



BY AMARA ESSY & RUUD LUBBERS

FOREWORD

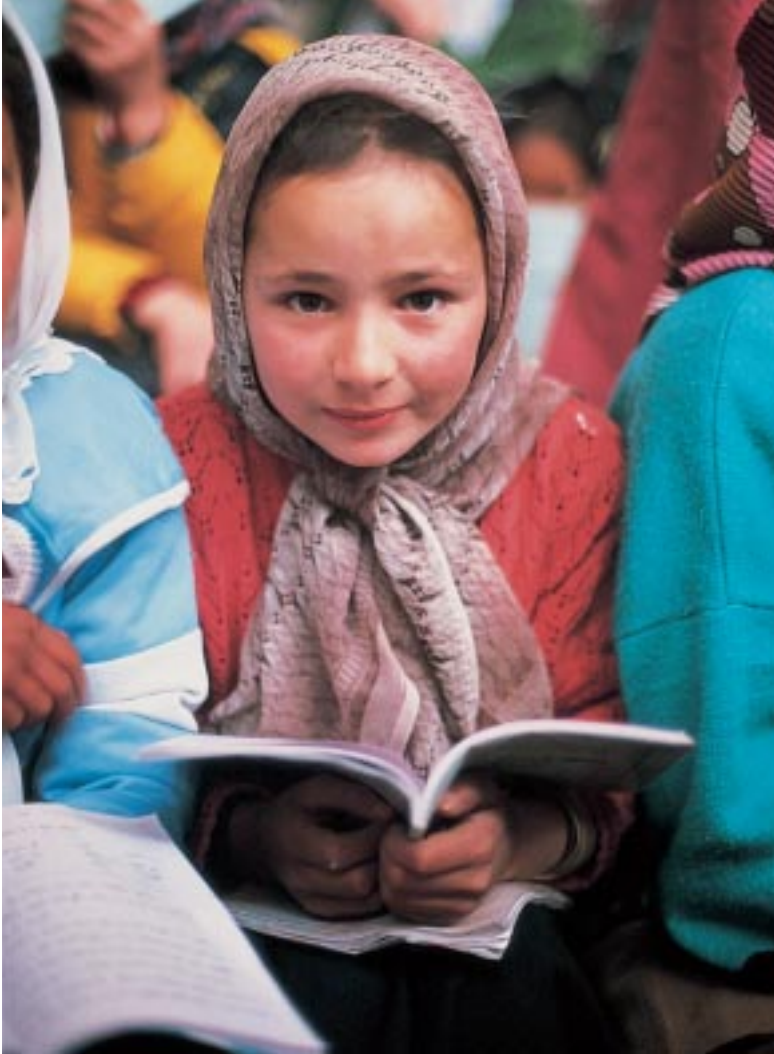
foreword

By the Interim Chairperson of the African Union (AU) and the
United Nations High Commissioner for Refugees (UNHCR)

Uncontestably, the best asset and investment a nation could have is its youth. The state of a nation's youth determines the future well-being of that nation. Poorly brought up, unloved, neglected, uneducated and sidelined children and young people will not be able to contribute meaningfully towards the development of their nation. Consequently, such a nation could experience poor economic and social development, leading to popular frustration, tension, and civil strife and eventually to conflict. Conversely, children and youth who experience love, care, education and the recognition that they are an important part of the family and society, are more likely to contribute more meaningfully towards the stability and peace of their nation – and these are important ingredients for economic and social growth. Economic development and social growth are the main factors which will assist the New Partnership for Africa's Development (NEPAD) in achieving one of

its main objectives, namely that of poverty alleviation on the continent.

The world in which we live today is one where, due to a myriad of reasons and problems, millions of children do not receive the love and attention they deserve. Millions have no access to basic economic and social services. Millions do not receive the basic education they are entitled to. Most affected in this regard are the millions of children and youth in many parts of the world, who, as a result of conflicts and various forms of persecution, are refugees. Despite facing an overwhelming array of deprivation, their single most devastating disadvantage is the lack of guaranteed access to education. Refugee youth, people at their most crucial formative stage, are not at home to pursue and complete their education cycles. They are often in foreign countries, where, more often than not, host government policies do not allow them to enroll at local schools and colleges, mainly because



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the host governments are themselves struggling to meet the demands of their own citizens. In addition, they are confronted by situations which make it difficult, if not impossible, for them to complete their studies. Cultural and linguistic problems form barriers to their easy integration into schools in exile and they do not have the required financial resources to access educational institutions. They are met with rejection by certain sections of host communities who see refugees as a burden, benefiting from the meagre resources meant for locals. This is the reality of many situations in Africa. As a result, many refugee children and youth are, in fact, denied the right to education, thereby breaching one of the most fundamental human rights, as well as the Convention on the Rights of the Child.

Education and its impact on the lives of refugee children and youth can be tracked from refugee

lives spent in exile right through to the attainment of solutions.

For the refugee youth in particular, education is not only a fundamental human right, but also an important protection tool. It is not a luxury, and is as important as meeting their physical needs for food, water, shelter and health. It is the most critical element in bridging the gap between relief assistance and durable solutions. Providing refugees with the knowledge, skills, attitudes and values necessary for survival will ultimately improve their quality of life, and help them to adapt to the changing world outside their own homes, villages, schools and countries.

Education gives a young refugee some sense of normalcy and stability. In refugee situations, children and youth who are not at school can easily be drawn into a wide range of negative activities. Idle young men and women are easy targets for recruitment into negative political and military engagements. Negative actions by idle refugee children and youth can only anger their local host communities, who, in reaction, could feel resentment and even xenophobic sentiments, thus souring refugee-host community relationships.

UNHCR's policy for education is directed towards all children and youth, but gives priority to female youngsters, in an effort to reduce their vulnerability based on their gender. Girls may be confronted with sexual or gender-based violence in refugee camps as they go about their normal activities, as well as outside the camps as they enter into contact with local host communities. Certain cultures do not see the value of sending girls to school, but, instead, fully engage them in endeavours to augment the family revenue. Consequently, some girls may be obliged to marry early while others may be lured into prostitution. All these lead to their continuing to leave school early, especially after primary education. Yet education and literacy are key to empowering women and preparing girls for their future roles. In various operations around the world, efforts are being made by UNHCR and its partners to remove persistent obstacles to girls' education and support their retention in school. These include the establishment of co-study groups by girls, recruitment of female teachers and classroom assistants, distribution of sanitary napkins, targeting girls for scholarship opportuni-

ties to increase their participation in formal education, provision of child-care facilities for adolescent mothers, educating boys to support girls' participation in schools, and building alliances with parents to promote their daughters' education.

Primary, secondary and post-secondary education, including vocational training and tertiary education, for refugee youth enables them to become useful members of society and to be productive economically, thereby improving their lives as well as contributing to the economic and social development of their host societies. Upon repatriation, educated returnees can integrate more easily into their own communities, and skilled youth can be absorbed into the local markets as workers or trainers.

It is often overlooked that refugee education can be a crucial component of conflict resolution, considering that most refugees come from countries at war or engaged in fragile peace processes. It is in this regard that UNHCR has, since 1997, initiated the Peace Education Programme (PEP) in certain refugee educational programmes. Peace education is a component of a child's right to education in conformity with not only the Universal Declaration of Human Rights, but also the 1989 Convention on the Rights of the Child. Promoting peace helps to prevent a culture of violence and empowers refugees to solve conflicts peacefully among themselves and between them and their host communities. It reduces the vulnerability of refugee women and girls who are often the main victims of refugee-on-refugee violence, including domestic violence. It plays a role in bridging cultural gaps among refugees and, in general, connects to the objectives and values inherent in refugee protection and education. The problem-solving skills acquired through peace education have the potential to support both peaceful refugee repatriation and stable reintegration or resettlement in third countries. Peace education, in this regard, contributes eventually to one of NEPAD's objectives, that of peace and conflict resolution, which requires the participation of all individuals including refugees and returnees. The PEP is currently operational in Kenya, Uganda, the DRC, Ethiopia, Eritrea, Guinea, Liberia, Côte d'Ivoire and Sierra Leone. By virtue of UNHCR policy, 50% of PEP's community facilitators are women and, where culturally appro-

priate, separate workshops are conducted for women and girls.

The main question is what UNHCR, host governments, donors, institutions and individuals can do in order to meet the educational needs for the millions of refugee youth on the continent.

Due to a lack of financial and other resources as well as physical or political situations, UNHCR does not have education programmes in every country and region where it protects refugees, confining education assistance in some cases to school construction, repairs or another form of contribution. Despite these limitations, however, throughout the world in 2000, about 1.1 million beneficiaries were receiving education in UNHCR programmes, with the majority (55%) in sub-Saharan Africa. Sadly, though, the number of boys enrolled and receiving education at all levels is far higher than that of girls. Poverty, early marriage, teenage pregnancy and family perceptions of the relative value of educating girls and security concerns are inter-linked reasons for their reduced numbers and disproportionate drop-out rates.

In efforts to augment the number of refugee beneficiaries of UNHCR education programmes, the agency initiated the Refugee Education Trust (RET) in 2000. The RET aims at providing quality post-primary education to the largest possible number of displaced young people and refugees. In the course of 2002, the RET directly sponsored a total of 32 173 students and 916 teachers in seven countries (Tanzania, Sudan, Guinea, Sierra Leone, Uganda, Colombia and Pakistan). RET is now fully independent of UNHCR, and the two partners are looking forward to strengthening their collaboration at this new stage of their relationship.

Established in 1992, the Albert Einstein Academic Scholarship Programme for Refugees (DAFI) is funded by the government of Germany. It has so far sponsored 1 103 refugee students at tertiary education institutions in some 50 countries, many of these in Africa. The objectives of the

Peace education reduces the vulnerability of refugee women and girls who are often the main victims of refugee-on-refugee violence, including domestic violence.

DAFI scholarship programme are to contribute to the self-reliance of individual refugees as well as to generate skilled human resources, preferably for post-conflict recovery after repatriation, or integration in the region. The success of DAFI as a gender-sensitive programme relies on gender equity at the lower levels of schooling. An ongoing problem is that there are insufficient girls from whom to choose for post-secondary scholarships, as many girls do not finish secondary school (or in many places even start).

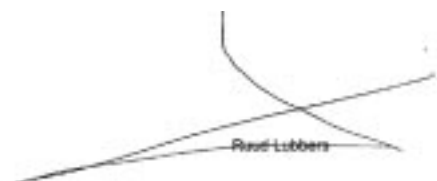
Unless governments, institutions, business enterprises and civil society as a whole revisit their moral and political obligation in addressing educational needs for the African refugee youth, countries on the continent will continue to lose the productive contribution of millions of their young people, who are yearning for education.

Africa is not short in its track record of providing education to refugees. The continent boasts credible leaders who, as young refugees yesterday, received education whilst in exile, and who are, today, successful leaders, businessmen and women, journalists, artists, sportsmen and women, political and religious leaders, and even farmers in their respective countries. Who does not know of Miriam Makeba, for example, South Africa's Itinerant Ambassador to Africa and a successful artist?

An educated refugee will not only become a more successful and useful person in society, but will also, and most importantly, be in a position to play a meaningful role in Africa's new development initiatives. The African Union and NEPAD will not fully achieve their desired objectives while millions of the continent's youth – those internally displaced and in refugee camps outside their countries – are left out. Left out in their home countries because they are in exile; left out in exile, too, because in many instances refugees are not included in the development plans of host countries. Ensuring that refugee youth are not left out in the classroom will eventually enable them to join hands with people like Miriam Makeba and their leaders in the quest for "African-grown solutions" to African problems, including those of displacement and refugees. Educated refugee youth means educated adults, who will use their education and skills to play a role in the economic development of their societies, thus contributing towards poverty alleviation. Educated youth will play positive roles in the conflict resolution, stability and peace so badly needed in many parts of Africa today. These goals are not only part of the AU and NEPAD's ambitions, but they also form part of a positive contribution towards durable solutions to the African refugee problem. 🏠



Amara Essy



Paul Lubbers



Fully a third of the countries on this continent have contributed to the refugee phenomenon in Africa. Beyond the human catastrophe, the millions of refugees and internally displaced on the continent are grim testimony to the root causes driving such refugee flows. Poverty, political strife, religious fundamentalism, virulent ethnocentric nationalism, and a crisis of governance all trigger refugee flows. In the process, human security is compromised.

