected major counter-offensive by the security forces against the KLA. The security forces re-established control over a number of key areas, committed wide-spread human rights abuses and intensified a campaign of terror, intimidation and forced displacement to subjugate the civilian population. This massive collective

punishment for perceived support of the KLA assumed that every able-bodied male Kosovan Albanian was a suspect. For its part, the KLA was also responsible for human rights abuses. While there was an increasing need for assistance, the greatest need remained for physical security. In addition to mobilizing assistance, the key elements in UNHCR's strategy during this stage were information, advocacy and a strong emphasis on protection.

By the time of the High Commissioner's mission to Kosovo in the last week of September 1998 (the second of three such missions in the year), the conflict had already displaced over 300,000 persons inside and outside the province. The central conclusion of her mission was that no just and lasting solution would be possible without a fundamental change in Belgrade's attitude towards the Kosovan Albanians. Without this change, of which there was little prospect, the ability of the international community to help ensure protection



UNHCR/29022/04.1999/U Meisner

was clearly limited. Observers noted that the muted international reaction prior to September reflected concern at the emergence of the KLA and the resulting 'independence' of some areas of Kosovo.

With the adoption of Security Council Resolution 1199 on 23 September 1998, the international community significantly increased its engagement. This resolution required, among other demands, that the security forces oppressing the civilian population be withdrawn from Kosovo. In his joint declaration with President Yeltsin in Moscow on 16 June, President Milosevič

tions ended without agreement on 23 February 1999. By the time the UN humanitarian organizations and our NGO partners had to suspend operations in Kosovo on 23 March 1999, there were thought to be over 260,000 persons displaced within Kosovo, over 100,000 elsewhere in the region and over 100,000 others who had sought asylum outside the region since early 1998.

By early 1999 the humanitarian operation inside Kosovo had assumed a number of the characteristics of UNHCR's operation during the war in Bosnia, including international convoy

Lack of preparedness

The most immediate problem was that we were not prepared for what happened on the scale it happened. Like almost every Western decision maker and commentator, and indeed like most Kosovan Albanians, UNHCR did not predict the mass expulsion of the majority of the ethnic Albanian population of Kosovo. That we were in such company is no excuse. However, until days before the exodus began, the international community, particularly the key Western governments, were banking on peace, and urging UNHCR to get prepared for the early implementation of the Rambouillet accords. It seems unlikely that these same governments - some of which have been sharply critical of our lack of preparedness on a sufficient scale - would have responded to a request from UNHCR for massive contingency preparations predicated on the failure of their own peace efforts. To have been prepared for what actually happened, such a request would have had to have been already met, not just made, at a time when the success of these peace efforts looked possible and what actually happened was still all but unthinkable.

Our key concern was less the failure of contingency planning and lack of stockpiles (these were in the wrong place - inside the Federal Republic of Yugoslavia) than lack of staff. This phase was very staff-intensive from the outset. Getting small groups safely across the border, starting relief and setting up the humanitarian evacuation programme all demanded a high level of experience, keen political judgement and media skills of almost everyone in the field. In the course of a single day any UNHCR field officer could face a host of acute and often highly political problems (and a stream of high-level visitors). We redeployed the team withdrawn from Kosovo, among them veterans of our operation during the war in Bosnia, and mobilized colleagues from across the world. UNHCR's emergency response team system worked well and made a marked difference. Nevertheless we had insufficient numbers of our most experienced field staff.

Despite the constraints, the rapidly mobilized response to the influxes did meet immediate material needs with minimal avoidable deaths. Much of the credit for this goes to the resilience of

we were not prepared for what happened on the scale it happened

had already made a commitment that "there will be no repressive actions against [the] peaceful population". In late October 1998, as the security forces began a partial withdrawal, the KLA reasserted its presence. With the deployment of the unarmed OSCE Kosovo Verification Mission (KVM) and the onset of winter, a significant number of those displaced within Kosovo returned home (another demand of S/RES/1199), or at least to the vicinity of damaged homes, and in the short term security improved. All parties understood that this was not itself a political solution - a little time had just been bought in which to find one.

By late December 1998 the ceasefire was breaking down. With apparent impunity, the security forces embarked on a series of 'winter exercises', using live ammunition, which were clearly aimed at KLA strongholds. This caused new displacement of civilians, including from areas hitherto not badly affected.

Engagement of the international community

A combination of the breakdown of the ceasefire, security threats to the KVM and highly publicised events such as the Raçak massacre on 15 January 1999 led the international community to engage more seriously. The resultant Rambouillet negotiating process began in February and effectively lasted until 19 March 1999. Despite the talks, violence and displacement continued and accelerated markedly after the Rambouillet negotia-

teams.¹ Unlike in the earlier operation, access for the convoys and our staff was rarely denied and the delivery of assistance was much easier. By this time some Serb civilians in Kosovo were in need of protection from the KLA. As during the earlier conflicts in Bosnia and Croatia, the humanitarian operation made no distinctions except on the basis of need among the displaced, returnees and others directly affected by the conflict but not displaced. Some 400,000 people in Kosovo were receiving assistance from an operation widely seen as effective. But the limitations of humanitarian action in the absence of successful political action had again been made starkly clear.

During the eleven weeks of NATO air action, from late March to early June 1999, some 900,000 new refugees fled or were expelled from Kosovo. UNHCR found itself engaged in an operation as difficult and complex as any we have faced.

Great practical problems of assistance were compounded by major protection problems. Macedonia was reluctant to give asylum. In Montenegro the Kosovan Albanians found a government ready to protect them if it could but were threatened by the presence of Federal security forces. KLA recruitment gathered pace. Many families were separated and the number of missing family members grew. A multitude of practical, protection and political problems had to be addressed in a highly charged political environment in which the stakes for the governments concerned were very high indeed.

the refugees themselves and the hospitality of their immediate hosts. That alone would not have been enough. The international response was generous. Material resources were quickly mobilized, even if some bilateral initiatives were initially uncoordinated. Working very long hours, seven days a week from the start of the exodus, the colleagues that UNHCR and our UN and NGO partners had on the spot in time somehow managed to cope. The contribution of our national colleagues, including those who had themselves just become refugees, was critical.

Request for NATO assistance

A week after the influxes began, and with 300,000 new refugees already in Albania and Macedonia, UNHCR turned to the military for help. We recognized that we were becoming overwhelmed by the political problem of asylum in Macedonia and the practical logistical problems in Albania. The problems of humanitarian organizations working with a military that is or becomes a party to a conflict are well documented.² UNHCR requested NATO's assistance only after careful thought. The agreement with NATO explicitly recognized the primacy of the humanitarian organizations, as did NATO's actual support on the ground. The immediate reason for UNHCR's request to NATO on 3 April was that there was no other way to unblock the political impasse that had left 65,000 persons perilously stranded in sight of safety on the Kosovo-Macedonia border. NATO's readiness to build camps for them and the start of the humanitarian evacuation programme was the 'package' that Macedonia required to allow asylum to these refugees. We should much have preferred such a package not to have been necessary. It was, in the circumstances, literally vital.

As our request to NATO has been criticized in some quarters it may be relevant to note that both the Albanian and Macedonian governments had themselves earlier asked for NATO's 'humanitarian' assistance. The belief that an overwhelmed humanitarian response required NATO assistance was shared by Alliance member governments with troops originally deployed to implement the Rambouillet accords, public opinion in most member states and UNHCR. We considered coordination of this assistance preferable to the bilateral arrangements that would otherwise have been inevitable. We had no illusions as

to our ability to influence governments on matters where their national interests were so powerfully engaged.

If the need for NATO's involvement was a combination of the imperatives of the political situation in Macedonia and the scale of the influxes, the humanitarian evacuation programme was a response to the former. For years, the case for 'burden sharing' has been argued in meetings such as those of UNHCR's Executive Committee. Those countries of asylum who wish the donors to share the asylum and not just the financial burden have had little if any leverage. With the NATO presence on its territory, Macedonia not only had a good case but also had leverage. The humanitarian evacuation programme was the condition for continued asylum. Faced with this political reality, UNHCR argued for the programme, though - like NATO support to the humanitarian operation - it would have happened anyway.

Selecting refugees for departure on humanitarian evacuation was fraught with difficulties and open to abuse. The concept itself was new. Potential protection problems were many. What was on offer was not resettlement and not even temporary protection. Some governments offering places sought to limit their responsibilities by refusing to allow the programme to be used for immediate family reunion, even of spouses, because this could have given those evacuated the full rights of refugees. Indeed, one of the ironies of this phase was that governments that had respected UNHCR's requests with regard to the protection and non-return of Kosovo asylum seekers in the phase before NATO action became more restrictive after it had begun. UNHCR has even had to refute the argument that as the deportees had not themselves fled persecution they were therefore not entitled to the full range of protection as refugees.

For some commentators (as within UNHCR) the earlier conflict in Bosnia has been a point of reference, and therefore the fundamental differences in the contexts of these two operations have tended to be overlooked. In Bosnia the UNHCR operation was, in a sense, a substitute for political action. Ensuring its success, and its perception as a success, was important to key governments. By contrast, the Kosovo exodus was in a sense the consequence of - but most certainly not caused by - political actions of key governments. There was suddenly a

massive new humanitarian crisis which governments (and NATO) urgently needed to be seen to be containing. Major and sometimes competing political considerations were at stake for these governments. The humanitarian operation was at times simultaneously a vehicle for and subordinated to these concerns. There was no shortage of claims of achievement and an obvious candidate on hand to blame for whatever perceived shortcomings did become apparent.



Kukes, Albania

UNHCR coordination

Far from pushing UNHCR up front, as in Bosnia, some donor governments themselves took humanitarian initiatives and became directly involved operationally. Needing their own visibility they sought quick solutions that were simply not available. In Bosnia UNHCR had effectively controlled access to, and participation in, the humanitarian operation. As a result coordination was relatively simple. Although the local military forces could deny or restrict access they had limited impact on other aspects of the operation. In the case of the refugee influxes from Kosovo, however, UNHCR coordination of the humanitarian response, though a mandated responsibility that was unchallenged in theory, proved very difficult in practice.

Initially it was well nigh impossible, a massive supply-driven 'free-for-all' as

donor governments keenly competed with each other. UNHCR was urged to coordinate more effectively while host and donor governments made bilateral arrangements for assistance, camp construction and the running of camps. UNHCR learnt of these *post facto*, at times only when those NGOs with whom we had agreed provision services came to tell us that they had been replaced. Standards of bilateral assistance varied widely. NGOs who had not previously been active in Kosovo or the region



Still Pictures/Martin Specht

arrived anxious to help. Some insisted on 'visibility'. Some lacked a clear understanding of the context or needs and not all had the necessary experience.

In Albania, the situation was further complicated by the government's initial wish to work bilaterally where possible and the fact that the immediate response (unlike that in Macedonia) did not have the benefit of experienced ex-Kosovo NGOs. UNHCR helped the large numbers of NGOs that arrived in Albania to set up their own NGO coordinating cell. The sectoral coordinating mechanisms with UNHCR's direct partners that were already in place for the refugees who had arrived in 1998 were adapted to the new situation. UNOCHA staff seconded to UNHCR played a key role in the Albanian Government's Emergency Management Group, within which responsibility for coordination was effectively shared with UNHCR. In Macedonia UNHCR's NGO ex-Kosovo partners

looked to UNHCR from the outset for coordination at the sectoral and overall operations level. New arrivals slotted into already established arrangements, some more quickly and readily than others. UNOCHA staff seconded to UNHCR in Macedonia contributed to the coordination of the key logistics sector and to daily situation reporting (as they had from the UNHCR Office in Belgrade during the previous phases of the crisis).

Such problems are characteristic of the early response to most high-profile humanitarian emergencies. Within a few weeks, as donor liaison mechanisms also gained in effectiveness, a more coherent and consistent needs-driven approach was evident. Coordination, nevertheless, proved particularly difficult to handle in this emergency. In the critical early days a host of pressing tasks and the insufficient numbers of experienced staff available set back the development of coordination mechanisms. We should have articulated the many problems and constraints more clearly from the start. Another important lesson which has been reconfirmed is that refugee emergencies of such a scale and complexity require a team/consortium approach with our UN and other partners of the kind we have had during this crisis.

There were very significant achievements, often against considerable odds, in the response of the humanitarian organizations, first within and then outside Kosovo. There were failures too and UNHCR is commissioning an independent evaluation. This and other evaluations should help ensure that the lessons are taken on board. It is to be hoped that lessons will also be learnt from the cumulative failures to take resolute political action that contributed to making such a difficult operation necessary in the first place.

Nicholas Morris was UNHCR Special Envoy in the Balkans in 1993 and 1994 and again from 1 April 1998 until 30 April 1999. The article was written in early June 1999. The views expressed in this article are those of the author and not necessarily shared by the United Nations or UNHCR.

1 For an eye-witness account, see Fernando del Mundo's "Kosovo Diary" in the UNHCR publication *Refugees*, vol 1, no 114, 1999, pages 24-25.

2 For a perceptive analysis in this context, see Elizabeth Becker, "Aid Group's [UNHCR's] Partnership with NATO Raises Concern Over Tradition of Neutrality", *New York Times News Service*, 9 April 1999.

Schools in boxes

During the past year or so and particularly during the current crisis in the Balkans, there has been much discussion concerning psychosocial intervention for refugees and displaced people who have experienced trauma during or before displacement.

Relieving the cause of the trauma - stopping the problem - may not always be possible. However, reintroduction of education, recreation and other structured activities can help considerably. Other methods of relieving stress can and should include the provision of reliable information, often sadly lacking. This should not only concern more dramatic matters such as land-mine and unexploded ordnance awareness but also more mundane matters such as notice of moves from one camp to another, why such a move is necessary, how to access food and other relief, how to find medical attention and how to trace lost family members and relatives. This may sound obvious but more often than not is forgotten in the pressure to provide relief quickly.

The Red Cross Movement has, as is usual in crises such as the Balkans, established tracing offices throughout the affected areas and in the third countries which have been receiving refugees, not only to trace lost relatives but also to effect family reunification. In addition, the International Federation of Red Cross and Red Crescent Societies, in cooperation with the British Red Cross Society, has provided 600 education kits and 600 recreation kits to be distributed to the refugee and returnee populations. These kits - 'schools in boxes' - are being distributed jointly with UNICEF and will provide an opportunity for continuing the education of affected children as well as providing other structured activities and play to reintroduce the normalcy so lacking in their lives at present.

*by Robbie Thomson
Refugee Officer,
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of the Red Cross*

Humanitarian interventions in Macedonia: an NGO perspective

by Peter Morris

Media coverage of the Kosovo crisis has given the impression that UNHCR and the relief agencies were overwhelmed by the influx of refugees into Macedonia and that it was highly fortunate that NATO was on hand to save the day. Such is the aftermath of NATO's large and slickly publicized humanitarian operation. This impression is questionable.

Managing the crisis

UNHCR has been widely criticised for its coordination of relief in Macedonia, and no doubt it could have performed better. But it faced a number of unusual problems in this crisis. First and most importantly, UNHCR had severely limited funds of its own while other players brought unprecedented resources to bear. Macedonian government foot-dragging held up customs clearance of supplies and selection and establishment of appropriate sites for refugee camps. UNHCR's authority to coordinate was

severely undermined by NATO's operational presence and wealth of logistical resources as well as by NATO's burning political desire both to give humanitarian aid and to be seen doing it. Finally, many governments made bilateral funding agreements with NGOs, greatly undermining UNHCR's ability to prioritize programmes or monitor efficiency.

The humanitarian response was hampered from the outset. Several days of negotiation were required before refugees could be transferred from the Blace border. In the meantime they stood in the rain, within sniper and artillery range of Serbian forces, while NGOs, with staff on the ground and materials held up at Skopje airport, were forced to stand idly by, denied access to refugees by Macedonian authorities. The continued reluctance

of the Macedonian government to authorize extra sites left UNHCR with no choice but to agree reluctantly to facilitate direct transport of refugees through Macedonia to Albania and other third countries (sometimes, apparently, without their consent).