That such a situation is untenable, and even anathema to the vision of an African Renaissance, is self-evident. But it is heartening to take note of the tremendous strides Africa's leadership is making in order to address these problems. The move towards an African stand-by force, the strengthening of sub-regional structures such as the Economic Community of West African States and the Southern African Development Community, the formation of a Peace and Security Council as part of the African Union, and the establishment of an African Peer Review Mechanism, are all part of a larger African preventive regime. In the process, the norms of democratic governance are being strengthened, the accountability of governments to their citizens is established, and human rights as opposed to spurious national security considerations are becoming dominant in political discourse. These are all positive developments and a welcome break from the past.

However, much more needs to be done. To ensure that such initiatives on the part of governments and inter-governmental bodies are sustain-

able in the long-term, civil society needs to get involved in the quest for durable solutions to the current African malaise. We at ACCORD take our responsibility as part of African civil society particularly seriously and have a long pedigree of being involved, from mediation to conflict resolution training to research, constitutional engineering and preventive action. The holistic scope of our activities reflects our underlying African philosophy of ubuntu – “I am because you are!”

Getting involved on the part of civil society, however, does NOT mean ‘going it alone’. Rather, cognisant of the developing world context we inhabit, we should refrain from costly duplication of activities and rather seek to forge dynamic partnerships between state and non-state actors. These partnerships would seek to further consolidate strengths whilst at the same time eliminating weaknesses. In this context, we are particularly pleased to partner once again with the United Nations High Commissioner on Refugees (UNHCR) on this issue of Conflict Trends. We are also enthusiastic about the possibility that future editions of Conflict Trends will be produced together with other UN agencies such as UNIFEM. These initiatives bear eloquent testimony to the commitment for partnership between the UNHCR and ACCORD, an African NGO. 🇳🇮

Vasu Gounden is Founder and Executive Director, ACCORD

A call for a co-ordinated response to complex humanitarian disasters



BY NICKY HITCHCOCK

TRENDS

responding to **complex emergencies**

Introduction

In the last decade, the increase in complex humanitarian emergencies has dramatically changed the nature of the international response to conflict situations. Conflicts have shifted from mainly inter-state hostilities, between two or more defined military groupings, to mainly intra-state hostilities where the warring parties are often difficult to define and civilians are deliberately targeted and are made a part of and affected by war much more than before. This has resulted in more complex political, social and economic emergencies. Owing to this and a multitude of other contributing factors in sub-Saharan Africa, such as drought, flooding, food shortages, undemocratic regimes and genocide, there is a need to address a variety of humanitarian needs and to go beyond the imme-

diate settlement of the conflict. There is a need to assist in the development of programmes that relate to sustainable peace-building to ensure that the humanitarian emergency that arose out of the conflict does not recur. Issues such as the return of refugees and internally displaced persons (IDPs) and the reintegration of ex-combatants into societies where the very fabric of those societies has been destroyed, has put great pressure on local, regional and international bodies to develop comprehensive responses to today's humanitarian emergencies. Although humanitarian assistance is generally begun during a conflict or immediately after a natural disaster, it is often a long-term process that requires financial and human resources and time. This paper seeks to explore the causes and consequences of complex humanitarian emergencies, and the need for a coordinated and



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comprehensive response to these emergencies, and finally briefly examines the main challenges facing aid agencies in their response.

The first question that needs to be addressed is how these complex humanitarian emergencies arise. Although underlying factors such as oppressive regimes, lack of social services and welfare, chronic malnutrition, HIV/AIDS and food shortages contribute to the problem, many authors agree that large-scale armed conflict and/or natural disasters are the greatest cause of humanitarian emergencies. According to the International Committee of the Red Cross (ICRC), “natural disasters” include epidemics, famines, earthquakes, floods, drought and other non-man-made calamitous events resulting in death, human suffering and material damage. Man-made disasters include conflict, corruption, ineffective policies, over-population and the destruction of the environment.¹ Man-made and natural disasters are therefore causes for as well as consequences of humanitarian emergencies.

A second question concerns the consequences

of humanitarian emergencies. Complex humanitarian emergencies, especially arising from large-scale conflict, result in abject poverty, refugees, IDPs, disrupted social practices and cultural norms, loss of income and loss of shelter. In addition to these material losses there is often extensive psychological trauma and the disruption of child development that often arises from forced removals and the general breakdown of law and order and the disintegration of normal social life.

For the above reasons, especially in sub-Saharan Africa, humanitarian assistance that includes long-term sustainability programmes is essential. A common perception is that humanitarian assistance aims to meet the basics in terms of providing food, shelter, water supply and so on, but humanitarian assistance also involves aspects of counselling, teaching, skills empowerment and other non-material resources that individuals will need to fully recover from an emergency. Many organisations like the ICRC, the World Food Programme and the United Nations Development Programme, to name

but a few, have regional or national offices that continue the humanitarian work once the initial urgent needs after a humanitarian emergency are addressed. The need to build up human resources is just as vital as institutional capacity building. Aid agencies should therefore be willing to undertake long-term projects addressing the root causes of conflict by aiming at structural changes.²

A common definition of humanitarian assistance, according to the ICRC, is:

*The provision of commodities and materials required to prevent and alleviate human suffering, and does not include the provision of weapons, weapons systems, ammunition, or other equipment, vehicles, or material which can be used to inflict bodily harm or death.*³

But whose responsibility is it to provide this much-needed assistance? Should the government, civil society or international organisations be primarily responsible for providing humanitarian aid? Those in dire need of humanitarian assistance resulting from conflict and/or natural disasters are the responsibility of all of the above. Generally, humanitarian assistance initiatives are carried out by international or local humanitarian agencies and non-governmental organisations (NGOs). However, there is a need for governments themselves to provide humanitarian aid to their citizens and ideally coordinate initiatives and call on agencies for additional help, rather than vice versa. Although international bodies and individual countries contribute to global humanitarian aid, in reality the first help to arrive usually comes from local sources. International assistance is therefore most effective when it supports and coordinates with local structures.⁴

Challenges in Providing Humanitarian Assistance

Measuring the scale of disasters and prioritising where to send aid: Marcus Oxley states that one of the most difficult decisions an aid agency faces is choosing when to respond to an emergency.⁵ No standardised mechanism for defining the scope of an emergency exists. There have been many efforts to standardise decision-making using reference scales for emergencies, for example, the CARE International branch in Australia has developed a set of guidelines to assist in choosing what emergencies to

respond to. However the ideal of all agencies providing coordinated and equitable aid to all disaster victims on the basis of need alone, is far from being achieved. The global demand for assistance outstrips supply and access to resources, and core competencies influence aid agencies' ability to respond.⁶ A fairly recent initiative to address standardising humanitarian work is the Sphere Project – Humanitarian Charter and Minimum Standards. This initiative, emerging from an extensive coalition of humanitarian agencies, provides a complete set of standards to measure performance and ensure quality aid is given. Projects such as this one have gone a long way in advancing standards in providing humanitarian assistance.

The right to receive aid: A related challenge revolves around the debate on whether or not victims have a human right to receive assistance through International Humanitarian Law. No clear conclusion on this matter has been reached and a primary objection is that requiring states to allow external access to victims is not consistent with the principle of state sovereignty.

Ensuring that assistance is relevant: Humanitarian assistance cannot be blindly objective but must be tailored to the priorities and needs of local communities, who can then continue the process. Humanitarian actors need to integrate a number of crosscutting considerations into all prevention, relief and development efforts. Most importantly they need to ensure that top-down processes of peace-building are complemented by grass-roots projects. This implies understanding the opinions of local members of the community.⁷

The reporting of emergencies: Media reports are often subjective and very often assistance attempts are hampered by negative publicity or inaccurate information about the scale of the emergency and the response. This is important especially in terms of mobilising political will and fund-raising.

Coordination: Coordination between international and local NGO aid agencies and the national

Underlying factors such as oppressive regimes, lack of social services and welfare, chronic malnutrition, HIV/AIDS and food shortages contribute to the problem.

government and UN agencies poses another challenge. Coordination is vital to avoid repetition, but is very often difficult to achieve because different organisations have varied methods of providing and prioritising aid and it is unclear who is leading the coordinated effort.

Neutrality: The concept of neutral humanitarianism is often incompatible with peace-building objectives that are political in nature. Some authors therefore argue that humanitarian agencies can only make a limited contribution to peace-building, because, for example, if they speak out about authorities' human rights abuses they will not be seen as neutral.⁸ This is potentially problematic, although the willingness to cooperate with political actors in carrying out peace-building objectives cannot really be considered political.

Withholding Food Aid: A final major challenge is that sometimes donors withhold food aid to pressurise governments to alter their regimes or respect International Humanitarian Law. This creates huge problems for agencies delivering the food aid, and a related problem arises when food aid is distributed to only some sectors of society, usually distinguished by their political persuasions.

Many authors agree that large-scale armed conflict and/or natural disasters are the greatest cause of humanitarian emergencies.

Conclusion

As of August 2002, more than 50 million Africans have been affected by disasters such as droughts, floods, wars and epidemics. In the year 2001 alone, refugees and asylum seekers numbered over three million, and these statistics are continually growing. Therefore the need for humanitarian assistance in the face of increasingly complex emergencies is not going to decline in the foreseeable future. Among other things, governments and the international community need to standardise and coordinate their policies regarding the provision of humanitarian assistance and two key principles need to be adhered to. First, countries affected by disasters have the primary responsibility to provide humanitarian assistance, and second, the international community should act when the scope of the

disaster exceeds the response capacity of the national government and when the country requests assistance.⁹

Despite a history of devastating and pervasive natural and man-made disasters, African countries have not yet established effective mechanisms to manage disasters either at the national or sub-regional level.¹⁰ Characteristics of disasters in Africa and economic and political factors explain the patterns of disaster management in Africa. African countries generally face 'creeping disasters' that tend to recur, such as drought and crop failure that cause gradual disruptions to ordinary life patterns. Previous responses to these disasters have been inadequate and in order to improve humanitarian assistance that is relevant and more effective in Africa, four principles have been proposed: to increase awareness and knowledge of the impact and causes of disasters, to revise existing international and national approaches to disasters that fit African realities, to address the economic and political dimensions of disasters, and to coordinate regional and international disaster management planning.¹¹ ▲

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While acknowledging the plight of refugees, their potentials should also be recognised.



BY ILUNGA NGANDU & FIDELIS SWAI

REFUGEES

World Refugee Day:

what it means for Africa

June 20 marks World Refugee Day. This is the day that the entire world dedicates its attention to and reflects on the plight of not only the 20 million refugees world-wide, but also the children and grandchildren of millions more refugees from earlier generations. These are people – civilians, mothers, men, children, the elderly – who have been forced out of their homes, villages, jobs, towns and countries and thrown into the wilderness of exile, as a result of unresolved conflicts, wars, and other forms of tension in society, such as ethnic, religious, racial or political intolerance, abuse of human rights and the like. This is the case particularly in Africa, which accounts for almost one third of the world's refugee population.

On 4 December 2000, the General Assembly of

the United Nations unanimously adopted a resolution establishing World Refugee Day on 20 June. The Assembly took this decision as one of the permanent landmarks for the 50th anniversary of UNHCR, and in recognition of the work of the United Nations High Commissioner for Refugees (UNHCR) in providing international protection and assistance to refugees and other persons of concern, and in promoting durable solutions for their problems during the past 50 years.

This date has been observed as Africa Refugee Day since 1974, as this is the day when the OAU Convention on Refugees entered into force. Therefore this is the day that we all, as Africans, leaders, politicians, scholars, lawyers, advisors, members of parliament and civil society, should

stop and ask ourselves, Why does our continent, more than 40 years after achieving independence from oppressive colonial and apartheid regimes, still push millions of people into refugee life outside their countries? Why, more than 30 years since the signing of the OAU Convention on Refugees, when there were only 900 000 refugees in Africa, has that figure grown steadily and gradually to reach a staggering 4.5 million today?