Coordination between agencies was unlike that in other refugee emergencies. Initially, NGOs often arranged coordination meetings themselves and afterwards informed UNHCR of the decisions. Lacking funds, forced to keep a low profile in a hostile political environment, under pressure to rely on NATO and with insufficient experienced staff, UNHCR handed over management in each camp to specified 'lead agencies' but was in no position to control performance adequately. Experienced UNHCR field officers (working incredibly long hours) repeatedly expressed frustration at the lack of human and financial resources. While some lead agencies performed creditably, others were unprofessional and inefficient.

At the practical level also, there were also many unusual features to this crisis. The vast majority of refugees settled with host families, and not in camps, making accurate distribution of aid a nightmare. Unlike in African camps, nappies, sanitary towels and mattresses were distributed. Bottled water (sometimes imported from France) was given out to new arrivals, even weeks into the crisis. Cooking facilities were extremely limited, so expensive packaged ready-to-eat meals were the norm.

As in many other crises, sanitation was clearly substandard in many camps. The Macedonian government, against UNHCR advice, insisted that Cegrene camp was located where it was impossible to establish



Crown Copyright/Brazda, Macedonia

soakaway latrines without contaminating ground-water wells. As an interim solution, latrines were built on top of expensive sealed containers which needed to be pumped out by imported sewage trucks rather than being filled in when full. In all camps, latrines filled very quickly as refugees used their plastic bottles to wash themselves and then dropped the bottles into the pits. Latrine design was haphazard in many places, and easily-cleaned plastic latrine slabs were left unused while wooden ones, which quickly become stained with faeces, were constructed instead. The packaging from ready-to-eat meals quickly led to a solid waste problem, although some was used for fires.

Yet, more could probably have been done, despite the lack of preparation and UNHCR's lack of financial resources. During planning meetings for Cegrane, the largest camp, UNHCR stated that the population would not exceed 15,000 while NGOs could see from the hectares available and the planned density of tents that a much bigger camp would inevitably evolve. UNHCR insisted that no refugees would be sent there until the government-imposed construction contractor had installed water and latrines. In the event, the refugees were sent to the camp some days prematurely, by which time the contractor had installed no water and only a handful of latrines. Cegrane quickly grew to house 40,000 people. Only by ignoring UNHCR planning projections were NGOs such as Oxfam able to provide water supplies for the numbers who arrived. That there was never a shortage of food would indicate that the World Food Programme, UNHCR's sister UN organization, used different planning and contingency figures.

The role of NATO

In the media, of course, NATO shone in comparison with aid agencies, and in the first days of the crisis, before the NGOs took over, it did indeed perform an invaluable role - digging latrines, distributing food and putting up tents. But it should be remembered that thousands of troops with large amounts of machinery were already stationed in Macedonia weeks before the bombing. NATO must

have foreseen that they would face a public relations problem when the 'humanitarian war' that they were fighting precipitated a humanitarian crisis, and had made plans accordingly. It should also be noted that the vast majority of the food, medicine and tents distributed by soldiers were in fact provided by the UN or by NGOs. In other refugee situations, NGOs simply recruit local or refugee labour and hire local machinery.

Inevitably, NATO armies from different countries performed differently. The British forces in particular seemed to have a much better rapport with refugees and, importantly, frequently seemed to appreciate aid workers' expertise and be ready to ask for advice and direction, with a clear intention of handing over to civilians as soon as possible. Planning the

handover from military to civilian players is particularly important in the medical sector. Over the years NGOs have learned from problems caused by providing different standards of treatment, by providing parallel systems of treatment, by not using standard protocols and by not keeping epidemiological surveillance data in a standard manner. Army military units of course do not have this experience. Furthermore, as armies rarely enlist many women, children, diabetics or soldiers with heart disease, they do not stock drugs for such patients - yet these were major patient groups in Macedonia.

One consequence of the militarization of aid work was that NGOs from particular countries were often selected to work in particular camps where 'their' army was in control - not necessarily because that NGO was the most competent. One might suspect that this nationalization of camps was one reason that donor governments did not give adequate funding to UNHCR, directing it to their 'national' NGOs instead, to work in 'national' camps.

NATO had a good public relations machine ready in the first days. On-site photo-scanners and satellite communications were made available to journalists, enabling them to file stories with an ease and speed unprecedented in refugee camps. A more ominous consequence of NATO's media success poses a

NATO's media success poses a future threat to NGOs

future threat to NGOs. *Newsweek* and *Die Zeit* ran misinformed articles casting doubt on the performance of major experienced NGOs and their capacity to meet the needs of refugees. The impression emerged that only a 'can do' military spirit (or private companies) can efficiently deliver services to large numbers of refugees. This impression must be challenged, firstly because the perceived failure of the aid community will result in lower funding for NGOs and, secondly, because there are indications that armies will receive government humanitarian funds in preparation for humanitarian roles. There are several points to be made here. Firstly, it is unlikely that NATO armies will ever again be on the ground before any future crisis. Secondly, NGOs will almost always decide to intervene faster than governments can achieve a domestic political consensus to deploy their armies, if indeed armies are even able to get a consensus for future crises. Thirdly, and most importantly, the costs would inevitably be much higher. The cost-effectiveness of using local labour to distribute food or put up tents is hard to deny.

Conclusion

No doubt NATO armies will be deployed in future humanitarian crises, and in some areas no doubt armies will provide vital logistic and labour support. It is to be hoped that much has been learned by all players from this episode: that relief should be equitable and at levels that are sustainable; that parallel coordination and services should be avoided. It would appear that NATO has more to learn from aid agencies than *vice versa*. Most importantly, it is vital that NATO's media success this one time in Kosovo, where it was on the ground before the crisis it initiated had even begun, does not lead to further erosion of UNHCR's capacity.

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Coordination in the midst of chaos: the refugee crisis in Albania

by Toby Porter

This article explores the coordination of the aid effort, the role of NATO and, finally, whether the response to the Kosovo crisis has strengthened or undermined the principles of universality that govern the global provision of humanitarian assistance.

The three months from April to June 1999 saw a massive emergency aid programme, as large and as high profile as any operation with refugees since the Great Lakes crisis of 1994. The stage may have been different but most of the actors were the same. UN agencies, NGOs, donors, foreign armies and the media all landed in force in Albania in early April and began to play their part in responding to the needs of the refugees. The resources available to aid agencies, via governments and through public appeals, were higher than they had ever been. The humanitarian programme was welcomed and facilitated at every level, by the government and population of Albania. There was an abundance of logistical support provided by foreign armies, principally from NATO countries. There were no particular security concerns. All the ingredients were apparently in place for an efficient and well-run emergency operation.

And yet, for many of us working in Tirana, the Albania emergency programme raised as many questions as it answered. Speculation and conjecture about what might have been done better will come to dominate the policy debates in the months and years to come.

Coordination of the aid effort

To discuss the coordination of humanitarian assistance in Albania, even at this early stage, runs the risk of repetitiveness. Public statements by some donor governments and NGOs about the quality of coordination in Albania were well publicized. UNHCR became more and more irritated with what they perceived as observations that were neither original nor constructive. Proof of poor coordination was not hard to come by.

There were instances of several NGOs competing to work in the same

camps, duplication of essential services, and, above all, a great variance in the standards in different camps. People looked to UNHCR to provide coordination and were quick to allocate blame where it was lacking. In fairness to UNHCR, there were aspects of the refugee crisis in Albania that, from the outset, made coordination extremely difficult, if not impossible. No analysis can afford to overlook these constraints.

The dispersal of the refugee population was a major factor. By its peak at the

end of the first week of June, the refugee population in Albania was estimated at 460,000 people. Of these, some 270,000 refugees were living with host families.¹ The balance of refugees was spread out in camps and collective centres. Some of the camps held several thousand refugees, while some of the smaller collective centres held no more than a dozen. The number of these sites was estimated at between 700 and 900. However much one might be in favour 'philosophically' of refugees being so spread out and avoiding the creation of tented cities so vividly associated with previous refugee crises, this has to be balanced with an objective assessment of our own capacities and systems as relief agencies.

Relief agencies are accustomed to responding to certain scenarios and were simply overwhelmed by having so many sites to assess and to service. NGOs were able to pick and choose

you cannot DO coordination to people who do not want to be coordinated

where to concentrate their resources while the mandate of UNHCR compelled them to be everywhere at the same time as lack of resources exposed them to criticism for not doing so. In simple terms, they could not attain the coverage that decent coordination requires.

There is a saying that 'you cannot DO coordination to people who do not want to be coordinated', and nowhere was this saying more true than in Albania in the first three months of the refugee crisis. The simple truth was that, even if they

had acquired the capacity, UNHCR would almost certainly have been unable to provide the coordination required due to other characteristics of the situation.

Albania saw arguably the highest ever proliferation of NGOs in a refugee crisis. At its peak, there were over 160 NGOs registered with the NGO Centre in Tirana. While many were motivated by altruistic considerations, there was also a high proportion of 'briefcase NGOs', there because they could not afford not to be there. As soon as they had found a site to work, their publicity machines back home would whirr into action and fundraise off the incredible sympathy that the plight of the Kosovans had evoked. Many of these organizations failed to attend general or sectoral coordination activities, actively resisted attempts at being coordinated and even refused to register their activities with the Government of Albania or UNHCR.

One can also better understand the particularities of coordination in Albania by comparison with past refugee crises. In Tanzania in 1994, for example, a courageous and visionary Field Coordinator for UNHCR in Ngara allocated each of the key sectors to a handful of respected NGOs and politely told the rest to pack their bags. The result was impressive. She did this because she was empowered to do so - the Government of Tanzania only allowed NGOs to operate in Tanzania if invited to do so by UNHCR. UNHCR could thus 'DO coordination' its way.

In Goma, a few months later, the UNHCR found itself with an even greater crisis to coordinate. After the chaos of the first few weeks, it was slowly able to exert its coordination role - one notable way in which it did this was through funding implementing partners to work in the three main camps. Many of the major donors (notably ECHO) empowered UNHCR to do this by channelling all of their funding direct to the refugee agency, rather than setting up a multitude of individual partnership agreements. It was then up to UNHCR to use its own funding of NGOs as a way to 'DO coordination'. To no-one's surprise, it worked.

To understand how much has changed, picture the scene in Tirana in early May 1999. At a meeting with NGOs, a senior UNHCR official referred to his organization as 'technically bankrupt' having

received no cash pledges in the first month of the refugee crisis. Senior political and diplomatic policy makers in the UK, USA and EU, disappointed at UNHCR reactions to the first wave of the crisis, were said to have placed a personal veto on cash funding to UNHCR.

While this cash crisis ravaged UNHCR, the NGOs had never had it so good. The smallest of agencies found themselves awash with funds, whether from private or government sources, at a time when

ting up and managing refugee camps on behalf of the governments that they represented.³

At the onset of the crisis, the role played by the military was criticized by observers who noted the rather blurred line between NATO as warring party inside Kosovo and NATO as humanitarian actor just outside its borders. This defence of principle, important though it is, has to be seen against the reality that without such logistical and material



UNHCR/R Chalasani

Kukes, Albania

UNHCR was appealing for financial support live on CNN.² Meanwhile the Albanian government was neither willing nor able to use UNHCR as a 'quality control' tool to ensure that only the most established agencies operated on the ground. Agencies, therefore, had no incentive to be coordinated, and appeared unwilling or unable to coordinate themselves. In Albania, the inability to 'DO coordination' had never been more apparent.

The role of NATO

Coordination is linked to the second key issue, that of NATO's role in the relief effort. Military disaster relief operations, and resultant intense debate, are not new. Nowhere have such operations been on the massive scale we have seen in the Kosovo crisis. The 'bilaterals', as the NATO armies came to be known, were hugely important actors in the relief effort, not only providing the logistical support traditionally associated with the role of the military but also set-

intervention, the aid agencies would have found it hard or impossible to cope. This was particularly the case at the onset of the crisis. The middle ground that most people were happy to occupy was to recognize that NATO had a unique and important role to play in the provision of logistical and technical support but that their support should be placed at the disposal, and under the coordination, of UNHCR. This, in theory, was fine.

In practice, however, this was not always the case. The bilaterals forged ahead with camp development, often without the input of experienced site planners. Some of the sites the military chose had earlier been rejected by aid agencies as entirely unsuitable for refugee camps. In the scramble to set up camps, NGO advice was ignored or went unheeded. Latrines were poorly sited and tents placed too close together, mistakes which could easily have been avoided had aid agencies assisted the armies at the planning stage.

The guiding principle for many donor governments came to be to pour as much money as possible into 'their' camp, and to try and attract the maximum number of refugees to live there. In Kukes, pictures of the major camps further south away from the Kosovan border were displayed on public notice boards, in order to attract refugees towards a particular camp. People could see the tents that waited for them, the kitchens where they would be served food, the spaces where their children could play.

Competing camps were displayed next to each other in this makeshift estate agency for refugee camps.

'bilateralism', almost by definition, undermines coordination

Many coordination problems were exacerbated. There was often little or no incentive or mechanism for bilateral agencies to coordinate with UNHCR. Camps were often identified and prepared by armies, long before UNHCR was even aware of their existence. Even more galling to UNHCR was the fact that the same governments were often the most voluble in their criticism of UNHCR's 'lack' of coordination.

A consequence of bilateralism was that NGOs were seemingly selected to work on a site on the basis of shared nationality. Broadly speaking, Spanish NGOs worked in camps prepared by the Spanish military, British NGOs worked in camps prepared by the British Army and so on. These arrangements were usually made via the aid department of the country concerned, who picked up the bills of both the army that had prepared the site and the aid agencies that would manage it. It goes without saying that it is difficult to 'do coordination' when agencies are selected and financed on this basis (and in total contrast to the positive examples from the Great Lakes in 1994). In brief, the lesson to be learnt from the Kosovo crisis is that 'bilateralism', almost by definition, undermines coordination.

Principles of universality

Another major concern has been the uneven standards set by the bilateral actors. In some camps, the standards were so high that people, only half jokingly, came to ask whether there should be maximum standards as well as minimum ones. In less fortunate adjacent

camps standards were so low that refugee families preferred not to move in at all. One of the most striking examples was to be seen in Shkodra, on the border with Montenegro. One camp had imported street lighting, hot showers and several television rooms while in another camp, only a few kilometres away, tents lay in a gravel pit without so much as a single communal space for the whole camp. Per capita expenditure on the former probably exceeded the latter by a factor of fifteen or twenty.

To raise questions about high standards in refugee camps is to enter a minefield. It is important, however, if one starts from the premise that all

refugees, from Kosovo and wherever else in the world, have certain universal rights to assistance. One distinct characteristic about the aid effort in Albania over the first three months was the apparent absence of any sense of 'absolute' value of money, or any awareness that resources were finite. There was money to do almost anything and to do it almost anywhere. There was, on the face of it, no reason to hold back from installing electric showers and street lighting in a refugee camp if a donor was prepared to offer funds. At the same time, however, over half the refugee population was receiving no help whatsoever.

People living in host families or in private accommodation did not receive even a fraction of the attention or the assistance given to people in camps. For the first two months not a single food distribution reached the 270,000 refugees in private accommodation. By the end of June, financial assistance promised by UNHCR (\$10 per person /month) had not reached host families. This failure to reach refugees living with host families will be looked upon (alongside the failure to complete the registration of refugees while they were in Albania) as among the gravest shortcomings of the aid effort in Albania.

Throughout this period some 190,000 refugees in camps and collective centres were tended to by over a dozen foreign armies, all the major UN agencies, and some 160 NGOs. Total expenditure will probably never be fully known. There are staggering comparisons to be made.

The development costs alone of the US Army/OFDA site known as Camp Hope, near the town of Fier in the south of the country, have been estimated at some \$50 million.⁴ A maximum of 3,500 refugees lived in the camp at any one time. If the same sum had been allocated to UNHCR to enable it to give \$10 per person per day to hosting families, all of the 270,000 refugees living in private accommodation would have been sustained for between four to five months. (More soberingly, expenditure on this one relatively small camp would almost fully fund this year's UN consolidated appeal for Angola.)

Such comparisons may provoke unease among agencies. However, those who are familiar with the international assistance system know full well that there are only finite resources available for overseas aid budgets. Comparative judgements are more than merely useful - they are essential.

From the onset of the Kosovo refugee crisis, aid agencies working in other parts of the world noticed a drop in the resources available for their ongoing programmes. Initial commitments to rebuild Honduran and Nicaraguan livelihoods shattered by Hurricane Mitch were not acted upon. Proposals for emergency work in Sierra Leone and Angola lay on the desks of donors, unanswered and ultimately unfunded. NGOs, for their part, pulled many senior staff from programmes elsewhere in the world to staff their programmes in Albania and Macedonia. The international assistance system again showed itself to be like a searchlight, flitting from one corner of the world to the next. This lack of consistency is fundamentally at odds with the real needs of refugees and disaster victims and the prospects of achieving a global or universalist perspective.

People are already starting to ask to what extent the response to the Kosovo crisis creates precedents. Moral interventionism is again on the agenda and being discussed as a future foundation of Western foreign policy. Some urge caution and argue that NATO, for example, has a specific political and geographical sphere of operation, and that intervention to end a conflict in Europe fell directly within it. It would therefore be mistaken to assume or to advocate that the alliance will intervene in similar instances in Africa or Asia. This

is a persuasive argument, however much one might wish that it were otherwise.

On the humanitarian level, however, no such argument exists. Our humanitarian charters are instead explicitly founded on global principles of universality - 'the right to receive 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 recognize our obligation to provide humanitarian assistance wherever it is needed.'⁵

In recent times, these principles have been most commonly associated with initiatives (such as the Ground Rules in south Sudan or The Principles of Engagement in eastern Democratic Republic of Congo) that involve representatives of the international community trying to gain acceptance of these values by warring parties. How often, though, do we apply these principles to ourselves? Within this framework of universal rights, the quality and quantity of humanitarian assistance should be applied evenly to needs as they arise, wherever and however that may be. When the Kosovo refugee crisis is compared to other contemporary disaster

zones such as Angola, the DRC or south Sudan, some of the costs of the refugee operation become impossible to justify. Aid personnel accustomed to the difficulties of securing donor funding for even the most life-threatening emergency in some of these forgotten areas found it hard to come to terms with the sheer quantity of resources available to refugees in the Balkans. The response to humanitarian need in Kosovo was, quite literally, beyond compare.

Why does it matter that so many resources were poured into this one refugee crisis? On what moral basis can one criticize this sum, or indeed any sum spent on a refugee population?

The answers lie in the reality that aid budgets are finite. Money spent on streetlighting in Albania could have been spent on vaccines in Cuito. If we fail to attach a similar value to the preservation or amelioration of a human life in Angola as we do in Albania, then we have, in the most basic way, failed the very humanitarian principles that we are so keen for others to adopt. The figures of this crisis speak for themselves - the international community currently spends on an African refugee less than a tenth of the amount spent to assist a

refugee in Europe. This gap has to be significantly and quickly narrowed, if our principles are not to appear hollow.

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1 In June, the term was changed to refugees living in 'private accommodation', in order to reflect the commercial nature of the arrangement in the majority of cases.

2 This seismic shift in the relative positions of the UNHCR and the NGOs in the five years since Goma cannot be overstated - nor should it be welcomed. Only the most shortsighted NGOs would welcome a weakened UNHCR and the coordination vacuum that would ensue.

3 Even the names of the refugee camps reflected this. A visitor to Kukes would arrive at 'Italian 1', and then proceed to 'Greek Camp' and 'Italian 2'. These named after the armies that set up and managed the camp.

4 Figure given by OFDA official during informal conversation

5 Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organisations in Disaster Relief.



UNHCR/H. J. Davies

Kosovan refugees in the UK: the Rolls Royce or rickshaw reception?

by Alice Bloch

This article examines the different reception and support entitlements offered to spontaneous asylum seekers from Kosovo and their UNHCR programme counterparts, plus the operation of the Kosovo reception programme. It also discusses the Asylum and Immigration Bill and its implications for asylum seekers to the UK.

Kosovan refugees started to arrive in the UK, as spontaneous asylum seekers, in larger numbers in 1997. In 1998 the Home Office received 7,980 asylum applications from nationals of the Federal Republic of Yugoslavia (FYR), mostly from Kosovan Albanians. Between January and April 1999 there were 3,290 applicants from the FYR. Since 25 April, when the first planeload of Kosovan Albanians arrived in Leeds-Bradford airport, a total of 4,346 Kosovans have come to the UK as part of the UNHCR evacuation. The differing experiences between the two groups - spontaneous asylum seekers and programme evacuees - have been evident.

i. Spontaneous asylum seekers

The spontaneous asylum seekers, the majority of whom arrived before the start of the NATO air campaign, were mostly men and many had paid substantial amounts of money to traffickers. Under current asylum law, people who apply for asylum at the port of entry are eligible for cash benefits while those who apply in-country are excluded from cash welfare provisions. Around 60 per cent of Kosovan Albanians applied for asylum in-country and, as single people, are dependent on local authority support under the provisions laid out in the National Assistance Act 1948 while asylum seeking families are dependent on

assistance under the Children Act 1989. Local authorities are not allowed to provide cash support to in-country asylum applicants supported under the National Assistance Act 1948. Supermarket vouchers and/or assistance 'in kind' such as food parcels, electricity cards and travel passes are provided instead.

Around 80 per cent of Kosovan Albanians have based themselves in London during the asylum determination process and those who have settled in London have been subjected to hostility from some sections of the British public and press. The inherent mistrust of asylum seekers has been a dominant theme in much of the newspaper coverage, exemplified by one national tabloid newspaper which ran a feature article about 'migrants' from Slovakia and Kosovo seeking asylum in order to exploit the generous welfare provisions and displaying threatening behaviour when good housing was not forthcoming.¹

ii. Kosovo programme evacuees

Some 60 per cent of those Kosovan Albanians who were airlifted out of camps in Macedonia were family reunion



Refugee arrivals, Manchester, UK.

H. J. Davies

cases. Those who had immediate family members who had been through the asylum determination process in the UK were granted permission to enter (in line with whatever status had been granted to their relative) while others have been given Exceptional Leave to Remain on humanitarian grounds (ELR) for one year. This means that they are entitled to cash benefits, in line with UK nationals, and are eligible for employment. The Government granted ELR for one year in the first instance because it is committed to a policy of temporary protection and protection in the region rather than a longer-term strategy of resettlement in the UK. Nevertheless, the Government has guaranteed that they will not curtail

people's leave to remain and if those on ELR want to apply for refugee status then their cases will go through the usual asylum determination process.

Accompanying the arrival of these refugees have been extremely successful charity appeals for money and other donations. Moreover, local authorities outside London are willing to provide housing and other services for the refugees although they are being fully reimbursed by the Home Office. It is difficult to know exactly why the response has been so positive but there are a number of possible contributory factors. Firstly, the situation in Kosovo attracted a great deal of media attention and so the general public had information about the crisis. Normally the public is not very well informed about refugee producing situations. Secondly, the media coverage enabled people to tell of their experiences. This helped the public understand what it means to be a refugee and the result was a very favourable and hospitable local welcome.

The programme evacuees have been dispersed into available accommodation around the country, although there has been much secondary

migration. When the new Asylum and Immigration legislation becomes operational, all asylum seekers will be dispersed to cluster areas around the country. Under the Kosovo programme, dispersal has been regional with clusters of refugees being placed in any given locality.

The Kosovo programme

After the Bosnia programme the Refugee Council, the largest NGO working with refugees in the UK, convened an inter-agency group with other NGOs involved in the programme in order to formulate a contingency plan for a future refugee crisis. It was this plan that provided the framework for the reception of UNHCR evacuees from Macedonia. The inter-agency group consisted of the Refugee Council, the British Red Cross, the Scottish Refugee Council, Refugee Action and the Refugee Housing Association.

Initially the Refugee Council was given responsibility for leading the Kosovo

programme. However, when it became apparent that the numbers of refugees would be in the thousands rather than the hundreds, the Home Office took responsibility for the coordination of the programme while the Local Government Association led the local authorities and the Refugee Council coordinated the inter-agency group. Local authorities were, for the most part, responsible for managing the arrival, reception and support offered to programme evacuees although other agencies offered advice and staff support.

On arrival to the UK, the refugees were met at the airport by teams of staff including health workers, immigration officers, local authority officers, a representative from the Refugee Council and a team of bilingual interpreters. After initial processing, people were bussed to their reception centres.

Refugee Action recommended that the locations selected for inclusion in the programme should be places with exist-

ing refugee and ethnic minority communities and where the numbers of refugees from the same community could be built up. Moreover,

there must be good race relations, and availability of language lessons, training provision and any necessary care services.² In reality, the selection of reception areas, as with the Bosnia programme, was housing-led and the time-scales were so short that it was difficult to ensure that the correct services and provisions were brought in prior to the arrival of the refugees.

Community needs

Many of the staff involved in the reception programme were seconded from other agencies or travelled from London to work in the centres. Some had been involved in the Bosnia programme and many of the assumptions made about the needs of the Kosovans were based on the experiences of that project. However, it became apparent very quickly that the only similarity between the two groups was that they were both from the Balkans.

It became evident that the service providers were not aware of the needs of

these particular refugees. For example, in one centre, the local authority had stocked up on pre-prepared frozen foods such as lasagnes that could be cooked in a microwave. But the Kosovans did not want to eat these nor were they familiar with microwave ovens. People wanted water, flour and eggs to make filo pastry pies and they needed orientation sessions to learn how to cook on gas stoves. It was only through talking to refugees that the service providers became aware of their needs. In addition to orientation about basics such as money, where to find the best supermarkets and cooking using gas stoves, the priority of the new arrivals was finding out about family members. There were variations in the sorts of assistance provided to facilitate this. The Red Cross gave people free phone cards and one local authority district gave people telephones to use whenever they wanted, while other centres wanted to promote self-sufficiency by asking people to make choices between buying phone time or buying food. Not surprisingly they found that people were much more concerned about finding family members than they were about eating. A representative from Refugee Action said that it was a mistake not to give people immediate and free access to the telephone.

Dispersal

The dispersal of Kosovan evacuees has been problematic. A representative from Refugee Action estimated that around 30 per cent have moved to London to be with or near family members. Some of the agencies have tried to discourage secondary migration to London and instead have encouraged family members in London to move to the regional locations. Moreover, local authorities have also discouraged people from moving by declaring them intentionally homeless and therefore not eligible for housing. However, none of these strategies have been particularly successful.

There is more housing available outside London and much more public support and this is one reason why agencies are encouraging people to remain in the centres for three months before finding them accommodation in the region of reception. But community networks, appropriate information and legal advice are located mainly in London and refugees want to be in areas where such networks exist.

Some children in schools are already being called 'voucher children' in the playground.

The Asylum and Immigration Bill, 1999

The humanitarian evacuation of Kosovan Albanians has coincided with the Parliamentary reading of the Asylum and Immigration Bill. Opposition to some measures contained in the new legislation corresponded with the events in Kosovo, due, in part, to the fact that these events and the evacuations helped to highlight some of the implications of the legislation.

i. Vouchers

In the White Paper³ that formed the basis of the Asylum and Immigration Bill, the Government proposed to change the system of support for asylum seekers to a non-monetary system where people were to receive vouchers redeemable at a designated supermarket. However Members of Parliament (MPs) raised concerns about such an approach and so, in order to stem a rebellion from Labour MPs, Home Secretary Jack Straw was forced to make a series of concessions. Now asylum seekers are to receive some of their benefits in cash and the rest in vouchers or in kind. In the first instance Jack Straw offered £7 per adult and £3.50 per child a week. However, this was deemed insufficient; asylum seeking families will now receive £10 a week for each adult and £10 a week for each child. The value of the package is to remain at 70 per cent of income support with the Government arguing that with the additional non-cash benefits offered such as the payment of utility bills and furniture the whole package has a value which is equivalent to 90 per cent of the welfare benefit income support.

Critics of the new support system note that the costs of implementing the vouchers through a new administrative body will create more expense. This is countered by the argument that money will be saved through its role as a deterrent for asylum seekers. In addition to the administrative costs, such a system also has social costs because it excludes and stigmatises. Some children in schools are already being called 'voucher children' by their peer group in the playground.

ii. Immigration status

The obvious disparities in the treatment of the evacuees from Kosovo and others seeking asylum in the UK, including spontaneous asylum seekers from the

FYR, has been the subject of Parliamentary debates. One politician used the analogy of a 'Rolls-Royce' welcome for evacuees compared to a 'rickshaw' welcome for others. Jack Straw defended his position by arguing that the UNHCR nominees definitely met the Convention criterion of a well founded fear of persecution while those who had arrived as spontaneous asylum seekers may in fact have 'made it up'. On 15 June, however, Jack Straw announced that all asylum seekers from the FYR were to be given temporary ELR when their cases came up. There is currently a backlog of around 11,000 cases from the FYR and so the process will take some time to administer. This will mean continued disparities between the programme Kosovans and those who came independently. Such disparities have created some problems. Currently members of the same family have different status in the UK and therefore different access to services. Consequently, some Kosovan evacuees have applied for family reunion for their relatives as dependants and are in the position of sharing their cash benefits with friends and relatives.

While the new policy means that there will eventually be legal parity among Kosovans in the UK it accentuates the disparity between Kosovans and all other asylum seekers. It certainly raises questions about the treatment afforded to those from countries outside Europe where there are equally clear cut grounds for granting ELR.

iii. Dispersal policies

Under the proposals contained in the Asylum and Immigration Bill, all asylum seekers will be dispersed to 'zones of settlement' or 'cluster areas' around the country. Asylum seekers will be made one offer of accommodation and if they choose not to accept it or to leave that accommodation then they will receive no other offers of housing and will forfeit their food vouchers and cash. While Kosovan programme refugees can move and maintain their benefits because they have ELR, the same will not be the case for other asylum seekers who move to be near their social and community networks.

Lessons to be learned from the early stages of the programme

The operation of the Kosovo programme does highlight some important lessons. Firstly, the lack of decision making on the

part of the Home Office left very little time to set up centres and to organize the staffing and support services.

Secondly, large amounts of money have been wasted due to the speed at which centres across the country were prepared. Now centres have been set up and remain empty but local authorities will have to be reimbursed for the expense. It is likely, however, that the empty reception centres will be used to house asylum seekers in the future.

Thirdly, it is vital not to make assumptions about the cultural norms of any community. Previous experience needs to be adapted and applied to different situations. Given the numbers of people who seek asylum in the UK each year, it seems that a permanent staff base of skilled workers who would instantly recognize the complexity of the refugee experience and cultural diversity should be put in place.

Fourthly, refugees need to be supplied with much more information to help them make informed choices. Staff need to talk to people not only about their experiences but also about their needs and their choices. It is only this approach which will help to ensure that strategies are appropriate.

Fifthly, the largely positive responses to the evacuees in some areas of the UK indicates that if the public were properly informed through the media then they might be more welcoming to all asylum seekers.

Finally, the Kosovo crisis has highlighted some of the problems with the new legislation, particularly in the area of support and dispersal. Concessions have been forced as a result of the Kosovo programme and it is to be hoped that the change in public opinion and the positive response to the evacuees will force more changes as the Asylum and Immigration Bill works its way through the House of Lords.

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Myth and reality: the return of Kosovan Albanians

by Peter Marsden

On 10 June, the day after the signing of the NATO-Yugoslav peace agreement, there were 138,600 refugees living with host families in Macedonia¹ with a further 106,500 refugees living in camps². By early August, 15,000 refugees remained with host families and 5,000 in camps. Of the original eight camps/transit centres, only three remained open. In public statements up until 25 June 1999, UNHCR voiced both its concern that refugees should not return prematurely and also its expectation that, despite warning refugees against an early return, the refugee camps in Macedonia would empty very quickly. The speed of the return over the following days confirmed UNHCR's expectations and gave the impression of an undifferentiated mass response to NATO's entry into Kosovo.