It is time that Africa realises that it bears full responsibility for the senseless wars raging in many of our countries today, which are the reasons behind the ever-increasing refugee population, many of whom are women, children and vulnerable groups such as the elderly. These endless wars not only produce refugees, but also demonstrate a lack of vision for the future in that children, the hope for tomorrow, are among the most vulnerable and therefore the most affected.

Forced to flee from war zones, usually with few or none of their belongings, the elderly, women and children are obliged to walk hundreds of kilometres without clothing, food or water and putting their lives in new danger on their way towards asylum. Obligated at times to walk over landmines, and exposed to wild animals and swollen rivers, some of them die on the way. Some of

those who manage to arrive are subjected to *refoulement* or rejection, arrest, detention or deportation, and women are subjected to sexual violence. Others, including children, are sometimes forcibly recruited into military training in ongoing wars.

In camps, many refugees live in misery with little or dwindling assistance, with very limited education facilities for school-age children and adolescents, and on the whole with no hope for the future. This is the calamity that many African people have been forced to live with for generations, following the independence of most African states. But why, 40 years after independence, have most African nations failed to resort to the unity and solidarity with which they fought colonialism

and apartheid? Is this the promise of liberation that the founding fathers of the OAU fought for? Does this represent the aspirations, future and hope for Africans? Shall we let the situation go unaddressed? And until when? Who should be responsible for the millions of suffering refugees, millions of people killed, millions of others wounded, maimed and displaced by conflicts? Who is to be blamed? Shall we blame governments? Armies? Who shall redress these abominable man-made catastrophes imposed on African populations by their own leaders – elected or otherwise?

Perhaps the time has come for those states and non-state entities known to be involved in or fuelling the many senseless wars that carry a high human cost, destroy infrastructure, break down economies, and aggravate poverty to be called to account for their negative activities. It is unfair that the burden and the consequences of their criminal activities should be borne by their populations, neighbours and the international community, while they keep on with their destructive work, unpunished.

Africans had an unrivalled and unprecedented resolve and determination to address colonialism and apartheid. Africans have claimed for themselves this millennium in many ways, including the Millennium Africa Recovery Plan, the African Renaissance and NEPAD, aimed at, among other things, poverty reduction, addressing the HIV/AIDS pandemic, and embracing good governance and human rights. These ambitious plans will be incomplete and indeed unachievable if Africa fails to show to the world that it has come of age as a mature continent on the world scene, and if it fails to be conscious of the humanitarian catastrophe afflicting its many refugees and internally displaced living in sub-human and appalling conditions in areas of war. The root causes of these wars should be addressed and eradicated.

While Africans and their leaders interrogate themselves, the international community complains of “compassionate fatigue” in providing resources for the protection and material assistance for the victims of forced migration! But at the same time, business interests in Sierra Leone, the DRC, and Angola continue to buy “blood” diamonds, timber and other resources, the proceeds of which have been used for fuelling and financing wars in those countries. One often reads in the press that

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refugees could face hunger and starvation because of food pipeline problems, while for the warlords in the refugee-producing countries and their international trade partners, it is “business as usual”.

But it is the primary responsibility of Africans and their leaders to take a bold step forward, taking advantage of the African Renaissance, the new African Union and NEPAD to lead the way towards the ending of the senseless wars and the suffering imposed on innocent populations. The steps being taken by the African leaders – of finding “home-grown solutions” to the continent’s problems – should be applauded. Their new vision is becoming increasingly relevant

and important as the world turns its back on Africa in favour of more lucrative adventures in the Gulf. South Africa, for one has good political, economic

and humanitarian reasons to play a caring and solidarity role. World Refugee Day should be an occasion for the entire continent to join hands and efforts, and stand together as it did against colonialism and all its manifestations.

Memories are still fresh in many leaders’ minds of the role that the so-called Frontline States played during the apartheid era, when several impoverished countries, freshly freed from the yoke of oppressive colonialism, opened up their borders to welcome the sons and daughters of the continent who were fleeing from apartheid. Memories are fresh in many minds of the Frontline States’ resolve to welcome victims of apartheid at a high cost. The security of these host countries was put in jeopardy and many people lost their lives. The Frontline States also made room in their universities and vocational training centres to offer scholarships and chances for victims of apartheid to further their education. Is it not time today, as we commemorate World Refugee Day, to ask ourselves a number of questions?

▲ How do regional bodies such as the Southern African Development Community (SADC), Economic Commission for West African States

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(ECOWAS), Inter-Governmental Authority for Development (IGAD) and other groupings care for innocent victims of war, civilians, women and children, in terms of their dignity, legal protection, human rights and opportunities to education which would enable these citizens to contribute to the development of their respective regions, which member states of these bodies are most concerned about?

- ▲ How could these regions ensure that the trained and professionally skilled but unfortunate victims of forced migration from their countries, who are dedicated and committed, are given a chance to serve their host countries, their own countries and ultimately the region?
- ▲ Is it not time to ask the economic and business corporates who have legitimate business interests in Africa to build a social and humanitarian dimension aimed at healing the wounds of a bleeding continent? Could these “big businesses” or multinationals establish for example a special trust fund to cater for refugees and other victims of war? This is an idea the likes of Coca Cola, Anglo American, and many others could take as food for thought. The humanitarian institutions will certainly welcome a new partnership with such multinationals.

World Refugee Day should be an occasion to recall and acknowledge that some of yesterday’s refugees, especially those who were given a chance while in exile, are today’s leaders, doctors, sportsmen and women, artists, and successful business people. By this token, today’s refugees – if given a chance – can be useful and productive citizens of their societies and countries tomorrow, especially the youth. It should be accepted that the way refugees are treated in some instances today could have bearings on relations between states tomorrow. Let us not insult the future. Let us see refugees as human beings, worthy of human rights and respect. To quote Tanzania’s President Mwalimu Nyerere, “What do you do when you are suddenly found with thousands of people fleeing wars and persecution? Do you send them back to danger from which they are fleeing?”

Governments, institutions and individuals should also take the momentum created by the birth of the African Union to pay tribute to the founding fathers of the Union’s “mother”, the OAU, who fought colonialism and apartheid.

Today, no country is colonised. No country is under apartheid. If the OAU founders could maintain the unflinching solidarity to face colonialism and apartheid with their bare hands, is it too much to ask of African leaders and peoples today – when we have all sworn to respect the rule of law, democracy, human rights, and good governance, and when we are democratically elected peoples’ representatives, members of regional and international democratic institutions such as SADC, the AU, the Commonwealth, the Non-Aligned Movement, the United Nations and many others – to rededicate Africa to “a new liberation war” of the new millennium? A war to liberate the peoples of Africa from illiteracy, the many pandemics including HIV/AIDS and malaria, destruction, hunger and poverty, wars and conflicts, and their consequences of death, internal displacement and refugees?

Could our leaders swallow their pride and differences and rededicate themselves to never again allowing African peoples to be uprooted from their homes, villages, towns and countries to seek refuge in camps elsewhere? Could our leaders promise their people and electorates that human rights and fundamental liberties will be the guiding principles in the building of the just-born African Union? These are some of the issues that the sons and daughters of Africa will want to see put at the centre of a new mission statement by our leaders as they are putting in place the new African Union and NEPAD. 🇸🇩

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Making the OAU Convention relevant to the contemporary challenges of meeting refugee needs

REFUGEES

BY TSHILISO MOLUKANELE

on being a refugee in Africa

Introduction

The refugee problem in Africa seems to be escalating despite the decrease in the number of refugees as shown in UNHCR statistics. The cross-border movements of refugees, internal displacement, failed reintegration and resettlement of returnees all contribute to this phenomenon. Added to this is the seemingly stagnant refugee protection regime as compared to the changing nature of refugee problems and the changed priorities of the present-day African state.

Figures released by UNHCR show a steady decrease in refugee numbers despite the increased cross-border movements of people and internal movements. For example, the constant movement of people in the Great Lakes Region and the displacement of people in Côte d'Ivoire continue. Since the start of the Côte d'Ivoire conflict in September 2002, more than a million people have been displaced, including refugees from neighbouring Liberia, Guinea, Burkina Faso and Mali.

Recent figures show that as of 1 January 2002, the number of persons in Africa of concern to the UNHCR fell to just over four million as compared to over six million in the same period in 2001. The table below shows the number of persons of concern to the UNHCR.

Total Number of Persons of Concern to the UNHCR in Africa, January 2002				
Refugees	Asylum Seekers	Returned Refugees	IDPs and others*	Total
3 305 100	107 200	266 800	494 500	4 173 500

*This category includes internally displaced persons, stateless and war-affected persons.

Current legal protection of refugees

The OAU Assembly of Heads of State and Government adopted the Convention Governing the Specific Aspects of Refugee Problems in Africa in 1969. The convention came into force in 1974.

By September 2002 all but seven members of the AU had ratified the convention. The convention supplements the 1951 UN Convention Relating to the Status of Refugees. It has been hailed as more inclusive in its definition of a refugee, as it surpasses the standard definition in the 1951 UN Convention based on forced cross-border migration due to a “well-founded fear of being persecuted...” and incorporates definitions based on forced migration from one’s country of origin due to external aggression, foreign domination or events seriously disturbing public order. Both conventions stress that a refugee should be forced to flee his or her habitual residence or country of origin and be unwilling or unable to return due to conditions that compelled him or her to leave.

The two conventions move from the premise that a state carries primary responsibility for the protection of its nationals. According to international human rights law the responsibility consists of the negative obligation not to do anything to

harm citizens, and a positive obligation to protect citizens from harm, that is to stop violations by other people or groups of people. When a state fails to give that protection because a national is out of its borders due to a general state of insecurity in the country and the state’s inability or unwillingness to offer protection, the person is entitled to international protection provided by the host state.

What is the content of this protection? The protection consists of two elements: asylum and voluntary repatriation.

Asylum entails receiving refugees and not expelling or turning anyone away. This means offering refugees secure

The stagnant refugee protection regime as compared to the changing nature of refugee problems adds to the escalating refugee problem in Africa.



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settlement opportunity to integrate with local populations. While in asylum, refugees are entitled to basic rights in full and equally to the nationals of the host state. In some instances, because of their vulnerability and marginalisation, they may be entitled to a higher standard of rights. Article 22 of the Convention on the Rights of the Child imposes obligations on states to assist child refugees or children seeking refuge, and makes it clear that a refugee child enjoys the rights set out in that convention without distinction. According to the 1951 UN Convention refugees enjoy certain civil rights such as security, freedom of expression and access to justice, although not certain political rights such as holding political office or voting. They are also entitled to socio-economic rights such as education,

health and social security. Generally, refugees are entitled to a humane standard of life. Host states should not derogate from these rights when dealing with refugees. Under certain circumstances, refugees may be allowed to pursue a trade or profession.

Voluntary repatriation means that no refugee may be repatriated against his or her will. The host country, in collaboration with the country of origin, makes arrangements for the safe return of refugees.

Safe return under conditions

that are free from the situations that compelled a refugee to leave in the first instance. The country of origin, with the help of the international community, should help resettle and reintegrate refugees.

The shortcomings of the present protection regime

The shortcomings of the present protection regime relate to two aspects, namely definition and scope of the term refugee and the protection accorded to refugees.

The definition in the OAU convention seems to be influenced by its temporal settings. The first part of the definition is based on the UN 1951 definition, also a product of its times – immediately after

World War II, and aimed at Europeans fleeing their countries for political reasons. The second part of the definition is influenced by the mode of the 1960s, when African governments were willing to accept people fleeing colonialism in their own countries. As a result of these time-specific definitions, the application of both conventions is limited in scope. They do not cater for other categories of people who lack protection from their own states, whether the state is unwilling or unable.