In fact the picture gained from interviewing refugees in the three major refugee camps in Macedonia, Stenkovec 1 and 2 and Cegrane, on 23, 24 and 25 June was quite different. By 22 June there was already a return process underway, exemplified by the presence of private buses and trucks at the entrance to each camp. People were moving to Pristina and to Gjiliane in eastern Kosovo, both of which were known to be reasonably safe. Despite the steady exodus, the camps remained approximately three-quarters full.

In talking to individual families, it was clear that there was a direct correlation between the area of origin and interest in an early return. While those from Pristina and Gjiliane indicated that they would soon be going back, those from areas which were known to be badly damaged or heavily mined stated that they would wait until the international community was in a position to provide support. There was a high level of awareness of the risk of mines. A privately-produced newspaper circulating in the camps gave news of the situation

in Kosovo. On 23 June there was a report of a meeting of NATO governments at which refugees were urged to wait for 100 days to allow mines to be surveyed and human rights atrocities to be investigated. The refugees were approaching the situation in a sober manner and advice given by the international community was thoroughly debated.

There were families reluctant to return because of their vulnerability. Some lacked adult males and were concerned at how they might cope on their return. Those with traumatized children feared for their children's emotional stability if they returned. There were many families with physically or mentally disabled members. Families containing individuals with complex medical conditions were also an important element. Although camp health facilities were not well equipped, the refugees realistically anticipated that health services in Kosovo would be even less adequate. Additionally, a number of Albanians who had been living in Serbia before fleeing to Macedonia felt unable to go back. However, despite this apparent reluctance of a significant number of refugees to contemplate an early return, many of the camps were virtually empty only three days later. What led to this sudden mass exodus?

Evidence suggests that the major factor was concern that others might occupy or loot their properties. There were growing reports of lawlessness in Kosovo and of returnees occupying the homes of neighbours when they found their own damaged. There may, therefore, have been a sudden panic which tipped the balance in favour of an early return to benefit from the summer weather in order to rebuild houses and cultivate land.

Mass departure coincided with an apparent decline in the services provided in the camps in Macedonia. By 25 June standards in Cegrane were giving serious cause for concern and refugees in

Stenkovec 1 were reporting that some food items were no longer available. They were also very unhappy that, as families around them departed, the debris left behind was not collected; they voiced unease at possible health risks to their children and were clearly affected by the visual impact of this accumulating waste. Adverse weather conditions added to feelings of discomfort in the camps and some residents expressed feelings of insecurity as the tents and plots around them emptied.

It is difficult to say to what extent the agencies working in the camps could have avoided this decline in standards. Many were rapidly losing their Albanian Kosovan staff as they, like other camp residents, returned to Pristina to stake their claims to property. Other staff, rightly fearing for their continued employment in the Macedonian camps, were keen to return and apply for jobs created by the arrival of UN agencies and NGOs in Pristina. As the focus shifted to relief and reconstruction in Kosovo it is possible that the maintenance of services in the camps was given relatively low priority - despite the continuing commitment of the agencies involved. With events moving so quickly, it is perhaps unrealistic to expect agencies to have done more than they did.

The key questions that remain are whether the safeguarding of services in the camps should have been given higher priority in the scenario planning of UNHCR, NGOs and donors and whether more determined action would have made any difference to the pace of return. I suspect that it would not. Nevertheless, a profound sense of unease remains that many returned to Kosovo against their better judgement.

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¹ Macedonian Red Cross figures
² UNHCR figures

Kosovo and beyond: popular and unpopular refugees

by Matthew J Gibney

The flight of some 900,000 refugees from Kosovo sparked the revival in Western states of something exceedingly rare: the phenomenon of the popular refugee.

Since the mid 1980s when the numbers of asylum seekers claiming refuge in Western Europe began a sharp and prolonged ascent, refugees have come to be a most unwelcome sight. To prevent the entry of those seen as illicit economic migrants, welfare scroungers and, in some cases, threats to national security, European governments have assembled a substantial array of preventative and deterrent measures.

Amazingly, in March when the Kosovan Albanians began to flee in large numbers, it was as if this river of hostility started to flow backwards. Suddenly, the media, previously concerned primarily with unveiling refugee welfare scams and illegal migration schemes, sympathetically related the desperate experiences of those forced to flee. Virtually overnight the dominant public perception of refugees as economic migrants gave way to a view of the displaced as worthy recipients of public and private aid. A substantial number of people offered to take Kosovans into their own homes. Even the actions of governments changed. Longstanding rhetoric on the need to deal with 'root causes' gave way to practical measures as NATO acted to end the humanitarian crisis, albeit through the pursuit of a controversial bombing campaign.

How did the Kosovo crisis produce a response that ran counter to the general tide of hostility towards refugees in Western states? Is there anything we can learn that might help us to elicit a more inclusive and humane response to refugees and asylum seekers in general?

Kosovo in perspective

Viewed historically, popular refugees are hardly exceptional. Successful humanitarian responses to large-scale refugee movements have formed an important, if intermittent, part of post-war European history. UNHCR owes its own existence largely to the way it successfully coordinated the Western response to the refugee crises produced by the Hungarian uprising of 1956. Over 200,000 refugees temporarily hosted by Austria were permanently resettled across Europe and in other liberal democracies. Similar large-scale resettlement also characterized the response to refugees from Czechoslovakia in 1968. Arguably most successful of all was the response when hundreds of thousands of refugees fled Vietnam in the 1970s and 1980s. Significantly all these refugees emerged from communist regimes. Their popularity owed as much to the ideological desire to demonstrate the moral bankruptcy of communist regimes as to humanitarian need. The response to the Kosovan refugees, on the other hand, occurred after the end of the Cold War, when a key prop supporting the popularity of refugees was no longer available.

If the popularity of the Kosovans is notable in historical terms, viewed comparatively the contrasts are even starker. Media coverage, financial resources and international concern lavished on Kosovo have represented a huge depar-

ture from the international community's responses to refugee and IDP needs in such places as Sierra Leone, the DRC and Ethiopia. On one estimate UNHCR has been spending \$1.23 on refugees per day in the Balkans, eleven times more than the 11 cents it spends daily on refugees in Africa. In Macedonia, many refugee camps had a ratio of about 1 doctor per 700, whereas many camps in Africa have one doctor for approximately 100,000 refugees.

In a number of Western countries, policies which had been constructed with an eye to restricting the entry and integration of asylum seekers were hastily rearranged for the sake of the Kosovans. After some indecision the US decided that providing temporary shelter for refugees at the Guantanamo naval base in Cuba, though judged suitable for Haitians, was deemed inappropriate for the Kosovans. In the UK, the Kosovans were able to bypass normal family reunion restrictions in a way unavailable to other refugees. In Germany, Kosovans, unlike previously arrived Bosnians, were granted the status of 'civil war refugees' rather than catego-

crises in Africa simmer along with only a fraction of the humanitarian assistance required

rized as 'Duldung', mere temporary exemption from deportation. The distinctive case of the Kosovans is, however, indicated most clearly in the efforts marshalled for their reconstruction and return. By August 1999 over 60 nations and dozens of organizations had already pledged some two billion dollars in aid. According to UNHCR sources, this amount "far exceeded immediate need". All the while, crises in Africa simmer along with only a fraction of the humanitarian assistance required.

What made Kosovo different?

It is tempting to attribute the Western response to the Kosovans simply to a desire to alleviate human suffering. From this perspective, what made Kosovo special was the magnitude and intensity of the suffering of the refugees concerned. But appalling as their situation was, there is little to differentiate the experiences of the Kosovans from almost all of the world's other 15 million refugees, most of whom have lived through experiences of equal horror or brutality.



Blace border camp, Macedonia

Alternatively, we might attribute this response to the increased awareness of suffering enabled by widespread media coverage of events in the Balkans. As one observer noted, it was almost impossible to walk around the camps in Albania and Macedonia without tripping over television cables. However, this view too falls short of providing a complete explanation. It assumes a simplistic, asymmetrical account of the relationship between the media and the general public, where the latter are simply passive consumers with no preferences of their own. Moreover, this offers no insight into why the media itself thought that the humanitarian aspects of this particular crisis were important enough to warrant such extensive coverage. If we wish to explain the reaction to Kosovo, we must consider those features of this crisis which linked the public, media and governments of Western states to the plight of this particular group of refugees. Let me briefly outline three such features.

The first of these is **regionality**. The practical significance of Kosovo owes much to the geographical location of this crisis in Europe. The proximity of Kosovo to key Western states raised the obvious possibility that a humanitarian crisis would impact directly upon their economic, social and political interests. In terms of direct costs, Western European states risked being faced with large-scale movements of refugees escaping conflict and human rights violations in the province. For states such as Germany, the UK and the Netherlands,

the prospect of refugees from Kosovo further burdening their asylum determination systems was one that they were understandably very keen to avoid. Moreover, there were clear limitations in applying traditional measures (eg visas and carrier sanctions) to keep these refugees out of Western Europe. The potential instability of the Balkans region, and in particular the ethnic fissure in Macedonia, made a policy of containing the refugees in the Balkans highly questionable in terms of regional security.

The location of events also had the potential to exact more indirect costs from Western European states. In particular, the situation in Kosovo threatened to detract from the prestige of those organizations charged with protecting European security. This was particularly true in the case of NATO which, robbed of its traditional rationale by the end of the Cold War, found a new *raison d'être* in the protection of 'humanitarian values' in Kosovo. The development of this humanitarian agenda has been seen in some quarters as a victory for a new kind of international politics, albeit one so far regionally confined, in which states are less motivated by their own national interest (narrowly defined), and increasingly by a concern to promote human rights. For some, on the other hand, humanitarianism is simply a convenient cover for a few powerful Western European states to use NATO to expand their influence and power across the entire European continent. In either interpretation, however, the location of

this crisis in Europe gave a special impetus to Western involvement and interest that has been lacking in most other refugee-generating situations.

The second feature is what I will call **implicatedness**. There has been much debate about whether the NATO intervention simply pre-empted the use of a mass expulsion campaign by Serbian authorities or provided the impetus for the creation of one. It is difficult to deny that the NATO bombing campaign turned what was, at most, a plausible scenario - the mass expulsion of Kosovans - into an immediate and pressing reality. This link between NATO's actions and the movement of refugees into Albania, Macedonia and Montenegro implicated the NATO countries (and their supporters) in the plight of Kosovan Albanians in a special way. It meant that these countries had played some - albeit complicated and unintentional - part in creating these refugee movements. It was thus hard for Western states to deny a duty to ease the plight of the displaced through the provision of temporary resettlement, aid and relief, or support for those neighbouring countries hosting the bulk of the refugees. Kosovan refugees thus had something going for them which other refugees from Ethiopia or Sierra Leone do not. Like the refugees created by the end of Vietnam war over two decades before, Western states had, through military engagement in support of their aims, come to feel a deep and special responsibility for their plight.

A final key factor I will call **relatedness**. Europe is more than simply a geographical region. It is also a category of identification: the signifier of a people sharing a common civilization and culture. Most of the time this identification means little, as the very limited success of recent European Union attempts to build a common European identity shows. It is possible that in terms of objective characteristics the differences among Europeans are as great as the differences between them and non-Europeans. Yet the response to Kosovo indicates that elements of this identity do have a great deal of force, not least when confronted by extreme suffering.

Most African refugees are enigmatic to Europeans. The lives they lead are perceived as alien - so different from their own that it is virtually impossible to imagine how they might be disrupted by displacement. This alienness is, moreover, magnified by elaborate, historically persistent and often racist assumptions. In the case of Kosovo, by contrast, Western audiences were confronted by refugees to whom they could relate. Here were forced migrants who looked and dressed like them, who fled by car (even facing traffic jams on their trip to safety) and who, through the use of articulate and well-educated translators, could express their suffering in terms that resonated with Western audiences. What made the Kosovans popular refugees was the ability of Westerners to see themselves - and their families, friends and neighbours - in the Kosovans' suffering. They were touched in a deeper way by their plight because they caught in these refugees an inkling of what it would actually be like to be a refugee.

Learning from Kosovo

What can we learn from these features of the Kosovo response? Recognising the role that connections based on regionality, implicatedness and relatedness play in influencing our responses to suffering helps us to identify a gap between what we thought we were doing (responding to suffering) and what we were actually doing in the case of Kosovo (responding to the suffering of those with whom we have a strong connection). We need some way of bridging this gap, if we aspire to a world where refugees in the heart of Africa matter to us as much as refugees in the centre of Europe. The obvious way to do so is by striving to

purge our responses to refugees of the kind of arbitrary political and cultural biases that currently make some people's suffering count for less than others. International refugee law offers one model for a world without popular and unpopular refugees, one in which all refugees enjoy equal treatment. The 1951 Convention, as modified by the 1967 Protocol, is universal in scope. The Article 33 prohibition on refoulement applies to refugees as refugees, not just to those whose plight happens fleetingly to take the fancy of electorates in Western states.

Yet what was remarkable about the response to the Kosovans was that it went well beyond the basic (though fundamentally important) demands of international law. There is no international legal requirement that states evacuate refugees, or provide aid for the reconstruction of their homelands, let alone a requirement that the general public donate vast sums of money to humanitarian organizations. These features of the Kosovo response sprang not out of an impartial desire to alleviate human suffering but from people's sense of implication in, and relationship to, the plight of refugees involved. Perhaps the most important question to emerge in the aftermath of Kosovo is not how can we purify ourselves of the connections that make this kind of powerful response to refugees possible but whether we can replicate such a response to the situation of those refugees whose plight is currently neglected. Can we cultivate the kinds of connections that would make Ethiopians or Rwandans popular refugees?

We need to begin by recognising that the connections that underpinned the Kosovo response are social and political constructs that change over time. There is always the possibility, therefore, that they might be reinterpreted and put to the service of other groups of refugees. To get an indication of how this might be done, let us reconsider those factors that made the Kosovo response so powerful.

Starting with regionality, we need to ask what proximity can mean in a world where changes in technology, including transportation and communication, have fundamentally transformed the nature of distance. Is it really true to say that the long-term interests of Western states are unaffected by crises in Africa? In an international context where refugees

have the potential to cross continents to claim asylum, how much can regionality matter?

Moving to implicatedness, we may need to rethink what it is to be involved in the generation of refugees. While the link between Kosovan refugees and the NATO bombing campaign was particularly strong, Western states are connected, in more subtle ways, to other conflicts through arms trading, colonial involvement or support for governments or rebels. Are not Western states also implicated in the plight of refugees who emerge from these conflicts?

Finally, we need to recognise that the boundaries of relatedness are capable of revision and change. What stands in the way of Westerners relating to the experiences of African refugees is not an insurmountable gap but a set of assumptions that are largely the result of ignorance. By challenging these assumptions, and by striving to convey in a range of different ways the experiences of African refugees, public opinion in the West might begin to relate more closely to the situation of more of the world's refugees. Potentially the increasing racial and ethnic diversity of Western societies could serve as a springboard for reassessing who we, in Western states, are, and through this process to rethink our relationship to outsiders.

The process of cultivating connections is not guaranteed to result in a more inclusive response to refugees. Powerful historical, social and cultural forces will no doubt ensure that some refugees remain more popular than others. But the reaction to Kosovo demonstrates the ability of these connections to, at least for a short period, transform fundamentally the politics of responding to refugees. At a time when restrictionist policies show no signs of waning, more transformations of this kind may be exactly what we need.

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If you would like to respond to any of the articles on Kosovo, please contact the Editors by 1 November 1999. See p2 for contact details

East Timor: forced resettlement

by John G Taylor

For many years Indonesia has experienced substantial movements of population as a direct result of government policies.

Transmigration programmes implemented during Suharto's rule resulted in the movement of 1.6 million people, mostly from Java, Bali and Madura to Kalimantan, Sumatra, the Moluccas, Sulawesi and the islands of Eastern Indonesia. Transmigration was viewed both as a demographic imperative - to alleviate population pressure in Java where 80 per cent of the population live - and as an ideological unifier through which Indonesia's many and varied ethnic communities would become more integrated. Transmigration was implemented in a highly authoritarian manner with the army ruthlessly suppressing any protest.

Since the resignation of Suharto in May 1998, widespread resentment against the government, army and transmigrants has been exacerbated by economic and political changes. The 14 per cent fall in gross domestic product in 1998, the flight of capital and dramatic increase in unemployment have been accompanied by massive increases in the prices of food and basic essentials. Under such conditions it is hardly surprising that conflicts between communities with differential and unequal access to resources have increased. While economic decline has hit the urban areas of Java particularly hard¹, some of Indonesia's island regions have suffered less. Areas exporting primary and agricultural commodities have benefited from the devaluation of the Indonesian rupiah that has been a feature of the crisis. As Jakarta's economic control has weakened and local revenues have increased, there have been growing demands for greater regional control, autonomy and independence in areas such as Aceh (North Sumatra) and Irian Jaya. Regional protests have been directed both at the central government and transmigrant groups who are seen as having benefited from Jakarta's dominance.

These developments have taken place while Indonesia attempts a precarious

transition to a less authoritarian system, a key feature of which was the 7 June national election. Political and military groups opposed to this development are fuelling and manipulating ethnic and regional conflicts in an attempt to 'prove' that the country is not ready for a democratic transition.

In recent months Indonesia has experienced increasing levels of ethnic conflict and regional protest. Minor events have resulted in conflagrations. Since January more than 50,000 people have left the Moluccan islands while 16,000 Madurese have been driven out by Dayak and Malay villages in West Kalimantan (Borneo).

Nowhere are the consequences of transmigration clearer than in the Indonesian occupied territory of East Timor which since 1979 has been subjected to forced resettlement of its population.

East Timor

Indonesian Armed Forces invaded East Timor on 7 December 1975. The invasion aimed to annex East Timor into the Indonesian Republic by force, halting a decolonization process poised to create a new state after 450 years of Portuguese colonial rule. Frustrated by their inability to make significant military headway against the nationalist movement, Fretilin, Indonesian troops began to terrorise the population living outside Fretilin-held areas. Villages were destroyed, atrocities committed and chemical weapons used. In March 1976, Lopez da Cruz, an East Timorese member of the Indonesian-created administration, claimed that 60,000 East Timorese had been killed in the months following the invasion.

A qualitatively new phase of the Indonesian campaign began in September 1977 when aerial attacks were launched against Fretilin areas in the western, central and southern areas

of East Timor. Saturation bombing of villages was accompanied by defoliation of ground cover. People were pushed into increasingly confined areas. Deprived of food, they were forced into lower-lying regions, where Indonesian troops lay in wait. Throughout 1978 a spate of massacres was reported.

In the aftermath of these campaigns most surviving inhabitants were transported to staging posts and then to newly created resettlement camps. In mid-1979 USAID estimated that 300,000 of the pre-invasion population of 680,000 were living in resettlement camps. East Timorese confined to camps claimed they were prevented from travelling beyond the camp boundaries and were unable either to cultivate or harvest food. Describing conditions in a camp south of the capital, Dili, a journalist (whose visit had been organized by the Indonesian government) wrote: "In Remexio, as in other villages, the people are stunned, sullen and dispirited. Emaciated as a result of deprivation and hardship, they are struggling to make sense of the nightmarish interlude in which as much as half the population was uprooted."²

Most East Timorese were subsequently transferred to new 'resettlement villages' sited far away from their original homes. Located close to newly constructed roads or at intersections, these villages comprised groups of huts constructed of grass or palm leaves. Outer areas were occupied by the military, local militia and camp administrators who lived in houses with galvanised iron roofs.

Village sites were chosen by the military for strategic reasons. People were rehoused in zones far from areas of resistance. Any potential re-emergence of resistance based on traditional units such as the clan, hamlet or village was undermined by a policy of dispersal. Villages were often built in lowland areas traditionally avoided by East Timorese mountain villagers because of malaria, poor water supplies and the torrid climate.

Each resettlement village was subjected to rigorous control. All movement in and out was allowed only to selected villagers given a *surat jalan* (travel pass). Cultivation was not permitted within the village confines. Either as a form of sanction or as a result of security measures, garden-tending outside the village was often curtailed by the military, exacerbating food shortages. In 1988, a Catholic Relief Services worker wrote: "The main problem in the resettlement camps is shortage of food. The areas where people are allowed to go are very restricted. Most families can only have 100-200 square metres of ground, which is insufficient to feed a family. They have to fall back on collecting wild fruit, roots and leaves; these are also in insufficient quantities because the army forbids them to go far from the camp."³

The Indonesian military restricted the use of labour for domestic cultivation. Camp residents were directed into forced work - building roads and houses, logging and cultivation of sugar, coffee, rice and other export crops.

With traditional settlement patterns dramatically altered, the army embarked on a widespread economic and social transformation of East Timorese society. Fundamental social features - the extended family, kinship system, religion and education - were undermined as the army set out to replace them with institutions akin to Javanese norms and culture. Timorese labour on small farms, gardens run by army officers and plantations located beyond village boundaries were used to produce cash crops for export in what the army termed a "gigantic project, to reinforce stability and security and facilitate all aspects of development".⁴ By 1984 there were 400 resettlement villages. By 1990 almost all East Timorese were living in them.

A new element was added to the Indonesian strategy in 1982 when non-Timorese began to be moved to fertile areas such as Ermera, Bobonaro and Maliana. They were given land formerly used by East Timorese farmers who, without compensation, were moved to infertile lowlands on the northern coastal plain. In the aftermath of the

well-publicised Santa Cruz cemetery massacre in November 1991 (in which an estimated 160 people were killed or injured) the military intensified migration of families - and particularly traders - into the towns and villages. Migrants, from Sulawesi, Maluku and neighbouring islands such as Roti, were given privileged access to trade and markets and have displaced indigenous traders. Current estimates put the number of Indonesian migrants in East Timor at between 150,000 and 200,000, approximately a quarter of the present

population of 850,000. In recent years, protests have been directed increasingly at these traders, most notably those who control the country's main market in Dili which now has no East Timorese traders.

There is a widespread fear of a 'Balkanization' of Indonesia.

Referendum

The post-Suharto government, led by Suharto's former political ally, B J Habibie, has apparently made a *volte-face*, offering East Timor the possibility of independence if a majority of its population reject autonomy within the Indonesian Republic in a UN-supervised referendum scheduled for 8 August. Habibie appears to have made this decision to gain international support on an issue which had become a profound embarrassment for Indonesia after the award of the 1996 Nobel Peace Prize to two East Timorese, Bishop Belo and Jose Ramos-Horta for their work for a "just and peaceful solution" of the conflict. Habibie also seems to have been convinced by arguments stressing the economic costs of maintaining the territory under present conditions.

The consequences of the political tool of resettlement and transmigration are now having a profound effect on attempts to establish conditions for self-determination in East Timor. Habibie's decision has not gained approval in key political circles - most notably among leading military officers whose careers were built on the basis of military campaigns in East Timor and who still retain economic assets there. Many leading politicians and military officers are deeply concerned at Habibie's policy shift and fear that independence for East Timor will have a knock-on effect in regions of Indonesia where there are

increasing demands for regional autonomy. There is a widespread fear of a 'Balkanization' of Indonesia. During the campaign for the June elections, Megawati Sukarnoputri, the leader of the PDI (Indonesian Democratic Party in Struggle), Indonesia's most popular party, suggested that a new government could over-rule any decision reached in East Timor's referendum. She has argued against an autonomous status for East Timor, as this would be prejudicial to the unity of the Indonesian Republic.

Military campaigns

Following the announcement of a referendum on the autonomy proposals, many transmigrants began to leave East Timor. Articles in the regional and Indonesian press described the 'threats' and 'intimidation' faced by migrants. In February Dili was reported to be gripped by a panic, with professionals such as doctors, engineers and teachers fleeing along with transmigrant traders. A propaganda campaign orchestrated by groups within Indonesian military intelligence gave Indonesians the impression of a territory divided, unsure of its future, with supporters of independence potentially in conflict with those favouring the status quo. A country that had fought for its independence for 23 years was presented as incapable of self-government and vindictive towards its non-indigenous population.⁵

As support for the referendum increased both within East Timor and internationally - spurred by the UN agreeing to oversee the vote - political and military groups opposed to the government's policies began to implement a destabilisation campaign. They relied heavily upon tactics developed and refined during earlier resettlement programmes. Pro-integrationist groups in the Indonesian armed forces organized well-armed paramilitary gangs comprised of East Timorese who have served in the Indonesian army and administration, transmigrants and new arrivals from areas such as Flores and West (Indonesian) Timor. These groups have intimidated the local population, burnt villages, killed individuals and families and engaged in widespread torture. The worst incident occurred on 6 April as more than 2,000 people were sheltering in the church of San Antonius in Liquica to the west of Dili having fled from burning villages and targeted killing by para-military gangs. The church was

attacked by a heavily armed group calling itself the Besi Merah Putih - the Red and White Iron. After the attack - which lasted several hours - 52 people were officially pronounced dead. Human rights investigators from Dili who later visited the site put the final death toll at 300.⁶ Similar attacks - although on a smaller scale - have taken place in many areas of East Timor in recent months and most recently in Dili itself.

Paramilitaries have called for a 'cleansing' of all those in favour of independence.⁷ The tactics they are using replicate those used to intimidate the population in resettlement villages. They aim to 'prove' that the territory is unfit for self-rule. A further tactic is being used to systematically undermine the referendum. As paramilitaries sweep through villages, families are once again made homeless and are being driven into new camps controlled by the paramilitaries. This has resulted in substantial new population movement and forced resettlement. Approximately 54,000 people have already been displaced this year, with the majority of them being driven into paramilitary camps. At the end of May, it was reported that 36,000 displaced people in camps in the western part of the territory were totally reliant on militias for food.⁸ This strategy aims both to intimidate people into voting for the autonomy proposals and to control population movement to restrict access to the referendum. The paramilitaries, assisted by military officials, are moving people from Indonesian Timor into East Timor, locating them in camps and issuing them with East Timorese identity cards before placing them in villages in preparation for the referendum. Resettlement is thus being used to sabotage the prospects for a free and fair vote on the autonomy proposals. The goal is to ensure that East Timor remains within the Indonesian Republic despite the desire for independence of the vast majority of its population.

Whether or not the pro-integration factions within the Indonesian Armed Forces can succeed with their strategy of destabilisation is of crucial significance not only for the future of East Timor but for Indonesia itself. If a genuine vote is not allowed in East Timor this does not bode well for populations in areas of Indonesia calling for greater autonomy. For provinces outside Java, who feel that they have suffered for decades from

central government control, the most important issue of reform is greater political and economic control over their regions. This aspiration must be addressed and not simply suppressed by military force.

The adverse results of 30 years of using transmigration and resettlement to reinforce military control are now all too apparent in Indonesia. They have contributed to the difficulties facing the country in its fragile transition to a more open political system. The process of change has to address the issue of migration. Java is densely populated and families and communities in Indonesia's regions will always want to move to areas where they will be less disadvantaged. The hope must be that this can occur in a more participatory and democratic way freed from the coercive strategies of a centralizing military-dominated government. East Timor is a special case in that, unlike Indonesia's regions, it was invaded, occupied and forcibly annexed into the Indonesian Republic. Nonetheless, the way in which Indonesia's Armed Forces react to the referendum in East Timor will speak volumes on its perspectives for the future political development of Indonesia. Military strategy with regard to resettlement and its consequences will, in the coming months, be of key importance to Indonesia's political evolution.

Postscript

Following a three month campaign of intimidation by pro-integrationist paramilitaries, the referendum on East Timor's future was held on 31 August. In a turnout of 98.5 per cent of the population, 78.3 per cent voted to leave the Indonesian Republic.

Enraged by the outcome, the paramilitaries and their Indonesian Army commanders launched a campaign to destroy the territory and forcibly remove vast numbers of its population to Indonesian West Timor and other regions of the Indonesian archipelago. An estimated 100,000 have been moved while some 200,000 have fled to the mountainous interior to escape the army and paramilitaries. Supporters of the independence movement have been targeted and murdered. Entire villages' inhabitants have been killed. The Indonesian army barracks is now one of the few intact buildings in Dili.

Having voted for independence, and having been assured of their safety by the UN during the post-referendum period, the East Timorese found themselves alone, facing the wrath of the paramilitaries and Indonesian troops.

If the international peacekeeping force is able to establish itself throughout the territory it may be able to halt the killings and feed a starving terrorised population. The peace-keepers will then have to face the vast task of locating and returning all those forcibly displaced by Indonesia's 'final solution' in East Timor - the eradication of people who bravely voted for their independence, after fighting for the right to exercise self-determination during 24 years of brutal Indonesian occupation.

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1 The Indonesian Family Life Survey, analysing welfare changes between Aug/Sept 1997 and Aug/Sept 1998 concluded that spending in urban areas fell by 34%, compared with rural declines of 13%.

2 David Jenkins 'Timor's Arithmetic of Despair', *Far Eastern Economic Review*, no 29, December 1978.

3 Antonio Tavares, interviewed by Jean-Pierre Catry, Lisbon, 1988.

4 Statement by the Secretary-General of the Department of the Interior, Topik, Jakarta, 18 July 1984.

5 Despite the fact that since the fall of Suharto the territory had not witnessed violent protest, and that during the June-September period, large peaceful demonstrations had been held supporting independence. Forums had also been held in Dili and the main towns, with people from all political groups working together to devise programmes for the territory's future development.

6 John Aglionby, 'Massacre that made Liquica a ghost town', *Guardian*, London, 14.4.99

7 Patricia Nunn and David Watts, 'Death Toll Rises as militias seize Timor's capital', *Times*, London 19.4.99

8 Reuters report from Dili, *Jumat*, 28.5.99

Latest East Timor news and analysis is found at
http://www.zmag.org/CrisesCurEvts/Timor/timor_index.htm
<http://etan.org/> and
http://www.un.org/peace/etimor/index_body.htm

Security for women

An assessment by the International Rescue Committee in 1996 in Kibondo District, Tanzania, indicated that 27 per cent of women between the ages of 12 and 49 had experienced sexual violence since becoming refugees.

Based on these findings, IRC established its Sexual and Gender-based Violence (SGBV) programme to design strategies to meet the immediate needs of SGBV survivors. The programme has been driven by a focus on the survivors and their rights, and a participatory methodology that has allowed the refugees to make their own decisions about the nature of the programme and the services it provides. Since late 1996, this programme has addressed the issues of rape, domestic violence and early marriage, and, at the request of the refugee women involved, has also been instrumental in facilitating the supply of ready-made sanitary pads.

A. Drop-In Centres

Within these refugee camps, there are no social outlets for women to discuss the issues they face as women and as refugees. Most community structures are dominated by men. In a mixed sex meeting, refugee women are unable to discuss issues such as sexual and gender-based violence, reproductive health concerns and family problems. IRC's programme aimed a) to provide women with a community-level, gender-sensitive forum for discussion, b) to reduce the number of incidents and c) to raise awareness in the community about the issue.

Drop-In Centres were opened in all four camps offering confidential, emotional and psychological support; emergency contraceptives and medical and legal services are also available. From the start of the programme in late 1996 to 30 June 1999, 2,124 people were offered services through the Drop-In Centres: 478 (21 per cent) were incidents of rape, 929 (40 per cent) domestic violence, 147 (7 per cent) abduction/early marriage, and 102 (5 per cent) sexual harassment. 237 women (11 per cent) came with

complaints related to STDs, and 364 (16 per cent) sought help with gynaecological health. Of all these cases, 683 sought legal actions.

Extensive awareness-raising work has been done with refugee leaders, both men and women, so that sexual gender violence will be seen as a community issue. Furthermore, at the interagency level, UNHCR stationed an assistant protection officer in Kibondo; UN agencies and NGOs made public statements declaring their support for the programme; and NGOs, the Ministry of Home Affairs and the police committed themselves to 'sensitizing' their staff.

More recently, UNHCR received funding for SGBV programmes in five sub-Saharan African countries. In Kibondo, UNHCR is funding dedicated SGBV staff for IRC and other social service agencies, two Tanzanian lawyers to follow up on the legal cases, and more UNHCR staff dedicated to SGBV issues.