The recently published Report on Human Security of the Commission on Human Security clearly holds that “the movement of people should be looked at comprehensively, taking into account the political, civil, security, economic and social dimensions affecting peoples’ decisions to move”.¹ It goes on to say that migration should be “approached from the perspective of the different stages and motivations for displacement”.² Therefore what is needed to strengthen refugee protection regime is a better “understanding of causes and actors forcing people to flee”.³ A limited state-centred understanding of persecution and foreign domination or eternal interference lacks a broad understanding of the causes and actors. A better understanding includes situations of “generalised violence, internal conflicts, massive violations of human rights and other serious disturbances of public order”.⁴ This broad understanding should include the following categories:

Gender based persecution: Women seem to constitute a large proportion of refugees, but few have asylum status. This is because of the period-influenced definition, which does not view gender-based persecution as a basis for refugee status. In the absence of adequate national protection from abuse, women are left unprotected, and should they find themselves compelled to flee to another country due to abuse, they will not be catered for. Women who flee war situations are worse off, as they also flee from a possibility of rape which has increasingly become a weapon of war. This legal void is reflected in refugee protection systems, overstuffed by males and neglecting services for women such as reproductive health care.

Economic Refugees: These are people who flee from dire socio-economic situations, unemployment or hunger. Generally, they flee because of an inability or unwillingness of the central state authority to provide assistance.

It has to be noted that as it stands the protection offered by the convention is adequate, but that state practice does not adhere to that protection.



Refugees from natural or human-made disasters: This category of people flees from hunger or environmental degradation in the event of no state intervention. The Guiding Principles on Internal Displacement recognise this category in its definition of internally displaced persons, and accords them protection, while the refugee regime is silent on this matter. States have discretion when it comes to this category and are not compelled to offer the people refuge. It is a cause for concern that a protection system aimed at people within their countries should not also give protection in the event that the same people are forced to flee their country. Should this category of people find themselves in a foreign country, their position is indeed precarious.

Refugees from situations of generalised violence, violation of human rights or instances of bad governance: This category is recognised by the Guiding Principles on Internal Displacement, while both the OAU and UN conventions on refugees are silent on it. This category of people usually flees from government's excessive powers, which interfere with accepted human rights standards.


The OAU convention shows the political commitment of the times: to assist fellow Africans to rid themselves of colonialism. That commitment leads, as situations now show, to legal ambiguity in the absence of colonialism. This ambiguity needs to be corrected by re-evaluating the convention in the light of the changing nature and character of refugee problems in Africa and the changed priorities of present-day African states. It is only in this way that the continent can move a step closer towards meeting the challenges posed by the 'new' categories highlighted above.

Where protection does exist, it is scant and does not live up to the standards enshrined in the conventions. Refugees are seen as a problem because of the security risk and burden they pose to the host country. For example, due to the security situation in the Great Lakes region and the concern that rebels might be regrouping in refugee camps in Tanzania, Tanzania had to close its borders to Burundian refugees and expel some Rwandan refugees in the early 1990s. In the same vein, Kenya closed its borders to Somali refugees. These examples show that, in general, refugees are seen as a problem and the logical follow-up has been to contain them, thus hampering their whole lifestyle and possible integration into local communities.

Recommendations

First, there is a need to revise the definition in the OAU convention so as to expand its application and reach. A revision of the definition would remove legal uncertainty and ambiguity regarding categories of persons who are forced to flee varying circumstances and do not have state protection. Such a revision would allow for more people to fall under the protection of the convention.

Second, it has to be noted that as it stands the protection offered by the convention is adequate, but that state practice does not adhere to that protection. The changed political priorities of the post-colonial state as opposed to the common purpose of the 1960s to fight colonialism explains the current inverse state practice concerning refugees.

To address this, the first step would be for the Peace and Security Council of the AU to put the issue of refugees on its agenda. The council should clearly make the link between peace, development and easing of refugee problems and it should embark on creating the political commitment that existed in the 1960s; only this time it should be boosted by tight legal provisions in the convention. To this end, the Council should consider clarifying some of the following aspects: the role and responsibility of the country of origin in preventing refugee situations; the responsibility of warring parties in war situations in relations to refugees; the responsibility of the country of origin towards its citizens who are refugees in another country; and clear resettlement requirements in the country of origin. 

Tshiliso Molukanele is Programme Officer: Constitutionalism in Africa at Accord

Endnotes

- 1 Commission on Human Security (CHS), *Human Security Now: Protecting and Empowering People*, Washington DC: CHS, 2003, p 45.
- 2 *Ibid*, p 45.
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Angola: the aftermath...
peace-building, post-conflict
reconstruction and
human development



BY BRITT DE KLERK

REFUGEES

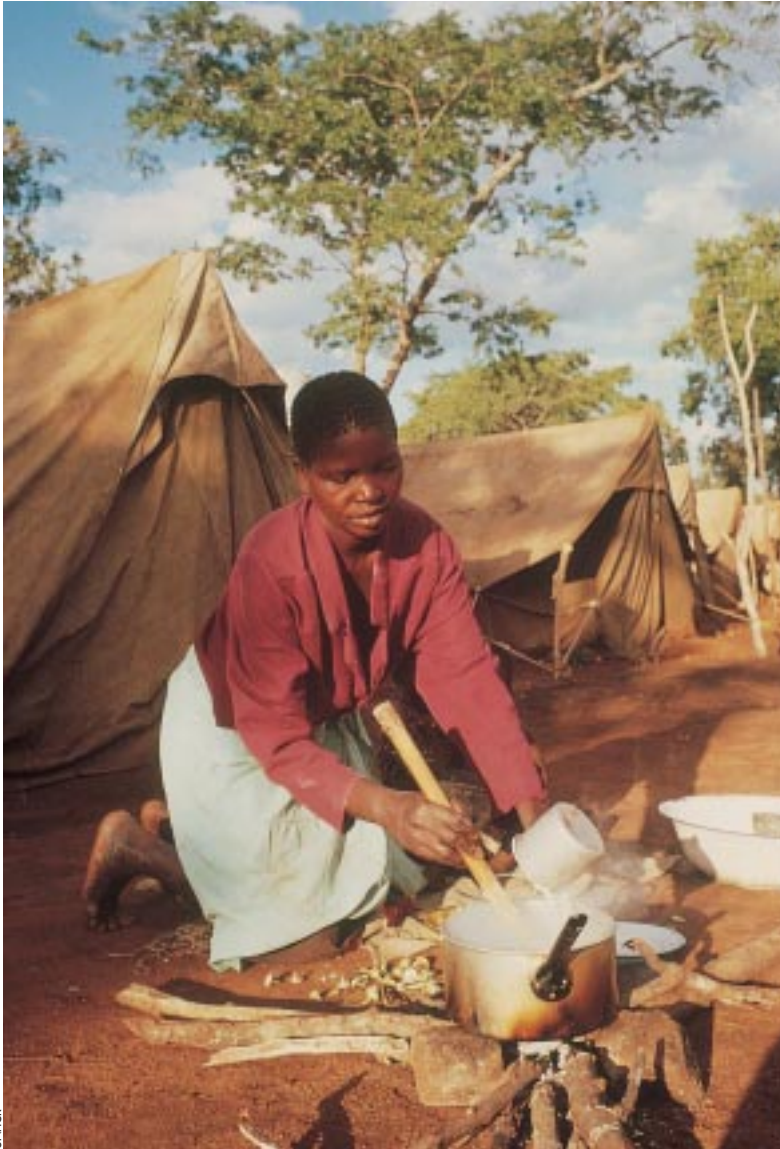
Poverty and Peace:

the internally displaced and refugees in Angola

Conflict prevention encompasses an array of 'tools' and activities, and is the concept underlying the fields of preventive diplomacy, peacebuilding, and post-conflict reconstruction (although there is much debate and conceptual ambiguity surrounding these and other fields under the broad ambit of conflict management). These efforts may be categorised under official diplomacy (peace conferences, negotiations, good offices, special envoys), non-official conflict management methods (mediation, non-official problem-solving workshops, and conflict resolution centres), military measures (peacekeeping forces, demobilisation, disarmament, and reintegration of armed forces, and peace enforcement),

economic and social measures (development assistance, humanitarian assistance, and repatriation or resettlement of refugees), political development and governance measures (political party-building, election reform and monitoring, and constitutional commissions and reform), judicial and legal measures (arbitration, judicial reforms, and support to indigenous legal institutions), and communication and education measures (peace radio, civic education, and peace education). However, one key area of overlap is the goal *to establish an environment that fosters conflict transformation and sustains peace*.

Important to note, however, is that building and sustaining peace requires multiple and cross-



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cutting interventions by a variety of actors, including government institutions, political parties, international and local non-governmental organisations (NGOs), and civil society at large. Indeed, the various conflict prevention activities should be undertaken in conjunction with each other in ways that are complementary and facilitative in transforming conflict and building peace. In post-conflict situations, particularly following protracted conflict, as is the case of Angola for instance, efforts are undertaken to rebuild the country in the social, humanitarian, economic, and political arenas. However, where the humanitarian situation is dire, it is imperative that these needs are addressed quickly and in a sustainable manner.

Poverty reduction, education, clean water, sanitation, economic development and infrastructure building are paramount for stability, and to consolidate these processes, political transformation, dialogue, conflict management training, and rehabilitation and reconciliation are required. Unless urgent and pragmatic steps are taken to stabilise the populations severely at risk, the humanitarian crisis may deepen, and future recovery and reconstruction may be jeopardised.¹

This is particularly pertinent in the case of internally displaced persons (IDPs) and refugees as this group of the population is among the most vulnerable in any post-conflict situation. People displaced by war and returning to their homes or to 'new' homes face many obstacles. On their return to peace, however, the future is marked by social, psychological, and humanitarian needs like addressing reconciliation and resettlement, trauma, anger and fear, poverty, lack of education and healthcare, and other challenges. Returning refugees and IDPs are faced with a bleak 'new' beginning. Their daily living is threatened by poverty and other humanitarian issues, for example between 60 and 70% of the Angolan population live below the poverty line of \$1.68 per day, malnutrition is reported to be as high as 50% in some locations, and one in four children die before the age of five.² In Angola, the humanitarian challenges are vast and it is not difficult to identify the basic needs of communities. The list is applicable to all countries emerging from protracted and violent conflict. The main challenge is that of delivery, and whether governments, institutions, organisations, and others are willing and able to deliver these services. Compounding the problem of delivery is determining the number of persons requiring humanitarian assistance, degree of access, and the question of resettlement.

There is an array of estimates for the number of displaced persons in Angola, both during the war and now, one year later. Broadly, figures include about four million persons displaced during the war (estimates range from 2.5 million to over 4 million) and refugees may range from 400 000 to 478 000 persons.³ It is estimated that more than 2.9 million persons were still displaced at the end of 2002,⁴ 850 000 internally displaced persons (IDPs) are returning to their areas of origin,⁵ there are approximately 290 000 persons in transit camps,⁶

and, following the agreement of 4 April 2002, about 500 000 persons were only then accessible.⁷ These figures bear testimony to the enormous humanitarian challenge ahead for all involved, namely international governmental organisations, NGOs, political parties, government institutions, and communities. It is therefore imperative that all these bodies work together to facilitate, complement, and cooperate in providing basic services.

During the war, vast numbers of internally displaced persons were inaccessible due to conflict zones, little or no transport infrastructure, and landmines. With the war now over, it is estimated that 200 000 people are still inaccessible, with 500 000 previously accessible that are now not so.⁸ It is estimated that there are four to five million landmines littering Angola.⁹ Landmines pose a serious challenge to humanitarian assistance, infrastructure development, returning IDPs and refugees, agricultural development, and service delivery.

The issue of resettlement brings a number of challenges to the fore. Reuniting families and communities, and reconciling former combatants and former enemies, creates opportunities for tension and dispute, not to mention the challenges of finding adequate locations and providing basic services like water, sanitation, and healthcare. Furthermore, the sheer number requiring resettlement is vast; for example in January 2003, it was estimated that 425 000 ex-combatants and their family members required resettlement.¹⁰

Conflict management and prevention activities in Angola are being developed and implemented in a new political environment, and a dire humanitarian and economic context. Although the political space has opened up and opportunities for dialogue, reconciliation, and conflict management capacity-building have increased, the humanitarian situation threatens the sustainability of these activities and the peace process. However, while humanitarian assistance and development continues (and continue it must for a number of years), so these processes must be complemented and consolidated by conflict prevention capacity-building and institutional development. IDP transit camps, resettled communities and families, and the growing urban communities are prime areas for conflict prevention skills development. These individuals and communities are returning to a changed environment, inter-

acting with persons previously regarded as their enemies, and integrating into new communities. This, compounded by the social and humanitarian ramifications of the war, is a recipe for increased tension and conflict. In order to address some of the challenges highlighted for conflict prevention, a number of suggestions may be put forward.

▲ *Early warning and information sharing:* Civil society networks are effective and important mechanisms for detecting changes in relationships between and within groups and communities, and also with other sectors of society (for



example, local leaders and government). Various organisations work closely with groups severely effected by war, they work in many parts of the country, and they have access to some areas that are inaccessible to others. The information and experience gained from these activities provide important opportunities for identifying crucial conflict issues and developing best practices for dealing with these issues. Moreover, they may provide early warning of potential disputes and conflicts, which may be averted with early action.

- ▲ *Conflict prevention capacity-building*: It is vital to conflict prevention to strengthen the capacity of local non-governmental organisations and communities to undertake conflict prevention and management. At the same time, it is important that humanitarian organisations have the necessary skills in conflict management, particularly negotiation and mediation. On the other hand, it is crucial for conflict management organisations to understand the full impact of social and humanitarian challenges, and what these issues mean for building and sustaining peace.
- ▲ *Assisting IDP and transit camps*: IDP gathering and transit camps are prime areas for generating tension and disputes, but also to provide conflict prevention capacity-building and to develop culture of peace. While these groups receive basic social needs, simultaneously issues of reconciliation and dialogue may be addressed. As indicated earlier, these groups face a vast array of challenges; thus, if they feel there is no option except conflict, then peace cannot be sustained. As such, it is important that concerted efforts by organisations, political parties, the government and civil society at large be made to strengthen the capacity of these people in conflict prevention and management.
- ▲ *Combined efforts for social delivery and conflict prevention*: It is also necessary for government institutions, local leaders, and civil society as a whole to work closely together to develop strategic measures to prevent conflict, both on the humanitarian front and also with regard to structural and conflict transformation. Peace is not the responsibility of any one particular party; rather it is the combined effort of a variety of actors who contribute in one way or another to build peace.

- ▲ *Strengthening capacity for government and civil society in administration and programmatic planning*: In the next months, local and international non-governmental organisations will require support in the administration of transit and gathering camps, as well as pragmatic planning for humanitarian assistance for the transition period.

The end of protracted conflict brings with it more than just social, political, and economic issues, but also dire humanitarian challenges. Refugees and IDPs, in particular, face enormous obstacles that require more than providing basic needs. Dialogue, reconciliation, and political transformation are vital, but so is rebuilding basic social infrastructure to provide basic human needs. The instability, frustration, and anger generated by poverty, hunger, disease, lack of education, lack of sanitation and clean water and all the related consequences pose a threat to sustaining peace, and no matter how the relationships between groups strengthen or multi-party politics and democracy take root, without meeting these humanitarian needs, peace cannot be sustained. ▲

Britt de Klerk is a Programme Officer: Preventive Action at ACCORD. The Preventive Action Programme is funded by the Department for International Development (DFID).

Endnotes

- 1 United Nations Office for the Coordination of Humanitarian Affairs, 'Consolidated Inter-Agency Appeal for Angola 2003', 19 November 2003, <http://www.reliefweb.int>
- 2 *Ibid.*
- 3 Figures may be obtained from Reliefweb, the United Nations Office for the Coordination of Humanitarian Affairs, the United States Committee for Refugees, Refugees International, and Human Rights Watch.
- 4 Save the Children Fund, 'Angola Emergency Statement March 2003', <http://www.reliefweb.int>
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Searching for a new 'home': a long walk to find peace and comfort



BY MICHEL GAUDE

REFUGEES

the story of

Roger

Roger, barely 14 years old, is making his way peacefully to school. The afternoon has just started and in this month of June 1997 the heat is overwhelming in Brazzaville. Roger (not his real name) has just eaten his lunch with his parents and his two younger brothers in their lovely family villa situated in one of the residential suburbs of the Congolese capital city. He has vaguely heard the “grown-ups” talk about the unrest affecting his country, but this did not concern him too much.

Roger is playing around with school-mates, waiting to enter the classroom, when machine gun shots are heard in the neighbourhood. Within minutes, the pupils are sheltered in a classroom, and as the firing increases, the teachers decide to move the pupils to a safer place. Unfortunately, in the case of Brazzaville, fires take over almost

instantly. Crazy rumours are doing the rounds and the civilian population is panic-stricken. Houses are burning, streets are littered with corpses, frightened passers-by try to protect themselves by hugging the walls, all this in amidst the deafening sound of war and machine guns.

The only possible way out for Roger, his school-mates and his teachers, is to flee towards the nearby train station. Miraculously, a train is on its way out of Brazzaville. Roger and his companions of misfortune manage to climb on the wagons, already overcrowded with fugitives, as the train departs for an unknown destination, through the whistling bullets, the smell of powder, the black smoke of the burning houses and cars.

The first stop takes them to a bush village, and people step down in the hope of returning soon. The children are frightened, hungry and thirsty,



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curled up against one another. The atmosphere is now bleak and the carefree games they were playing only a few hours ago are gone forever.

News from Brazzaville is scarce and bad. City dwellers are rapidly leaving the city as the fighting intensifies. Newcomers are questioned to elicit news about parents, friends and neighbours. Sometimes we witness family reunions, but it is mainly terror and anguish that are painted on faces.

As they cannot stay in this remote station, after 48 hours under the stars, without anything to eat, our pupils and their teachers take the road to Pointe-Noire, the big Atlantic City renowned for its peacefulness. After an exhausting trip, the city appears to be a haven of peace. Some charity organisations host the refugees. Roger and some of his classmates are taken care of by a local association. They give him a mat to sleep on and some food. He will stay there for about a year. It is difficult to make any contact with Brazzaville. Roger keeps a picture of his parents and his brothers in his heart.

He left them that day as he used to everyday to go to school, without expectations and not knowing he would never see them again. The wait in Pointe-Noire is long, but he is well taken care of. He even attends a French school in town, until the day war enters the doors of the harbour city. The nightmare of Brazzaville starts again. It is total chaos. Roger finds himself alone among strangers, running away on foot to the border of Gabon.

A group of exiles manage to persuade a fisherman to help them run away by sea. They ask Roger to go with them. They will endure eight days of rough seas, the scorching sun, with little water and a few provisions, not knowing what the future holds for them.

Roger, who is now 15 years old, is alone in the harbour of Cotonou in Benin, a country he does not know but where – fortunately for him – French is spoken. He suffers from malnutrition and dehydration. The authorities have taken him to the UNHCR office where he will be registered and

cared for. He will then be placed in a temporary shelter.

The UNHCR in Cotonou has launched an investigation to trace his family, but in vain. Roger is disorientated, lost and has grown weaker. He is enrolled at a school in Benin but the trauma he went through is stronger than his willingness to learn. He is haunted by recollections of his happy family life before the war, before this brutal and inhuman separation, before this painful exile, before a cruel fate has forced him into adulthood.

Hardships have affected his sight and he must now wear glasses. Today, Roger is completing training as a glazier, funded by the UNHCR. He is hoping his training master will give him a job from

next year, to enable him make his own living, when he is 18.

Secretly he still hopes to see his mother's smile again, to give her a hug, to recognise his younger brothers who must have grown up if they are still alive, and to see his wonderful father again. Let us hope with him, but furthermore, let us ask the people with the power not to put other little Rogers on the road to shame, whether they are from the Central African Republic, Côte d'Ivoire or Afghanistan. 🗿

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Africa Fact File

In 2002, there were approximately 4.5 million people of concern to UNHCR in Africa out of about 20 million worldwide. Of these 4.5 million, 3.3 million were refugees, 500,000 were internally displaced and 267,000 were former refugees who recently returned home. Ten largest refugee groups by nationality were: Burundians, Sudanese, Angolans, Somalis, Congolese (DRC), Eritreans, Liberians, Sierra Leoneans, Rwandans and Ethiopians.

Guinea

Following reports of the presence of armed elements in the Kouankan refugee camp, refugees were relocated from the Kouankan camp to the camps in Albadaria and the former was closed due to its highly militarised nature and its proximity to the Liberian border. During the first nine months of 2002, 19,406 refugees were assisted by UNHCR through the facilitated voluntary repatriation operation. Renewed and intensified armed conflict inside Liberia has led to a new influx of Liberian refugees into Guinea. As of 31 December 2002, 32,865 new Liberian asylum-seekers had been registered, mostly women (59%) and children (23%) bringing the total number of Liberian refugees in camps to more than 55,591, out of the current total of 182,500.

Sierra Leone

As a result of the end of civil war in January 2002, over 230,000 Sierra Leonean refugees have returned (assisted and unassisted) and 220,000 IDPs went back to their home areas. Most of the resettled population returned to northern and eastern provinces. Due to the deterioration of conditions in Liberia, Sierra Leone saw the influx of 50,000 Liberian refugees, bringing the total number of Liberian asylum seekers to 75,000. Despite problems the Sierra Leonean Government has managed to ensure that refugees are accommodated in camps, and has insisted that they be moved away from border areas.

Liberia

UNHCR and NGO staff involved in UNHCR operations have been targets of military attacks which caused casualties. Humanitarian agencies have lost most access to the east, north and northwest of the country and no information is available on refugees and internally displaced persons trapped in the conflict zones. The Ivorian and Sierra Leonean refugees are estimated at 26,000. In May 2003, it was estimated that half of Liberia's 2.7 million population is displaced or about to be displaced.

Cote d'Ivoire

In the wake of the coup d'état attempt on 19 September 2002 UNHCR's office in Abidjan made an emergency appeal for assistance on behalf of the urban refugees who were forcibly evicted from their shelters and temporarily housed in selected centres. The mid-year refugee census revealed a considerable drop in total figures (from 128,500 to 72,000), despite the fact that approximately 25,000 new refugees had arrived in Côte d'Ivoire since 2001. The current refugee population stands at 72,100, the majority from Liberia.

DRC

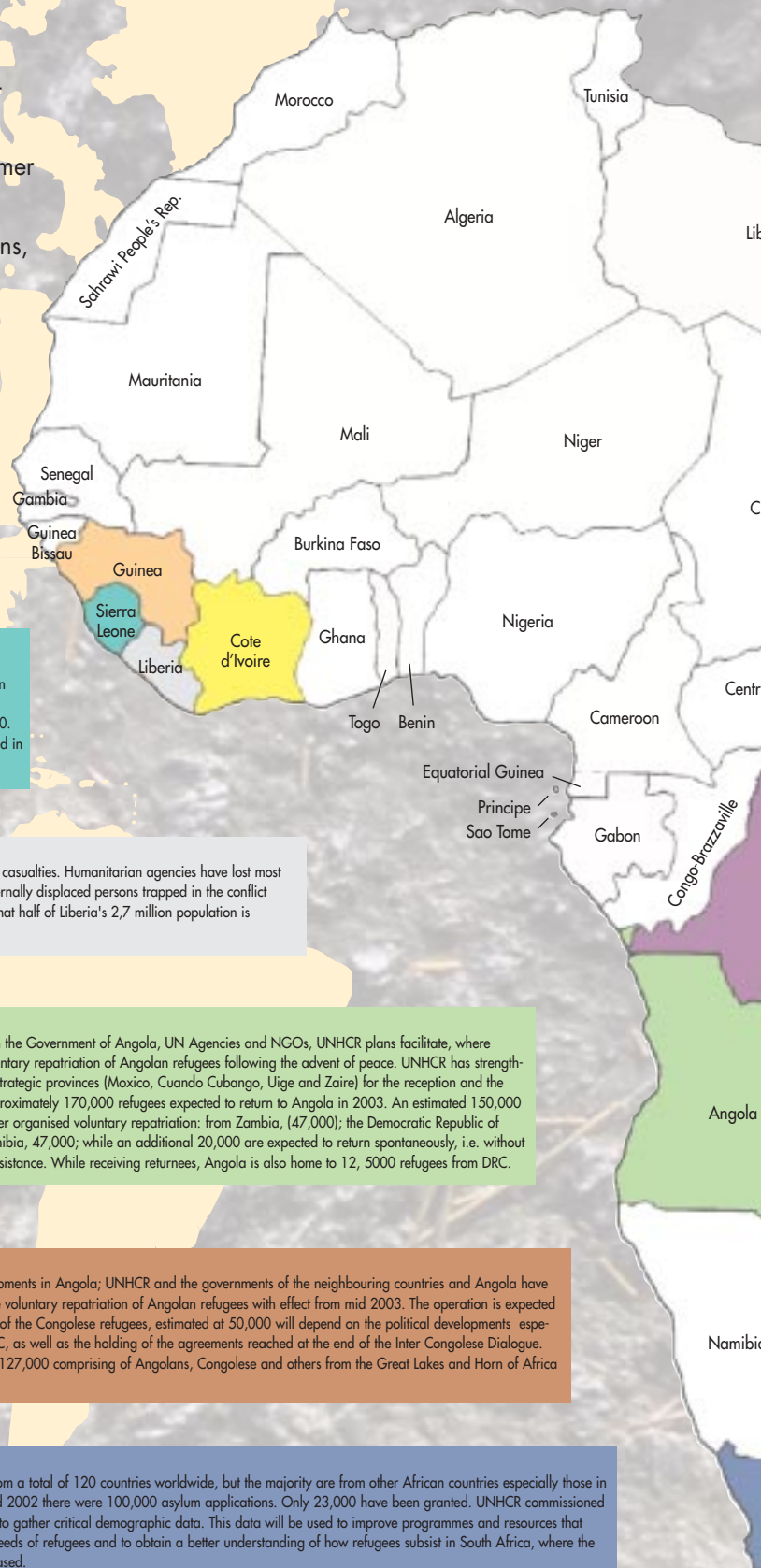
The birth of a transitional government of national unity will enable IDPs to return and trigger the voluntary repatriation of the approximately 400,000 Congolese refugees in exile. This development could be hampered by the continued fighting in the north-east part of the country. The DRC is home to 164,370 refugees originating from neighbouring countries mainly Angola.