B. Supply of sanitary material

There is no steady supply of ready-made sanitary material for refugee women. Most women, when fleeing war, have no chance to remember and collect the material they usually use. Yet when they arrive in the camps, women refugees live with the cultural expectation that menstruation will be kept invisible and secret. This is nearly impossible in the camp, especially when women have to undertake more public work like gathering wood or water or collecting ration food. Many are forced to remain indoors for up to a week every month; others report being beaten by their husbands

during their menstrual periods. Moreover, menstruation often becomes heavier and more irregular when women experience extreme levels of stress - such as in war and flight. Ready-made sanitary pads could be given at reception to all female new arrivals over 12 years of age, as part of the package of non-food items.

In the past, in the Kibondo camps, squares of absorbent flannel were cut and distributed to women and girls over 12 years of age. This material was warmly welcomed. However, many newcomers were not provided with the material. In addition, until recently, it was simply cut and handed out as finished squares and was therefore not as useful as it could be. Sometimes women diverted the pieces into meeting a more immediate need, like covering a child. For others, the material wore out and they had nothing with which to replace it. Ideally such material should be sewn into a finished product, based on a pattern designed and then produced by the

refugee women themselves.

Women leaders in the camps came up with a tentative design based on what they used in

sanitary pads could be given at reception to all female new arrivals

Burundi (with strings for tying it in place as most women in the camp do not have underwear). Groups of women then made samples to be tested within the camps and, later, focus group discussions collected feedback on the design as well as the willingness of women to produce them. A standard design was finalized and funding for their production has recently been secured.

The women's groups, as well as producing finished sanitary material, are also a forum for women to discuss issues of importance freely and with confidentiality. They can support survivors of violence and continue awareness-raising, in a safe and friendly environment, on issues of violence.

Taken from *Evaluation of the Sexual and Gender-Based Violence Program, Kibondo, Tanzania*, IRC, 6 April 1999. For more information, contact Lorelei Goodyear at IRC, 122 East 42nd St, New York, NY 10168-1289, USA. Tel: +1 212 551 3000. Email: irc@intrescom.org

Safety of aid workers

by Sara Davidson

Randolph Martin of the International Rescue Committee notes that “safety threats such as vehicle accidents, malaria, water-borne disease, HIV and other health threats continue to be by far the largest causes of casualties among relief workers” (FMR 4, p4, April 1999). Yet few international aid agencies take an integrated approach to international safety and recognise an employer’s responsibility to protect staff, beneficiaries and others from hazards at work. So, while recent attention by InterAction, OFDA, DFID and ECHO on aid worker security is welcome, the safety of aid workers needs a broader focus.

Firstly, the aid community, has been satisfied to look through a media lens that rarely focuses on safety in the sector unless expatriate staff are assaulted, detained or killed. Typically highlighted in the press recently was the case of CARE Australia staff arrested by Serbia at the start of the war in Kosovo. Far less attention was paid to the fate of OSCE’s local Kosovan staff when international observers pulled out.

Secondly, this is not an argument for agencies to do less to protect their staff from risk of aggression. It is a plea for making sure that all occupational risk factors to all aid workers are systematically assessed and analysed and that they inform priorities, as the People In Aid Code recommends. If aid agencies do not take action to protect their staff from all the risks that Randolph Martin identifies, they allow the media view, which is basically a reactionary one, to win the day. Agencies will, like the media, allow themselves to believe that it is only violence from apparently ungrateful host populations that causes injuries to aid workers.

Thirdly, underlying much of the debate within the aid sector is an assumption

that security affects workers in the aid or military sectors alone. Yet violence and aggression are increasingly features of other workplaces.

Before reinventing Health and Safety as a stand-alone security issue or a debate on civilian/military polarity, the aid community could do worse than look at the conventions, legislation and codes of practice that regulate and inform safety discussion in other sectors. “Workers, trade unions, employers, public bodies and experts across a broad international spectrum are now expressing common concern about the issue of violence at work”, as one standard source puts it.¹

The ‘active international network’ proposed by Koenraad Van Brabant has been in existence since at least 1950. It was then that ILO and WHO drew up accepted definitions of occupational health and ILO Convention 161 defined the responsibilities of employers. It is these that underpin national codes of practice, such as those of Britain’s Health & Safety Executive and the USA’s Occupational Health & Safety Administration. They are the basis of sectoral and subject guidelines, including the People In Aid Code Of Best Practice In The Management And Support Of Aid Personnel.²

International aid and donor organizations need to go down the same path as socially responsible corporations. They need to become as informed and accountable on safety issues as other employers working under national jurisdictions. If they do not, they risk mixing important messages about protecting international staff and beneficiaries. Seeing only a part of the problem is part of the problem.

Sara Davidson, author of the People In Aid Code and co-author of Prevent Accidents!

¹ *Violence at Work*, Duncan Chappell and Vittorio Di Martino, ILO Geneva

² Available in English, French and Spanish. Email: Aidpeople@aol.com

Safety, security and protection

by Koenraad Van Brabant

Sara Davidson is entirely correct in her conclusion: aid and academic organizations need to be as informed and accountable on safety issues as other employers. Generally speaking, they fall short of acceptable standards and need to be put under pressure to improve their practices. I equally agree with the recommendations that ‘safety’ needs to be considered in a broader sense and attention not focused solely on reducing the risks of violence. Existing standards and codes of practice can usefully be referred to.

The fact that the articles in FMR 4 focused more specifically on ‘security’ did not intend to imply a plea for a narrow approach that would exclude vehicle safety, health and protection of other hazards at work. Elsewhere I have suggested a pragmatic distinction between ‘safety’ (health, vehicle safety, hazards at work...), ‘security’ (protection from violence for aid workers) and ‘protection’ (of non-aid agency staff at risk from violence). This is a simple research distinction to indicate the specialized focus of a certain discussion or a particular presentation; it does not deny the acknowledged linkages between the three elements and does not suggest a policy priority of one over the other.

My own work concentrates on ‘security management in violent environments’, for the simple reason that what might constitute good practice here is less well known or less well documented. It tries to identify how, in practice, to conduct threat assessments and to formulate contextually appropriate and adequate security guidelines and procedures as recommended by Principle 7 of the People in Aid Code of Best Practice in the Management and Support of Aid Personnel. It does not deny or exclude

'protection' or 'safety' concerns. In fact, in a recent security training course in Albania, the priority threats identified were armed robbery and car accidents and the course was oriented accordingly. However, in as far as 'security' is concerned, in the limited sense intended here, there is as yet no active international network where existing practices can be reviewed and good practices identified.

Koenraad Van Brabant, Research Fellow and RRN Coordinator, ODI.

Dialogue on security

by Randolph Martin

I have read Sara Davidson's response to FMR 4 with great interest and general concurrence. I would wish only to underscore that effective security management should by no means preclude concern over broader issues of health and safety, a point which is explicit and emphatic in my article. In general and in contrast to security provisions, most NGOs seem to have more developed mechanisms for dealing with health and safety issues. These types of threats - though changing qualitatively - have been with us for a long time. The 'professionalization' of humanitarian relief work over the past decade or two has brought more sophistication to this effort.

Nevertheless, there remains much room for improvement and in this regard Ms Davidson's points are well taken. The growing concern over security issues is due to the deterioration in the security environments in which humanitarian assistance is provided, brought on by dramatic changes in the purpose and nature of contemporary civil conflict. That being said, we will all be better served if the dialogue on security can provide a springboard to renew concern over all matters which threaten the well-being of human service professionals.

Randolph Martin is Senior Director for Operations, International Rescue Committee.



RSP launches Working Paper series: see p45!

Courses in 2000

The Rights of Refugees Under International Law 20-21 May 2000

A weekend course presented by Professor James Hathaway from University of Michigan. Fee: £120. Venue: Oxford, UK.

Contact: *Dominique Attala at RSP, QEH, University of Oxford, 21 St Giles, Oxford OX1 3LA, UK. Fax: +44 1865 270721. Email: rspedu@ermine.ox.ac.uk*

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The International Criminal Court: developments in Latin America

The International Criminal Court (ICC) will be a permanent court to try individuals accused of committing genocide, war crimes and crimes against humanity. It will be formally established once 60 countries have ratified the Rome Statute of the International Criminal Court. Currently, the Statute has 84 signatories and 4 ratifications. Senegal was the first state to approve ratification, in January 1999, and since then Trinidad & Tobago, San Marino and Italy have followed suit.

The establishment of the ICC is a delicate issue in Latin America, a region where the recent past has been marked by widespread human rights violations committed by authoritarian rulers, a number of whom have managed to negotiate immunity for themselves as the price for relinquishing power.

In Chile, for example, even though the Frei administration has opposed the possible prosecution by Spain of former military dictator Augusto Pinochet, the government adamantly supports the establishment of the ICC. In fact, in a clear gesture of breaking with the past, the government chose 11 September 1998 - the 25th anniversary of the military *coup d'état* which brought Pinochet to power - as the date on which to sign the ICC Statute. On a recent trip to Europe, President Frei repeatedly emphasized Chile's support for the ICC when asked questions concerning the Pinochet affair. Frei has sent a ratification bill to the Congress where prompt affirmative action is expected.

Like Chile, Argentina is currently confronted with the problem of lawsuits in third countries against members of the

junta which ruled the country between 1976 and 1983. This has not prevented the government from strongly supporting the establishment of the ICC however, and the legislative process of ratification is expected to begin soon.

Perhaps the most spectacular developments have occurred in Colombia. Although the Colombian government is in the midst of difficult peace negotiations with rebel groups, and concerns in Colombia about human rights violations are not so simply a legacy of authoritarian military rule, the government took the momentous step of signing the Statute on 10 December 1998: the 50th anniversary of the Universal Declaration of Human Rights. In doing so, the government responded to the demands of several Colombian NGOs which had argued that a commitment to international justice should not be seen as an obstacle in the peace negotiations but as an indispensable part of any comprehensive strategy for resolving the conflict.

[Sources: the ICC Monitor - available in English, Spanish and French - at www.igc/icc/html/monitor.htm; Eduardo González-Cueva]

Kosovo and Kurdistan

The dust has yet to settle from the war in which Turkey joined its NATO allies to stop the persecution of an ethnic group one-sixth the size of its own Kurdish population. Enthusiastic in its support for Operation Allied Force, Turkey offered asylum to twice as many Kosovan refugees as Britain. Recognising the legitimacy of Kosovan demands for autonomy, the Turkish Prime Minister Bulent Ecevit rejected continued Belgrade rule of the province and declared his support for "independence or federation".

Meanwhile the unresolved conflict in south-eastern Turkey has, since 1984, claimed at least 35,000 lives, led to the destruction of some 3,000 villages and displaced a population at least equal to, and possibly double, that of the entire population of Kosovan Albanians. (Estimates of the number of displaced Kurds range from the 378,335 admitted by the Turkish government, a US State Department estimation of 560,000, two million cited by Amnesty International, three million used by the Minority Rights Group and four to five million claimed by Kurdish sources.)

Whatever the figures, this massive enforced displacement has had profound human, economic and environmental consequences. The majority of those forced out of their homes and dispossessed have moved to large cities where they face acute housing problems and unemployment. Since 1990 cities such as Adana, Batman, Diyarbakir, Mersin and Van have trebled in size and struggled to cope with the huge influx of rural people. Population increase has resulted in increased levels of crime, epidemics of bronchitis and pneumonia, the near-collapse of the schooling system, and sharp tensions with the original urban inhabitants.

Concerns expressed by human rights agencies have been shared by the US State Department. Its 1999 Country Report on human rights noted that in Turkey "extrajudicial killings, the excessive use of force, mystery killings, disappearances, and torture remained widespread" and that the Turkish authorities "continued to harass, intimidate, indict, and imprison human rights monitors, journalists, and lawyers". Such criticisms, however, have not changed long-standing US support for the Turkish military, 75 per cent of whose weapons are of US origin. Since



UNHCR/Jesuit Refugee Service

1980 the US has shipped arms worth \$9bn to Turkey and provided a further \$6.5bn in loans to purchase US equipment. Elie Wiesel, the Nobel Peace Prize winner, has castigated the US for treating Turkey "with kid gloves". Noam Chomsky has protested that "whatever else the bombing of Kosovo was about, it was not about humanitarian concerns. In Turkey, within NATO, under the authority of the Council of Europe, there are atrocities which are comparable in type [to those committed in Kosovo] and worse in total numbers."

The outcry in the Kurdish diaspora following the arrest in February 1999 of the PKK (Kurdistan Workers Party) leader Abdullah Ocalan, his subsequent military trial and predictable death sentence, Ocalan's call for negotiations on autonomy and cultural rights for Kurds and the PKK's announcement of a unilateral ceasefire have combined with international protests against hydro-electric projects in Kurdistan to place the Kurdish issue higher on the international agenda than at any time since the Gulf War. For their part the Turkish authorities seem unwilling to confront the reality that at least a fifth of the population are Kurds. In guidelines issued to the media in April 1999 the Interior Ministry warned against 'hazardous' words involving the use of 'Kurd' and insisted on the use of 'abandoned' rather than 'evacuated' villages.

Displacement has not only been caused by the Turkish Army's counter-insurgency campaigns. Up to 100,000 Kurds have also been involuntarily displaced by the South-East Anatolia Project (GAP), a giant hydro-power and irrigation scheme on the Euphrates and Tigris rivers. Compensation has been restricted to those who own land or houses. Since most land in south-east Anatolia is concentrated in the hands of large landowners, most landless families have received little or no compensation.

Turkey is currently seeking \$1.52bn to construct the largest GAP dam at Ilisu, on the Tigris 65 km upstream of the

Syrian and Iraqi border. The Ilisu project will drown 52 villages and 15 towns and displace a further 20,000 people. The project, condemned by Syria, Iraq and Kurdish groups, appears to violate five core provisions of the UN Convention on the Non-Navigational Uses of Trans-boundary Watercourses and has been refused funding by the World Bank. Critics question the justification put forward by the Turkish authorities, arguing that modernizing Turkey's notoriously wasteful power transmission system would be far more cost effective than a project allegedly designed to reinforce Turkish control in southeast Anatolia and to coerce Iraq and Syria, the downstream riparians. Ilisu has become a prominent test case for the policy coherence between export credit agencies and bilateral and multilateral development institutions now formally committed to protecting those involuntarily displaced by infrastructure development projects.

August marked the 78th anniversary of the Treaty of Sèvres, imposed upon the defeated Ottoman government after World War I, which stipulated Kurdish autonomy in the area that is now roughly the Turkish southeast. The response of the Turkish authorities to calls for negotiations on political autonomy and Kurdish language rights will determine whether the next millennium begins with further displacement of Kurds or whether Turkey moves towards a truly democratic system capable of recognizing the cultural plurality of its constituent peoples.

Angola

The eruption of fighting in early December 1998 led within two weeks to the displacement of approximately 100,000 persons in all parts of the country, thus increasing the number of new IDPs to over half a million during 1998. As of mid-March 1999, 650,000 persons were confirmed to have abandoned their homes and sought refuge within Angola bringing the total of internally displaced

people to 1.5 million. Since most of the displaced have sought refuge in the provincial capitals (half of them in Malanje and Huambo provinces), the cities are becoming overcrowded, while the countryside is almost empty.

The new flows of IDPs have had an impact on the humanitarian and economic situation in the whole country. On the one hand, the fact that most of the provincial capitals which contain large numbers of IDPs are now under siege makes it very difficult for humanitarian workers to provide assistance. Costs are spiralling, as most provincial capitals can only be reached by plane. On the other hand, the high concentration of the people in these cities also increases the risk of epidemics like malaria. Angola's infant mortality (40 per cent) is one of the highest in the world, and diarrhoea, malnutrition and unsatisfactory sanitary conditions are widespread. Only 32 per cent of Angolans have access to safe drinking water, and only 16 per cent benefit from adequate sanitation.

The deterioration in the humanitarian situation can be directly linked to the resumption of fighting - for example, the re-mining of areas already considered safe or previously cleared prevents large numbers of farmers from carrying out their activities and increases famine risk. Angola is one of the most heavily mined countries of the world, and the result of this year's harvest is expected to be very poor.