Zambia

Taking advantage of peace developments in Angola; UNHCR and the governments of the neighbouring countries and Angola have signed tripartite agreements for the voluntary repatriation of Angolan refugees with effect from mid 2003. The operation is expected to last for 24 months. Repatriation of the Congolese refugees, estimated at 50,000 will depend on the political developments especially in the Eastern part of the DRC, as well as the holding of the agreements reached at the end of the Inter Congolese Dialogue. The total caseload stood at almost 127,000 comprising of Angolans, Congolese and others from the Great Lakes and Horn of Africa Regions.

South Africa

Asylum seekers originate from a total of 120 countries worldwide, but the majority are from other African countries especially those in conflicts. Between 1991 and 2002 there were 100,000 asylum applications. Only 23,000 have been granted. UNHCR commissioned a baseline survey in 2002, to gather critical demographic data. This data will be used to improve programmes and resources that correspond to the various needs of refugees and to obtain a better understanding of how refugees subsist in South Africa, where the case load is 100% urban-based.





Egypt
 At the end of 2002, UNHCR was providing protection to about 10,500 people of concern. 72% of these were Sudanese, 15% Somalis, 4% Yemenis and the rest from 26 other different nationalities, mainly African. About 7,000 received direct UNHCR assistance, including medical and education interventions. However, the level of assistance was reduced in order to cover the needs of an increasing refugee caseload (42% increases as compared to 2001). The increased caseload was due to the delayed departures of refugees for resettlement and the increased number of recognised refugees, which stemmed from UNHCR Cairo's reinforced RSD interviewing capacity. During 2002, UNHCR interviewed asylum applications of 14,743 individuals, of whom 4,944 were granted refugee status, and 1,723 departed Egypt on resettlement in third countries.

Eritrea
 UNHCR assisted over 103,000 Eritrean returnees since July 2000. An estimated 82,000 camp-based and urban refugees are still left in neighbouring countries. Eritrea also hosts about 6,000 refugees who come from the same region. Drought and limited absorption capacity in the main areas of the returnees have been hampering smooth reintegration.

Sudan
 Sudan is home to 323,300 refugees in settlements mostly in the eastern parts of the country. Although rebel incursions make UNHCR work difficult, the agency remains hopeful that voluntary repatriation to Eritrea will soon resume, and that some 62,000 refugees will return in the course of 2003. Despite the application of the Cessation Clauses, the camp-based Eritrean refugees will continue to receive international protection and assistance until the completion of the ongoing Refugee Status Determination (RSD) process, expected to end in March 2004.

Ethiopia
 The refugee population has decreased considerably, from over 1,400,000 in the early 1990s (mainly Sudanese and Somalians) to about 140,000 in 2002 (Sudanese, Somalians and Eritreans). By January 2003, there were about 129,200 refugees mainly originating from Sudan followed by Somalia.

Somalia
 Voluntary repatriation to Northwest Somalia is continuing with 35,000 returnees from Ethiopia and 5,000 from Djibouti. Repatriation from Kenya is set to continue subject to the availability of funds. Repatriation to the Northeast of the country is hampered by insecurity in 'Puntland' as well as a shortage of funding. However, reintegration projects for previously returned Somalis in the northeast continue.

Kenya
 Hosts about 230,000 refugees. There are two major camps, Dadaab in the eastern part of the country which has 135,000 refugees, most from Somalia and Kakuma in the north-east which has 83,000, the majority from the Sudan. There are also smaller numbers from Burundi, the Democratic Republic of Congo, Eritrea, Ethiopia, Rwanda, and Uganda. The number of so-called urban refugees in Kenya has not been established precisely, but UNHCR estimates that there are about 15,000 in Nairobi alone.

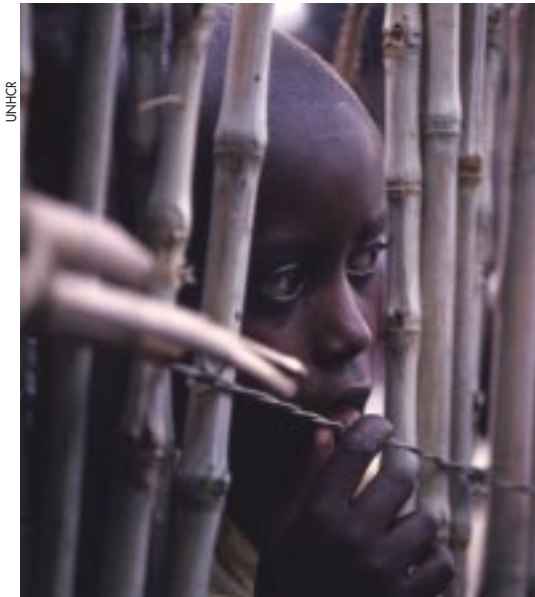
Uganda
 In the most serious rebel attack on 5 August 2002, some 50 people were killed and 24,000 Sudanese refugees were forced to flee their settlement in Achol-pii. The rebels announced that all refugees and UNHCR must leave northern Uganda; otherwise they would be attacked. Subsequent attacks in Adjumani and Maaji, on 9 and 13 September 2002 respectively, displaced another 6,000 refugees. UNHCR took immediate action to assist and relocate the newly displaced refugees. While the 6,000 displaced persons in the northwest found refuge in safer refugee settlements within Moyo district, the Achol-pii refugees were temporarily hosted in a transit centre in Kiryandongo.

Rwanda
 Hosts about 300,000 refugees mostly originating from the Kivu province of DRC. The Government of Rwanda has shown a keen interest in receiving its own expatriated citizens who fled the country mainly as a result of the 1994 genocide. In 2002, over 38,000 Rwandan refugees voluntarily repatriated, principally from Tanzania and DRC and some 4,000 repatriated during the first quarter of 2003.

Burundi
 There are estimated 390,000 Burundian refugees in the region, with the majority in Tanzania. The country hosts about 36,000 refugees mostly from the DRC.

Tanzania
 Hosts Africa's largest concentration of refugees, reaching almost one million. By March 2003 UNHCR assisted refugee population stood at almost 523,000. The government estimated the unassisted population to include 170,000 Burundians in settlements and a further 300,000 living in villages in the north-western. UNHCR assisted refugee population lives in fourteen refugee camps in western Tanzania, in a corridor between the lake of Tanganyika in the south and the Lake Victoria in the north. UNHCR has been facilitating voluntary repatriation to Burundi since March 2002, however, the humanitarian situation in the country coupled with sporadic fighting in various provinces have precluded any mass returns as originally envisaged.

Malawi, Mozambique, Zimbabwe and Swaziland
 They have a combined total of approximately 50,000, originating mainly from the countries of the Great Lakes and the Horn of Africa. The number of asylum seekers has been increasing over the years, and there are no indications to show a downward movement for the rest of 2003 due to continued conflicts, slow or fragile peace processes.



Paying the price... the negative impact of conflict on African children

REFUGEES

BY FRANCESCA FONTANINI

Liberia's child soldiers relive **lost childhood** in Sierra Leone

Bandajuma, Sierra Leone (UNHCR) – At an age when they should be playing basketball with the other kids, two teenaged boys have chosen to sit it out on the bench, staring blankly ahead with troubled eyes.

Moses, 16, and Joshua, 15, are no ordinary refugee youths. As former child soldiers in Liberia, they have seen more than their fair share of death and suffering, and are just starting to get used to a normal life in Sierra Leone's Bandajuma camp.

In 2000, the Liberian boys were abducted by rebel forces while helping out at a clothing shop run by Joshua's father in Monrovia. They were taught to load and fire guns in a week, then sent to the civil war's frontlines in the north-western Lofa county. Even today, Joshua still grimaces when he recalls being forced to execute a captured rebel soldier at point-blank range.

A year later, they escaped and crossed into Sierra Leone. They surrendered themselves to the

local police, and spent three months in the police barracks in Freetown before being moved to the Pademba Road prisons with three other children. The boys lived under cramped conditions in prison, and were beaten daily with a hanger – the scars are still visible on their backs and arms. They were fed twice a day and locked up after 4 pm every day.

Finally, they asked for UNHCR assistance through the Red Cross. After an interview with a UNHCR protection officer, they were sent to the Center for Orphanage run by an Italian non-governmental organisation, COOPI. Two weeks later, they moved to Jimmi Bagbo camp, then transferred to Bandajuma camp, where they are living now. Bandajuma camp hosts some 6 500 refugees, of whom about 3 000 are below the age of 18. Of this number, some 70 are unaccompanied minors like Moses and Joshua.

When he first arrived at Bandajuma, Moses suffered from severe anaemia and anxiety attacks.



His condition is improving. Joshua is more outgoing, but he too slips into depression occasionally.

Their new life at the camp is an important step for a positive change and for healing the trauma of war. Now they are going to school and starting to play with other young refugees. In the process, they are making new friends and integrating into the community.

Recently, the boys moved out of a transit centre shared with 50 other refugees, into an individual shelter they built with their own hands. They were visibly excited about receiving the UNHCR package comprising blankets, a hurricane lamp, a lantern, sleeping mats and kitchen sets. In particular, they were looking desperately for soap to clean their clothes so that they could be properly dressed for school.

But what they crave most are love and attention. They enjoy hugs and smiles. Sometimes they say they feel weak and sick, but these are often just pleas for attention.

Given their traumatic past, it is hard to imagine that they will ever know peace. But they have not given up on their future, and dream about becoming mechanics and engineers back in Liberia.

Moses and Joshua's story is fairly common, according to UNHCR's protection officer at Bandajuma camp. The refugee agency has received numerous reports of routine abductions and forced conscription among adolescent boys in Monrovia. Many of these boys have managed to escape from Lofa county into Sierra Leone.

Concerned about the number of Liberian combatants arriving among the refugees, the Sierra Leonean government set up Mapeh internment camp near Freetown in October 2002. In accordance with international law, the government is making serious efforts to separate combatants from civilian refugees. This is important for UNHCR because a combatant, unlike a civilian, does not have the right to seek asylum. Only after one has been genuinely disarmed, demobilised and

placed under observation for a few months in the internment camp, can one be considered a former combatant and thus eligible to apply for refugee status and protection.