The increasing number of violent incidents in the countryside has prompted the UN and many other humanitarian organisations to re-think their activities in Angola, and many have already pulled out their staff. As a result, the humanitarian situation is expected to deteriorate further: essential services have been disrupted, and international organizations, in particular WFP, have repeatedly warned of famine. By early August, Huambo's governor, Paulo Cassoma, had reported that the number of refugees in Huambo Province had



reached 250,000 (an increase of 80,000 over three months). Cassoma estimated that food in Huambo and surrounding towns could only last a few weeks.

[sources: 'Background Paper on Refugees and Asylum Seekers from Angola', CDR, UNHCR, April 1999; UNHCR Refugees Daily at <http://www.unhcr.ch/news/media/daily.htm>]

Population displacement in Jerusalem

Israel's objective to strengthen the status of Jerusalem as the capital of Israel has included a host of measures aimed at reducing the Palestinian Arab presence in the city. Since 1948 these have included forced removal of Palestinians, property expropriation, and administrative and quasi-legal procedures (unrecognised by international law) which deserve to be characterised as 'low-intensity' ethnic cleansing. Collectively, they have led to the expulsion of some 200,000 Palestinians from the city (more than half a million if descendants of evictees are included) and a continuing denial of basic residency and property rights.

While armed conflict often results in significant population movements, it would be inaccurate to simply attribute Palestinian displacement from Jerusalem as a consequence of the wars of 1948 and 1967 given Israel's "excessive emphasis" upon itself as a "Jewish state", as noted recently by the UN Committee of Social, Economic and Cultural Rights. The consistent pattern of settling Jews in Palestinian homes has been implemented as a practical means to prevent the return of Palestinians to Jerusalem.

Palestinians have been evicted from Jerusalem through expropriation of property. In addition, routine denial of building permits has forced many Palestinian Jerusalemites to leave the city in search of housing and land for development. While Palestinians owned approximately 80 per cent of the property in Jerusalem and four adjacent

villages incorporated into the city in 1948, progressive land expropriation has meant that today Palestinian Jerusalemites are restricted to approximately 4.3 per cent of the land within the current municipal boundaries.

Palestinians have also been forced out of Jerusalem due to quasi-legal administrative measures. Only those Palestinians (and their descendants) registered as living in Jerusalem in 1967 are entitled to residency in the city, which can be revoked by the Israeli Interior Ministry. Residency cannot be transferred automatically through marriage and Palestinian newborns in the city are sometimes denied residency status. Since 1996, despite the Oslo peace process, increasingly restrictive interpretations of the criteria for Palestinian residency status have led to a further 2,100 Palestinians being stripped of their right to remain.

Systematic discrimination in Israel's delivery of municipal services to Palestinian neighbourhoods and politically motivated urban planning decisions have led to severe overcrowding and an estimated shortage of 21,000 housing units for those Palestinians entitled to remain in the city. Decline in the quality of life and constant stress created by these measures have led many Palestinians to move outside the city, thus forfeiting residency and property rights. The installation of Israeli military checkpoints at all major entrances to Jerusalem from the West Bank and fines imposed on those illegally present in Jerusalem have made it increasingly difficult for Palestinians without residency status to enter the city. Despite its commitment to reinvigorating the peace process, the new Barak government has proceeded with plans to construct barriers to further isolate Bethlehem from Jerusalem.

The Palestinian desire for an end to displacement and restitution of residence and property rights has not been addressed by the negotiation process. Peaceful co-existence in the multi-cultural and multi-ethnic city of Jerusalem will

become a reality only if the issue of forced migration from Jerusalem is resolved in accordance with international law and UN resolutions.

For further information contact: BADIL Resource Center for Palestinian Residency and Refugee Rights, PO Box 728, Bethlehem, Palestine. Tel/fax +972 2 274 7346 or 277 7086. Email: badil@baraka.org Website: www.badil.org

Western Sahara

Could Africa's longest-running decolonization dispute finally be heading for a resolution? The Polisario Front has been fighting for independence since Morocco annexed Western Sahara in 1975. A Moroccan-Polisario agreement in 1988, approved by the Security Council in 1991, laid the framework for a referendum in which the Sahrawi population would be asked to choose between independence and integration into Morocco. Subsequent arguments over eligibility to vote have bedevilled the work of the UN body charged with overseeing the referendum (MINURSO). The referendum, originally set for 1992, has been repeatedly postponed and is now scheduled for July 2000. In July 1999 MINURSO published a provisional list of 84,251 people qualified to vote, some 40 per cent of whom are refugees in Algeria or Mauritania.

Following the death of the Moroccan king Hassan II, and the succession of king Mohammed VI to the throne in July, the reconciliation process witnessed new momentum. Algerian-Moroccan relations have improved and US interest in a free, fair and transparent referendum has been spurred by the involvement of the former Secretary of State James Baker. Amnesty International, congratulating the new king Mohammed VI on having in his first speech committed himself to the rule of law and preservation of human rights, has called for the release of 450 Sahrawis and clarification of the fate of others who have 'disappeared'. The response of the new king and decisions made at Polisario's forthcoming congress should soon indicate whether the latest referendum timetable will be adhered to.



conferences

The CIS Conference : 26-28 June 1999, Geneva

In May 1996, at the CIS (Commonwealth of Independent States) Conference on Refugees and Migrants, the international community launched a major initiative to help the CIS countries contain migratory pressures. The CIS steering committee of governments met in June this year to review the five year Programme of Action, due to come to an end in June 2000. Prior to this meeting, a two-day consultation was held with NGOs from the region. While there was agreement to continue the process, the question remains as to what form the process will take after June 2000.

Many governments credit the CIS Programme of Action with helping to avert a major crisis. Over the last seven years, over 9 million people have left their homes in the CIS region. In some cases, this has been prompted by extreme violence and war but the region as a whole has not disintegrated into war and bloodshed, like Yugoslavia. On the other hand, governments have expressed concern over what they see as shortcomings in the Programme. First, there is a lack of money. In 1998 and 1999 donors contributed \$31.4 million to the Programme but this has only covered a small proportion of the money spent by governments. Second, governments feel that the Programme has not prevented the spread of 'illegal migration'.

The perspective of NGOs is very different. The CIS Conference process has offered NGOs a much larger role than previous regional initiatives by UNHCR. Six NGO working groups have been established, on: reintegration; NGO legislation; conflict prevention; humanitarian assistance; asylum legislation and protection; and formerly deported peoples. UNHCR invited international NGOs to coordinate the working groups and provided each with an annual budget of \$60,000. The money comes from an

NGO voluntary fund that has also funded NGO projects in all 12 CIS countries and helped NGOs attend the meetings.

The number of NGOs involved has grown steadily. 139 NGOs from the CIS region and 51 from outside the region are accredited. Merely by offering these NGOs formal accreditation, the CIS conference has contributed to the growth of civil society in Eastern Europe. Many NGO participants have also used the conference to win access to sources of funding and to international NGOs. This has given them contacts, ideas and opportunities. Most importantly, appearing at an international conference alongside governments has redefined their own relationships with governments and given them enormous confidence.

it is far too soon to be terminating such a valuable experiment

Widely differing views on follow-up to the process were expressed by governments at the recent CIS steering committee and UNHCR is now considering setting up a working group to review their suggestions. They will not find it easy to reach consensus. It is vital that NGOs engage in this discussion. They will need to clearly identify what has worked from their perspective and what they need in the future from the CIS Conference process. During the NGO Conference it was decided that the lead agencies of the working groups, along with UNHCR, OSCE and IOM, would meet to discuss the possibilities for the future of the Conference. Reference was also made to including development agencies, such as UNDP and the World Bank, in the discussions. At first sight, it is far too soon to be terminating such a valuable experiment. The NGO working groups are only starting to develop programmes. If they are as valuable as many have

insisted, they clearly need more time to develop.

But more than this will be needed to convince the sceptics. What is the 'value added' of the CIS Conference process for NGOs? Have the time and financial resources that have been invested produced sufficient results? Has the CIS Conference process helped to build civil society and strengthen democracy? Has the Conference produced tangible benefits for the vulnerable - migrants, stateless persons and asylum seekers?

These and other questions are discussed in the August issue of TALK BACK, ICVA's monthly newsletter, from which the above edited extract comes. TALK BACK focuses on political-humanitarian themes and issues that require reflection from ICVA members. Distributed free to ICVA's members and partners via email. To join the distribution list, email secretariat@icva.ch with the message "subscribe TALK BACK". Also available on the ICVA website at www.icva.ch; available by fax to those without Internet; hard copy in the pipeline.

The trial Russian edition of *Forced Migration Review* was launched at this conference; for more details, see p2.

ВЫНУЖДЕННОЕ ПЕРЕСЕЛЕНИЕ губное издание Июль, 1999
ОБЗОР

Информация, анализ и новости, основанные с вынужденным переселением в границах СНГ и глобально

Статьи по темам:
Пять перемещенных семей в Грузии
Основные принципы перемещенных семей
Политика детей, перемещенных в России и Таджикистане
Азербайджан

Дополнительно:
Совместное издание неправительственных организаций в рамках Конференции СНГ
Публикации
Справочник по интернету
Последние новости

Political Violence in Colombia
5-6 July 1999, Queen Elizabeth
House, Oxford

Workshop co-sponsored by RSP and the Department of Peace Studies at the University of Bradford. Conveners: Sean Loughna and Jenny Pearce

This workshop brought together over 50 academics, human rights and aid workers and policy makers from Colombia, Europe and the US to develop an informed analysis of the character of political violence in Colombia today.

The issues discussed included the dynamics and consequences for the civilian population of the increased confrontation during the 1990s between the Army and the paramilitaries on one side and the guerrillas on the other; the connection between drug barons and both guerrillas and paramilitaries, including the increased number of massacres by both sides; the failure of US anti-drug policies in the region; and the apparent reduced perpetration of abuses by the Army and the increased proportion by paramilitaries.

There were several presentations related to internal displacement in Colombia. In the light of the recent second visit to Colombia of the UN Secretary General's Special Rapporteur, Francis Deng, it was pointed out that there was continued non-compliance with many of the Guiding Principles on Internal Displacement. Furthermore, communities of IDPs and Colombian organizations representing them in struggling for their rights are increasingly being targeted. It was agreed by many that there is a creeping campaign against international NGOs in Colombia, to which a coordinated response should be a priority. It was also concluded that international agencies and organizations working in Colombia need to be clear that their role is not only one of humanitarian assistance but also of protection which includes more lobbying at the national and international level.

Workshop funded by the British Council (Bogota), CAFOD, the Foreign & Commonwealth Office, Oxfam and SCIAF.

Full conference report available on the RSP website at: www.qeh.ox.ac.uk/rsp/

New research projects at the RSP

Children affected by armed conflict

June 1999 - June 2001

Fieldwork will be conducted in three countries.

Principal researcher: Dr Jo Boyden (jo.boyden@qeh.ox.ac.uk)

Funder: Andrew W Mellon Foundation.

Children and adolescents in Palestinian households: living with the effects of prolonged conflict and forced migration

January 1999 - December 2000

Principal researcher: Dr Dawn Chatty, in collaboration with Dr Gillian Hundt of the London School of Hygiene and Tropical Medicine

(dawn.chatty@qeh.ox.ac.uk)

Funder: Andrew W Mellon Foundation.

Refugee voices in Europe [refugees from Former Yugoslavia in Italy and the Netherlands]

April 1999 - March 2001

Principal researcher: Dr Maja Korac (maja.korac@qeh.ox.ac.uk)

Funder: Lisa Gilad Initiative and ECRE.

'Doctors Without Borders' [MSF] and 'Doctors of the World' [MDM]: a sociological study of medical humanitarianism and human rights witnessing in action

April 1999 - March 2002

Principal researchers: Professor Renée Fox, University of Pennsylvania, & Dr David Turton, RSP (david.turton@qeh.ox.ac.uk)

Funder: Nuffield Foundation.

The RSP produces a free **Research Updates** folder twice a year, with information on progress on all RSP research. Contact Corinne Owen at corinne.owen@qeh.ox.ac.uk or at the RSP address on p2.

NATO and humanitarian action in the Kosovo crisis

As part of this research project by the Humanitarianism & War project of Brown University and the Humanitarian Law Consultancy of the Hague, interviews are currently being conducted (Aug-Oct 1999) with major participants in the international response to the Kosovo crisis. Questions focus on the humanitarian objectives articulated by military and humanitarian organizations, the division of labour among actors, and the impacts (if any) of lessons learned from earlier crises. The project will also examine the contribution of all three NATO military operations (military campaign, assistance to refugees and activities in Kosovo) and review the interface between NATO military assets and humanitarian agencies. The research will be reviewed at a workshop towards the end of 1999.

Contact: Larry Minear, H&W Project, Thomas J Watson Jr Institute for International Studies, Brown University, Box 1970, Two Stimson Ave, Providence, Rhode Island 02912-1970, USA.

Tel: +1 401 863 2728.

Email: larry_minear@brown.edu

UNHCR launches New Issues in Refugee Research

UNHCR's Policy Research Unit has recently launched a series of working papers on 'New Issues in Refugee Research'. The papers will disseminate research undertaken by UNHCR staff, consultants, interns and associates.

The 12 papers published to date are by Sarah Collinson, B S Chimni, Michael J McBride, Gregor Noll, Bonaventure Rutinwa, Jens Vedsted-Hansen, Jeff Crisp (two papers), Mark Cutts, Simon Turner, Karin Landgren and Beth Elise Whitaker. These are available in hard copy (contact Elena Bovay at bovay@unhcr.ch) and on the web at www.unhcr.ch/refworld/pubs/pubon.htm More papers are forthcoming.



Norwegian Refugee Council

NEWS

Global IDP Survey



Norwegian Refugee Council

Involving the beneficiaries

by Marc Vincent

Crown Copyright/Kevin Capon



Television coverage of US marines wading ashore in Greece and of British paratroopers marching to Pristina under an umbrella of helicopters gave a glimpse of the sheer size of the NATO mission in Kosovo. The announcement of humanitarian plans to divide the province into geographic areas of responsibility and thematic sectors, each with its own lead NGO, plus plans to install a national civilian structure, was equally indicative of the level of resources, planning, organization and staffing in the Kosovo operation.

Yet with all this attention and in the frantic pace to rebuild the shattered province before winter, did anyone stop to ask the Albanians or remaining Serbs what they wanted?

In Rwanda after the 1994 genocide and the consequent war, over a hundred NGOs plus the UN and other intergovernmental organizations poured into the tiny country. The result was chaotic and there were far too many incidents where Rwandans were more or less told what they needed rather than asked what they wanted.

Since then there has been a lot of reflection on the role of international humanitarian assistance in post-conflict situations, the responsibilities of NGOs and ways to integrate a more people-oriented approach within UN programming. Unfortunately what often happens in emergencies is that new staff are not told about past mistakes or lessons

learned, everyone gets absorbed in day-to-day crises, and sound principles discussed outside of an emergency context begin to sound too lofty to be implemented in a vortex. Added to this mixture in Kosovo is the role of NATO: a huge complex politico/military organization, normally geared to fighting wars but now determined to play a role in humanitarian relief.

The idea of asking beneficiaries in a relief operation what they need and incorporating them in the management and design of programmes has been well developed - at least on paper. For example, included in the minimum standards identified by the Sphere project is a Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs, which states that:

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.¹

The UN Guiding Principles on Internal Displacement state:

Special efforts should be made to ensure the full participation of internally displaced persons in the planning and management of their return or resettlement and reintegration.²

Finally, another example is in UNHCR's Handbook on Voluntary Repatriation: International Protection:

Refugee participation is a major factor in determining whether or not a project will be successful [...] Do not make assumptions based on your own perception and stereotypes of roles, responsibilities or inherent capabilities. Because the society is in transition, traditional roles may no

longer apply. Find out from the refugees, women, men and children, how their roles have changed and are changing.³

While all humanitarian organizations clearly agree on the need to include beneficiaries in programme design and implementation, one hopes that the size of the Kosovo operation, the massive presence and weight of NATO and the integration of new staff will not diminish the goal to implement a participatory approach.

Admittedly, incorporating beneficiary views into a fast-evolving operation cannot be easy. There are several factors complicating the issue. In Kosovo, for example, who does one ask to represent the views of Kosovan Albanians or Serbs? Many Kosovan intellectuals or potential leaders were targeted by the Serbs and now many of the Serb intellectuals have fled. There are also few mechanisms that exist for Kosovans to express their views either on a national

level or local level since previous mechanisms either did not work or excluded Albanians. The challenges can be endless.

Kosovan Albanians want justice

Equally important is not only the inclusion of all Kosovo residents in the management of reconstruction but the timing of the inclusion. Integrating a gender perspective into programming is all too often done as an afterthought and to appease criticism. Not surprisingly, gender perspectives cannot really be effectively integrated unless women are included from the beginning of the discussions, in planning and in the implementation process. Likewise, any rehabilitation plan in Kosovo has to include all segments of the community and at an early enough stage to make a difference.

Even from a distance, there is one demand that is being clearly expressed and heard. Kosovan Albanians want justice. Before there is any talk of reconciliation those responsible for the massacres have to be held accountable.

The international community and particularly NATO justified its intervention on the need to protect human rights and the need for justice. Unless the international community stands by its promise to vigorously pursue and prosecute war criminals it will be difficult to keep ethnic Kosovans from taking justice into their own hands: something the international community would wish to avoid at all costs.

Marc Vincent is Coordinator of Global IDP Survey.

1 The Sphere Project, Humanitarian Charter and Minimum Standards in Disaster Response, Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations in Disaster Relief, Geneva 1998, p7.

2 Guiding Principles on Internal Displacement E/CN.4/1998/53/add.2 11 February 1998

3 Office of the High Commissioner for Refugees, *Handbook on Voluntary Repatriation: International Protection*, Geneva 1996, A 52-53

The Directorate

The Global IDP Survey, as a project of the Norwegian Refugee Council, is administered through its Geneva office.

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Website

The Global IDP Survey website includes a full IDP bibliography and can be accessed on <http://www.nrc.no/idp.htm>

For more information

If you would like more information about the project, or would like to receive Global IDP Survey publications and are not a subscriber to *Forced Migration Review*, please contact:

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- The Ford Foundation, Cairo Office
- Trocaire
- World Vision (UK)

Special thanks to the Department for International Development for their sponsorship of this issue on Kosovo.



New!
**RSP launches series
of Working Papers**

Working Paper No 1:

The Kosovo Crisis

Papers from a workshop held on 18 May 1998, by Michael Barutciski, Ivor Roberts, Stefan Troebst, Zvonimir Jankuloski, Gazmend Pula and Desimir Tomic.

£5.00/US\$8.00 (add £2.00/\$3.20 for overseas or 50p for UK p&p)

Working Paper No 2:

**UNHCR and International
Refugee Protection**

Opening and closing addresses from the 1998 International Summer School in Forced Migration, by Michael Barutciski, Dennis McNamara and Guy S Goodwin-Gill

£3.00/US\$4.80 (add £1.00/\$1.60 for overseas or 50p for UK p&p)

Contact: RSP, QEH, University of Oxford, 21 St Giles, Oxford OX1 3LA. Cheques/money orders payable to University of Oxford/RSP. For more information, email corinne.owen@qeh.ox.ac.uk

**Conflict and Forced Displacement
in the Caucasus: Perspectives,
Challenges and Responses**

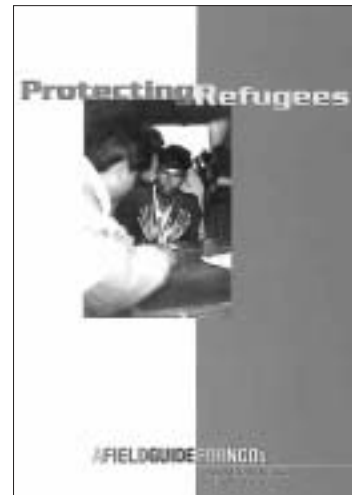
by the Danish Refugee Council. 1999. 212pp. ISBN 87-7710-277-0. Free.

This is a collection of papers presented at a conference in September 1998 to highlight the current conditions for humanitarian action in the Caucasus region, specifically as regards refugees, IDPs and returnees. Its 30-page summary of the conference discussions provides a status report on the current socio-political situation in the region with an emphasis on the five zones of former violent conflict: Nagorno-Karabakh, South Ossetia, Abkhazia, Prigorodnyj and Chechnya. This report focuses particularly on contemporary efforts to improve the situation for refugees and IDPs in the Caucasus and evaluates contemporary efforts in the field of international humanitarian assistance.

Contact: Danish Refugee Council, Borgergade 10, PO Box 53, DK-1002 Copenhagen K, Denmark. Tel: +45 33 73 5000. Fax: +45 33 32 8448. Email: drc@drc.dk Website: www.drc.dk/

**Protecting Refugees: A Field
Guide for NGOs**

by UNHCR and its NGO partners. 1999. 136pp. Free to NGOs.



For use by NGO field staff working with refugees and displaced people, this guide offers basic legal information about international protection for refugees and practical guidance for including protection measures in all field operations. It illustrates how protection concerns can follow refugees through every phase of their lives as refugees and alerts NGO field workers to signs of possible protection problems during each phase, suggesting specific actions to address these problems. Other chapters focus on Special Protection Issues: women, children, older refugees, IDPs and stateless people. Each chapter includes a checklist of recommended actions and a list of related documents and publications for more in-depth information.

Contact: NGO Coordination Office, UNHCR, PO Box 2500, 1211 Geneva 2 Depot, Switzerland. Email: hqng00@unhcr.ch For non-NGOs, it will shortly be available through the UN bookshops in Geneva and New York.

If you produce or know of publications which might be of interest to other FMR readers, please send details (and preferably a copy) to the Editors (address p2) with details of price and how to obtain a copy.

Refugees in an Age of Genocide: Global, National and Local Perspectives during the Twentieth Century

by Tony Kushner and Katharine Knox. 1999. 505pp. ISBN 0-7146-4341-6. £22.50/\$32.50.

This book covers in detail 20 groups of refugees ranging from east European Jews escaping Tsarist oppression before the First World War to world asylum seekers of today. It charts the growth of restrictionism leading to the drastic change from open door policies in the 1900s to the racist-inspired controls which dominate the responses of the West to refugees as the millennium approaches.

Contact: Frank Cass (publishers) at Newbury House, 900 Eastern Avenue, London IG2 7HH, UK, or c/o ISBS, 5804 NE Hassalo St, Portland, Oregon 97213-3644, USA. Website: www.frankcass.com

The Role, Preparation and Performance of Civilian Police in United Nations Peacekeeping Operations

by Duncan Chappell and John Evans. Schlaining Working Paper 1/99. 1999. 94pp. ISSN 1027-1430. ATS 70.

This publication looks at the use of Civilian Police (CIVPOL) in peace keeping operations, and their involvement in the reconstruction of various components of criminal justice systems. It is designed to assist policy managers, trainers of peace keeping personnel, operational staff on peace keeping duties, senior police managers, governmental advisers and others involved in civilian policing operations. It examines the role of CIVPOL in contemporary peacekeeping activities, with a historical review of its use in three peacekeeping missions (Congo, Cyprus and Cambodia); discusses issues relating to the preparation and deployment of CIVPOL; and speculates on the likely future role of CIVPOL in the peacekeeping arena, with specific recommendations. Annexes contain direct observations by Commissioner O'Rielly and other monitors involved in the UNPROFOR operation in former Yugoslavia. Contact: Peace Center Burg Schlaining, A-7461, Stadtschlaining, Austria. Email: epu@epu.ac.at or aspr@aspr.ac.at Website: www.aspr.ac.at/

Reports

A Charade of Concern: The Abandonment of Colombia's Forcibly Displaced

by the Women's Commission for Refugee Women & Children. 1999. 24pp. Free.



This report on the WCRWC delegation to Colombia in November-December 1998 includes sections on: key findings; background; key concerns for women; key concerns for children; Colombia's response to the displaced; international assistance to Colombia; recommendations; and text of Guiding Principles on Internal Displacement.

Contact: WCRWC, 122 East 42nd St, New York, NY 10168-1289, USA. Tel: +1 212 551 3111. Fax: +1 212 551 3180. Email: wcrwc@intrescom.org Website: www.intrescom.org/wcrwc.html

Protection of Children and Adolescents in Complex Emergencies

UNHCR/NRC/Redd Barna report of conference November 1998. 32pp. Free. On-line at www.nrc.no/pub/protection/index.htm



This report focuses on the follow-up to the UN Study on the Impact of Armed Conflict on Children [see RPN 24 at FMR website: www.fmreview.org] and discusses: children in captivity; importance of the 1989 Convention on the Rights of the Child; causes of armed conflict; and relevance of international agencies in the field. The recommendations cover: prevention of recruitment to military service, gender-based violence and sexual abuse; protection of separated children and adolescents; action to be taken; and emergency assessment and inter-agency collaboration.

Contact: NRC, PO Box 6758, St Olavs plass, N-1030 Oslo, Norway. Email: theamarie.jaasund@nrc.no

REFUGE

Canada's periodical on refugees
Issue on Kosovo

August 1999

Guest Editor: Susanne Schmeidl

Swiss Peace Foundation, Institute for Conflict Resolution

Including articles on humanitarian intervention, refugee protection (safe zones), security issues and gender by Roberta Cohen/David Korn (Brookings Institution), Bill Frelick (US Committee for Refugees), Howard Adelman and Peter Penz (Centre for Refugee Studies), Glen Segall (Institute of Security Policy, London), Joanne van Selm (University of Amsterdam), Frances T Pilch (US Air Force Academy) and Yannis A Stivachtis (Schiller International University, Switzerland).

Published in English, résumés en français
Individual issues: \$10; International Subscription (six issues yearly) \$60.
(US funds, money order or cheque drawn on North American bank)

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website directory

This was the war in which the Internet came to the fore.

Protagonists, the UN, NGOs and news agencies all rushed to create web pages. The list below is only a selection of the vast outpouring. More comprehensive listings of Kosovo crisis links can be found at:

www.washingtonpost.com/wp-srv/inatl/longterm/balkans/links.htm,
www.alertnet.org/ERPub.Nsf/bf40b5ee8df82ba8852564810051dc26/852564830000430d8525675c004d1803?OpenDocument,
www.usia.gov/kosovo/links.htm, bailiwick.lib.uiowa.edu/journalism/kosovo.html, www.cnn.com/SPECIALS/1998/10/kosovo/related.sites and
www.rnw.nl/foreign/eng/kosovo/html/links.html

General sources of news from Kosovo include:

www.news.bbc.co.uk/hi/english/special_report/1998/kosovo/ (BBC);
www.intl-crisis-group.org/projects/sbalkans/kosovo.htm
(Washington Post);
www.aimpress.org/ (Montenegro-based Alternative Information Network in Former Yugoslavia);
www.iwpr.net/ (Institute for War and Peace Reporting);
www.cnn.com/SPECIALS/1998/10/kosovo/ (CNN)

Databases to **locate Kosovan refugees** are found at www.refugjat.org and www.familylinks.icrc.org/balkans/locate

Human rights sites include:

www.hrw.org/campaigns/kosovo98/index.htm (Human Rights Watch);
www.amnesty.org/ailib/intcam/kosovo/index.html (Amnesty International);
www.un.org/icty/bl.htm (International Criminal Tribunal for the Former Yugoslavia);
www.unhcr.ch/html/menu2/5/kosovo/kosovo_main.htm (Office of UN High Commissioner for Human Rights)

United Nations web pages on Kosovo are:

www.unhcr.ch/news/media/kosovo.htm (UNHCR);
www.notes.reliefweb.int/files/rwdomino.nsf/vcomplexemergencies-thelatest/09493707c3d2b7d8c12566020024a818?opendocument&startkey=balkans&expandview
(UN Office for the Coordination of Humanitarian Assistance);
www.un.org/peace/kosovo/pages/kosovo1.htm (UN Interim Administration Mission in Kosovo - UNMIK);
www.wfp.org/kosovoalert/index.htm (World Food Programme);
www.osceprag.cz/kosovo/ (Organisation for Security and Cooperation); www.who.dk/cpa/kosovo/welcome.htm (WHO);
www.unicef.org/kosovo/ (UNICEF)

International agencies' websites include:

www.icrc.org/eng/balkans (International Committee of the Red Cross);
www.ifrc.org/news/specials/kosovo (International Federation of Red Cross and Red Crescent Societies);
europa.eu.int/comm/echo/kosovo/index.html (European Community Humanitarian Office - ECHO); kosovo.info.usaid.gov (US Agency for International Development - USAID);
www.oxfam.org.uk/atwork/emerg/kosovo.htm (Oxfam GB);

www.msf.org/projects/yugoslavia/kosovo/index.htm (Médecins Sans Frontières);
www.worldvision.org/worldvision/pr.nsf/stable/kosovoinfokit (World Vision);
www.SAVETHECHILDREN.ORG/kosovo (Save the Children);
209.198.242.125 (International Organization for Migration)

Protagonists express their views at:

www.gov.yu (official website of the Government of Yugoslavia);
www.smip.sv.gov.yu/Kosovo/index_e.html (Yugoslav Foreign Ministry);
www.nato.int/home.htm (NATO);
www.state.gov/www/regions/eur/kosovo_hp.html US State Department; www.usia.gov/kosovo/ (United States Information Agency);
http://mininf.gov.al/english/Kosovo/Default.htm (Government of Albania);
www.army.mod.uk/army/world/balkans/index.htm (British Army); www.kosova.com/ (Provisional Government of Kosovo/ KLA);
www.publications.parliament.uk/pa/cm199899/cmselect/cmintdev/422/42202.htm (UK House of Commons Select Committee on International Development)

Serb sites

Pro-Serb perspectives on the conflict are found at:
www.serbia-info.com; www.aim.ac.yu;
www.beograd.com/index.html and
www.decani.yunet.com (Serbian Orthodox diocese in Kosovo)

Kosovan sites

Pro-Kosovan independence sites are located at: www.alb-net.com/index.htm; listserv.acsu.buffalo.edu/archives/albanews.html; www.kosova.org/pgk.htm

Analysis and background to the conflict

www.intl-crisis-group.org/projects/sbalkans/kosovo.htm (International Crisis Group);
www.brook.edu/fp/policyupdates/kosovo/kosovo.htm (Brookings Institute);
www.ceip.org/programs/migrat/migwhat.htm (Carnegie Endowment for International Peace);
www.csis.org/kosovo/Lessons.htm (Center for Strategic and International Studies); www.zmag.org/chomsky/articles/z9907-peace-accord.htm (Noam Chomsky);
www.amazon.com/exec/obidos/external-search/002-7083264-3134620?keyword=kosovo&tag=stockmarketnews
(comprehensive list of books about Kosovo)

Do contact us with details of websites that you find particularly useful (email: fmr@qeh.ox.ac.uk).

Kosovo

There is every indication that the glory of the nation-state as the culmination of every national community's history, and its highest earthly value - the only one, in fact, in the name of which it is permissible to kill, or for which people have been expected to die - has already passed its peak.

Blind love for one's own country - a love that defers to nothing beyond itself, that excuses anything one's own state does only because it is one's own country, yet rejects everything else only because it is different - has necessarily become a dangerous anachronism, a source of conflict and, in extreme cases, of immense human suffering.

The idea of non-interference - the notion that it is none of our business what happens in another country and whether human rights are violated in that country - should vanish down the trapdoor of history.

Human rights are superior to the rights of states. Human freedoms represent a higher value than state sovereignty. International law protecting the unique human being must be ranked higher than international law protecting the state.

This is probably the first war that has not been waged in the name of 'national interests' but rather in the name of principles and values. If one can say of any war that it is ethical, or that it is being waged for ethical reasons, then it is true of this war.

President Václav Havel, addressing the Canadian Senate and House of Commons in Ottawa, 29 April 1999

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