Special procedures apply for Liberian child soldiers who flee into Sierra Leone in view of the fact that their rights as children have been violated and that, due to their age, they cannot be held as responsible as adult combatants. These children cannot be held at the Mapeh internment camp. Those who have been mistakenly detained are relocated to refugee camps after a screening process involving interviews and age verification based on full documentation of their personal data and history.

The UN refugee agency carries out the screening, together with the UN Children's Fund and various child protection agencies (like Save the Children and the International Rescue Committee) in the refugee camp concerned.

UNHCR's role in helping Liberian child soldiers seeking refuge in Sierra Leone is guided by the 1951 Convention Relating to the Status of Refugees, the Convention on the Rights of the Child (CRC) and its Optional Protocol.

Meanwhile, in Sierra Leone, the recently established Special Court will prosecute people who forced thousands of children to commit unspeakable crimes as child soldiers during the country's 11-year war, which ended in early 2002.

As an official record of what happened during the conflict, the Truth and Reconciliation Commission includes statements by and hearings for children. A special framework was developed to ensure collaboration between the Commission and various child protection agencies, with a similar framework currently being worked out with the Special Court.

Child abduction and forced recruitment are crimes in the Special Court's statute, but have never been prosecuted before by an international tribunal. 🗿

The story is by Francesca Fontanini, Communications Officer, UNHCR, Sierra Leone.

Child abduction and forced recruitment are crimes in the Special Court's statute, but have never been prosecuted before by an international tribunal.

The business of peace requires multi-efforts from different players



BY BRITT DE KLERK & SENZO NGUBANE

PEACE AND SECURITY

some reflections on the role of **civil society** in conflict prevention

Various conferences and respected personalities have proclaimed a need to strengthen the relationship between the United Nations and civil society, particularly non-governmental organisations. To this end, a number of conferences have been held to establish organs, which accommodate non-governmental organisations in bodies such as the United Nations (UN). The intention is to widen the decision-making platform and acknowledge the significance of these organisations in contributing to human security and peace in the world. In Africa, non-governmental organisations (NGOs) play a fundamental role in providing humanitarian assistance and conflict management measures for people caught in war and humanitarian crises. The United Nations is also an important vehicle for peace and humanitarian assistance in Africa. For these two entities to work more closely together and to draw from each other's strengths and experience can only benefit the people of Africa. However, their relationship and efficacy in the African context is shaped

by the nature of African states, particularly the concept of state sovereignty. This paper will consider the notion of state sovereignty and how this concept impacts on the role and function of non-governmental organisations and the United Nations, with each other and on the continent.

Secretary-General of the United Nations, Kofi Annan, has on many occasions stated the importance of civil society and the growing influence of this sector of society on the prevention and resolution of conflict, the preservation of peace, and the work of the United Nations. On one such occasion Mr Annan stated, "The United Nations once dealt only with Governments. By now we know that peace and prosperity cannot be achieved without partnerships involving governments, international organisations, the business community and civil society. In today's world we depend on each other."¹ The expertise that civil society has to offer, particularly in the fields of peace promotion, human rights, enhancing development, and fighting for democ-



racy, can greatly improve the role and function of the United Nations. A strong relationship between the United Nations and civil society is required to adequately address the pressing needs of our time.

In May 1999, at the Millennium Forum over 1300 civil society organisations defined and agreed upon common priorities produced in the Millennium Forum Declaration. This was the first official United Nations Document agreed upon produced exclusively by civil society. The United Nations have also established mechanisms such as the NGO Liaison Service, NGOs in Consultative Service with ECOSOC, and the Global Compact. Through these partnerships and relationships the UN intends to improve its availability and access in its work.

Civil society plays an important role in conflict prevention, management, and resolution. Former OAU Secretary-General Salim Ahmed Salim, in his statement at the opening of the OAU-Civil Society Conference in Addis Ababa, Ethiopia, on 11 June 2001, pointed out that civil society has the advantage of proximity to conflicts. Furthermore, they create conditions for a diversity of views and ideas in the process of conflict prevention and resolution, and encourage dialogue as a tool in peace making. Thus civil society has two important features that enable it to function within states. The first is its connection to the 'grass-roots' levels of society. Non-governmental organisations strive in most cases to develop and nurture relationships with local communities in order to assist in various ways. These organisations, because of the neutrality from states and govern-

ments, are also able to work at the middle level with business and the private sector. They are also able to dialogue and engage with government officials and state apparatus. In all cases, the nature of non-governmental organisations, and most other civil society bodies, enables them to function within other states without fear of violating the principles of sovereignty and non-interference. Whereas the United Nations, as an inter-governmental organisation, has to pay careful consideration to these principles, non-governmental organisations are, in principle, able to intervene within states.

The significance of this is especially prevalent in the changing nature of conflict, moving away from inter-state conflict towards intra-state conflict. As the *New York Times* concluded on 7 May 1995, "for just about the first time since 1815, no great powers are at one another's throats [but] civil wars and snarling savageries continue on both sides of the Equator". The assessment is for the large part correct. Intra-state conflict or civil wars are generally waged around three issues. First, such conflicts occur at the level of identity where one group seeks greater autonomy or the creation of an independent state such as is the case in the Sudan. Second, civil wars are fought over control of the state. For example, in Rwanda, ethnic differences drove the war. Third, civil war occurs where national governments have badly eroded or completely broken down as in the case of Somalia.

Intra-state conflicts may occur within states, but they often draw in regional or international actors, be it to participate within the conflict or to drive the peace process. This regional and international flavour, as well as the deteriorating humanitarian situation, does provide a reason for organisations like the United Nations to intervene, however, where state sovereignty is still paramount, intervention is defined, and even confined, by the will of leaders, from the country of conflict, participating states, and the Security Council.

States and sovereignty

Former President of South Africa, Nelson Mandela, in his valedictory speech to the Organisation of African Unity (OAU) summit on 8 June 1998 made this statement:

We must all accept that we cannot abuse the concept of national sovereignty to deny the rest of

the continent the right and duty to intervene when, behind these sovereign boundaries, people are being slaughtered to protect tyranny.

The statement was startling to the members of the OAU as well as the rest of the world. Sovereignty, here understood, means that the state has an absolute right to decide on what happens within its recognised borders. The state has the authority to govern their internal affairs and manage their foreign relations with other states and inter-governmental organisations. Concomitant with this is the principle of non-interference in the internal affairs of the state. The sanctity of sovereignty was endorsed by former Secretary-General of the United Nations Boutros-Boutros Ghali in his Agenda for Peace. In this document, the Secretary-General stated that in situations of internal conflict, the United Nations would need to respect the sovereignty of the state. He was confirming the United Nations' commitment to the guiding principles of resolution 46/182 of 19 December 1991, which stressed that human assistance must be provided in accordance with the principles of humanity, neutrality, and impartiality. Moreover, the sovereignty, territorial integrity, and national unity of states must be fully respected in accordance with the Charter of the United Nations. In this context, humanitarian assistance should be provided with the consent of the affected country and, in principle, on the basis of an appeal by that country.

It is in this context that the United Nations must function, and it is this context that severely limits its ability to achieve its goals of peace. Sovereignty and the correlated principle of non-interference are meant to ensure international harmony and the maintenance of international peace and security.² Instead, these principles perpetuate the abuse of the concept and the antithesis of their aim.

Former OAU Secretary-General Salim Ahmed Salim called for a rethinking and re-defining of sovereignty. He argued that sovereignty should incorporate accountability and responsibility, in which a balance is struck between national sovereignty and international responsibility. The latter is important in defining the role of the United Nations and, by extension, its relationship with civil society. Without organisations like the United Nations assuming international responsibility, then civil

society remains the only alternative, but it is in itself limited in terms of resources and international influence. Subsequently, the United Nations is also hindered in its role, and cannot formulate effective relations with civil society if it must function according to the principle of sovereignty. This asymmetrical arrangement in conflict management is illustrated in the words of Assistant Secretary-General Miles Stoby: "A marginalised United Nations means a marginalized Africa."³ Conversely, a marginalised Africa contributes to the ultimate marginalisation of the United Nations.⁴ Civil society plays a significant role in conflict management, but it needs to broaden its impact on governments. At the same time, the United Nations needs to strengthen its influence at state and grass-roots level, and also with civil society.

Civil society, conflict management and the functions of the United Nations

Conflict management can be understood in terms of conflict prevention, peacekeeping, peacemaking, and peace building. The United Nations includes the latter three activities as part of its conflict management functions. Civil society plays a significant role in conflict prevention and peace building. As stated earlier, there are a number of features of civil society that can benefit the United Nations in its conflict management activities. Preventive action activities intend to prevent disputes from developing into violent conflict, to prevent existing violent conflicts from further escalating, and where violent conflicts have been resolved, to prevent those conflicts from recurring. Civil society's proximity to the conflict, its relationship with local communities and parties from all sides of the conflict, its network of partners and related organisations, and its ability to mobilise quickly, provide it with the capacity for preventive action. The United Nations can only benefit from the information and capacity that civil society provides.

An important function of the United Nations, which civil society can also contribute to, is that of

We must all accept that we cannot abuse the concept of sovereignty to deny the rest of the continent the right and duty to intervene when people are being slaughtered.

post-conflict peace-building. Peacemaking may be defined as actions undertaken at the end of conflict to consolidate peace and prevent the recurrence of armed conflict.^v Secretary-General Kofi Annan points out that an integrated peace-building effort is needed to address the various factors that have caused or are threatening a conflict. Peace building may involve the creation or strengthening of national institutions, monitoring elections, promoting human rights, providing for reintegration and rehabilitation programmes, and creating conditions for resumed development.⁶ An integrated peace-building effort requires more than a commitment by regional and international governments, it requires more importantly a commitment by the state and civil society. The United Nations has the resources, complemented by the expertise, dedication, and network of civil society.

Relationship between states and civil society in Africa


Although there is a persistent call to further include civil society within the ambit of the United Nations, there is a need to understand that civil society is also restricted by the state and the nature of this relationship will impact on the conflict prevention, management, and resolution activities of these organisations. By extension, civil society operating with the United Nations will face the same obstacles in pursuing peace. It is not just a matter of broadening the inclusivity of the United Nations, but also a matter of reforming the nature of states and their relationships with civil society and inter-governmental organisations.

The relations between the state and civil society are an uneasy one. Historically, the African state, largely characterised by centralised political and economic power, a strong military, suppression of political pluralism, and a closed public space, has provided little room for civil society to directly influence the actions of the state. Authoritarian rule in Africa is attributed to the legacy of colonial rule. Under this leadership, there was little need to seek political legitimacy, and thus the colonial state did not encourage representation or participation. The result, as Secretary-General Annan points out, was often social and political fragmentation, and a sometimes weak and dependent civil society.⁷

Signs of hope, however, are beginning to emerge

in Africa with the creation of the African Union (AU) and the on-going drive, through the New Partnership for Africa's Development (NEPAD), to make the continent claim its rightful seat in global politics. The various proposed structures of the AU including the African Parliament, if properly implemented, would go a long way towards ensuring that the gap between state actors and civil society in Africa is reduced. The fact that various non-state actors around the continent are making an effort to grapple with the ideals and objectives of NEPAD is indicative of the fact that civil society has become an important player Africa and therefore there is a need to broaden the political space for even more interaction.

Conclusion

Despite the calls and necessity of increased civil society participation within the United Nations decision-making processes and active functioning, the relationship between these two entities and proposed collaboration in intervention (be it preventive diplomacy, peacekeeping, peace-building or any other form) is defined and shaped by the nature of the state and the relationship of the state with other states. The challenge that remains is to forge more links between these actors and in so doing, not only acknowledge but support the role that non-state actors are playing in the area of conflict prevention. 

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Endnotes

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- 4 United Nations Press Release, GA/9567.
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Democratic Republic of Congo: the
difficult road to peace and prosperity



BY GERRIE SWART

PEACE AND SECURITY

a brief assessment of the Lusaka Ceasefire
Agreement and the Inter-Congolese Dialogues:

towards peace in the DRC

In only three years the conflict situation in the Democratic Republic of the Congo exploded into what many have regarded as 'Africa War One'. The DRC war has already seen approximately 23 recorded peace initiatives since 1997. The most important of these initiatives came with the Lusaka Ceasefire Agreement signed on 10 July 1999. The creation and signing of the Lusaka Agreement was achieved with much difficulty. Chapter Three of the Lusaka Ceasefire Agreement presented the calendar for the implementation of the agreement, with the total number of days stipulated for the full implementation from the date of signature being 270 days. These 270 days progressively elapsed into more

than four years of brutal conflict.

The Lusaka Agreement's major flaw may have been to entrust the signatories with too much initial responsibility with regard to disarmament, given the level of suspicion and lack of political commitment to put an end to the war through peaceful negotiations. According to Article 19 of the Lusaka Ceasefire Agreement, "the government of the DRC, the armed opposition, the RCD and MLC as well as the unarmed opposition shall enter into open national dialogue. These inter-Congolese political negotiations involving *les forces vives* shall lead to a new political dispensation and national reconciliation in the DRC." The Inter-Congolese



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Dialogues had a dual purpose. First, as a provision of the Lusaka Ceasefire Agreement the ICD was expected to produce a negotiated settlement to end the war in the DRC, and second the negotiations were expected to revive and consolidate a democratisation process thwarted initially by Mobutu Seso Seko and thereafter by Laurent Kabila's brief and violent tenure as President of the DRC. With both dialogues concluded, a fair question would be: have the dialogues been a success?

The Inter-Congolese Dialogue, South Africa 2002

The DRC conflict appeared ripe for resolution following the start of the Inter-Congolese Dialogue (ICD) in South Africa. After seven weeks of negotiations at Sun City a partial agreement was reached on 19 April 2002 between Jean-Pierre Bemba's MLC and the government of Joseph Kabila. This,

however, occurred in an accord outside the framework of the ICD, namely the Political Agreement on Consensual Management of the Transition in the DRC (PACMT), which united Kabila and Bemba and basically consolidated their control of the transitional authority. This also led to the creation of the post of Prime Minister awarded to Bemba. Most notably it heralded the end of the anti-Kabila coalition and confirmed the isolation of the RCD and its ally Rwanda.

The ICD at Sun City was described as a partial failure. The limited agreement between Kabila and the MLC does not in itself offer any real solutions to the Congo's problems. The Inter-Congolese Dialogue as it resumed on 25 February 2002 was paralysed for ten days by unresolved quarrels over the composition of the unarmed political opposition delegation. Negotiations were brought back on track via a concerted effort from the civil society and political opposition camps. President Thabo

Mbeki's role also became prominent in this period. President Mbeki proposed two plans, entitled "Mbeki I" and Mbeki II". On 9 April the MLC abandoned its precondition for power brokering in Kinshasa and declared that it accepted Kabila as president. The RCD, however, announced a non-negotiable position of rejecting Kabila. The Sun City accord gratified the personal ambitions of Jean-Pierre Bemba by offering him the position of prime minister. The accord also achieved victory for Joseph Kabila, by securing the backing of the MLC, the RCD-ML and the RCD-N and claiming a symbolic reunification of 60% of the country. A triangular relationship between Kinshasa, the RCD and the MLC was, however, the ideal sought after. The RCD-Goma rebels desired more powerful positions and rejected the offer of the presidency of the parliament. South Africa's attempts to impose a Rwandan solution to the conflict were also not well received.

The failure of Lusaka was perpetuated with the advent of the Inter-Congolese Dialogue at Sun City in April 2002. President Thabo Mbeki proposed that Joseph Kabila should hold the post of interim President, but supported by a triumvirate of vice-presidents, selected from the main armed groups – the MLC, the RCD and a representative from civil society. The parties failed to reach consensus, based on the intense rivalry between the MLC and the RCD, who did not care to be seen as equals. The partial agreement between the government and the MLC was the minimum result required to save the Inter-Congolese Dialogue. The Sun City talks began badly, were poorly organised and did not consist of much genuine dialogue on the real issues. The talks were cast in a glaring spotlight, which may have blinded the participants to the one clear objective they ultimately gathered for in South Africa: the achievement of a definite and clear peace agreement to end war in the Democratic Republic of Congo. The duration of the ICD talks was inadequate to produce a concrete agreement to end a war of such magnitude and complexity.

Despite the various setbacks, a groundbreaking pact on interim rule was agreed upon in principle, with consensus being achieved during talks in Pretoria in October 2002 between the DRC government, the RCD and the MLC. This was followed with a commitment by President Kabila and President Museveni, both expressing their readiness to launch the Ituri Pacification Committee. The

Ugandan army withdrew two battalions from the DRC as a result. On 17 December 2002, the warring parties signed a peace deal to end more than four years of devastating civil war. Signatories expressed their immense gratitude to President Mbeki for his and South Africa's support in the peace process; Minister Sydney Mufamadi had mediated the peace deal in a desperate effort to salvage the losses and failures of the ICD in Sun City.

The Inter-Congolese Dialogue II: The Final Act?

Government representatives and rebels groups from the DRC converged upon South Africa yet again for the final session of the Inter-Congolese Dialogue in 2003. This led to a unanimous endorsement of a transitional constitution to govern the DRC for two years. Agreement was reached to shape a government to lead to the first democratic elections in the former Zaire in nearly 40 years. The resolutions agreed upon will, together with 34 other resolutions adopted during previous sessions, constitute the so-called Final Act in the DRC peace process. After the historic deal was signed on 1 April, UN Secretary General Kofi Annan welcomed a "final" peace accord, calling it a "breakthrough, which is potentially of great significance". President Mbeki reaffirmed South Africa's commitment to the peace process and declared that its engagement with the DRC did not end with the signing of the "Final Act", yet warned that lasting peace rested on successful implementation of the agreement. Mbeki also promised to mobilise support from the African Union to help ensure a smooth two-year transitional period for the DRC. According to Mbeki, all the participants signed the "Final Act" committing themselves to honour all the agreements they had entered into, including the Global and Inclusive Agreement signed on 17 December 2002, an Additional Memorandum of the Army and Security, as well as the Constitution of the Transition, adopted at Sun City on 1 April

'The Conflict in the DRC appeared ripe for resolution following the start of the Inter-Congolese Dialogue in South Africa'.



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2003. In the “Final Act” the united leaders of the people of the DRC recommitted themselves to a number of important objectives agreeing to pursue the “goals of peace, national unity and reconciliation and to protect the rights of all citizens and promote democratic governance”.

The Agreement

Signatories renewed commitments to cease hostili-

ties and embark on the process of setting up a restructured and integrated army. The constitution and inclusive agreement have been declared the only sources of power during the two-year transition to elections. The agreement also called for reunification, pacification, reconstruction, restoration of territorial integrity and the re-establishment of the state’s authority throughout the

country as well as transparent elections at all levels. The delegates agreed that DRC President Joseph Kabila would keep his post in the new national government, with four posts of vice-president to be filled by members of the rebel movements and the non-armed political opposition parties. President Kabila also decreed an amnesty for people accused of "acts of war, political crimes and crimes of opinion" committed during the period from 2 August 1998 to 4 April 2003. This step was rationalised as necessary to reunite the Congolese people, many of whom had suffered and ultimately formed part of the nearly 2.5 million victims of the war.

Prospects for peace after The Inter-Congolese Dialogue II: Final Act or perpetual war?

On 7 April, President Joseph Kabila took the oath of office as head of a transitional government aimed at restoring peace and democracy. Despite these efforts conflict has persistently overshadowed the peace process. Kabila for instance was not present to sign the crucial accord in person, which in the eyes of many may be construed as a blatant disregard for the peace process especially at such a crucial juncture in its attempted implementation. The RCD-Goma declared as "invalid" Kabila's swearing in as interim President, citing a technicality that prevented him from being sworn in by the Supreme Court of Justice. Moreover, Rwanda did not rule out the possibility of redeploying troops to the DRC if perpetrators of Rwanda's 1994 genocide were not disarmed, although Uganda completed its withdrawal of troops from north-east DRC, with a few soldiers guarding military equipment. These warnings have not served to aid the peaceful implementation of the Final Act.

Uganda's withdrawal meant that the ink on the ominously titled Final Act sealing peace in the embattled DRC was hardly dry when reports emerged of ethnic violence in which at least 1 000 people were killed. The crisis in Ituri province began on 7 May 2003 when Uganda withdrew more than 6 000 troops from Bunia. Rival Lendu and Hema tribal groups attacked each other in bloody clashes, in which civilians were the main victims. Fighting also broke out due to in-fighting in the rebel Congolese group FAPC, a breakaway faction of the Hema group,

the UPC. At the same time, a DRC armed faction, the party for the Unity and Safeguard of Integrity of Congo (PUSIC) blamed government troops for the killings in the Ituri regions.

The African Union condemned the massacre as an attempt to derail the peace process. The head of the UN mission "deplored the resumption of fighting at a time when talks of ending war are being held". MONUC was in permanent contact with all belligerents, urging them to cease hostilities and demanding that the RCD return to its positions in line with disengagement plans.

The question of a national military unifying the numerous armed factions in the DRC remained one of the unresolved issues for the transitional period. RCD-Goma rejoined negotiations to implement a national transitional government for the DRC, following its withdrawal from talks on 22 May 2003. The rebel movement withdrew after accusing the government of trying to keep the post of head of army for itself and seeking to control the majority of the military regions. The swearing-in of the transitional government was delayed due to arguments dealing with the composition of the national army.

President Thabo Mbeki initiated emergency talks in a bid to defuse the crisis. In May 2003, he made an urgent appeal to UN Secretary General Kofi Annan to get UN troops stationed in the DRC to be more aggressive in defending civilians or to make way for African intervention in the conflict. President Mbeki as AU President appealed to Secretary General Annan to push for UN troops to be authorised to open fire on militias attacking civilians in Eastern Congo, following renewed ethnic clashes in Bunia. These steps may prove detrimental and dangerous, as calls of such a nature may finally be a tacit admission that peaceful means towards the resolution of the conflict in the DRC have not proven successful and the only option left is to exercise military action, which may fuel even more conflict and totally undermine the prospects for a peaceful and swift resolution of the protracted hostilities. An unavoidable culmination of events

"The duration of the ICD talks was inadequate to produce a concrete agreement to end a war of such magnitude and complexity".

has conspired to spark off violence in Bunia in the Ituri region, which prompted the international community to take decisive action.

The UN Security Council in response authorised the deployment of a French-led international force with full combat status in the north-eastern regions of the DRC. Authorisation for deployment in the Ituri region around Bunia was concluded under resolution 1484. The international force is not a UN mission, but at the insistence of France, the Security Council approved it under Chapter Seven of the UN Charter, authorising the use of deadly force if necessary. Resolution 1484 however only makes provision for a temporary deployment of the French-led force. European Union ambassadors also approved the deployment of peace enforcement troops to eastern DRC in June 2003.

However, the French-led Interim Emergency Multinational Force (IEMF) being deployed to Bunia is regarded as insufficient. The existing UN observer mission in Congo (MONUC) is only expected to take over in September 2003. The International Crisis Group's recent report entitled 'Congo Crisis: Military Intervention in Ituri' stressed that, "Only a more forceful and geographically more extensive UN intervention maintained for much longer than IEMF is envisaged can lead to and secure a sustainable peace. It must have the physical capability and political backing to use its Chapter Seven mandate robustly against some degree of potential armed opposition and be geared towards restoration of Congolese state sovereignty".

If MONUC forces cannot deploy outside Bunia and do not have a robust mandate to support the cantonment and demilitarisation of the militias operating in the Ituri region as well as protecting the civilians in the rural areas, the pacification of Ituri will be considered untenable. The situation in the Kivus has also been described as horrific as serious fighting continues. Ituri has become yet another battlefield for the proxies of Rwanda, Uganda and Kinshasa. If the current crisis over the last leg of negotiations for the start of the Congolese transition is not urgently resolved, it could become a prelude to a third phase of the Congo war. This would ultimately ensure that the Lusaka Agreement was negotiated in vain, implemented in vain and annulled by violence, seriously undermining the viability of negotiation and mediation efforts in Africa to resolve serious and violent

conflicts. The pacification of the Ituri violence could prove to be the make or break moment for peace in the DRC.

Conclusion

The Lusaka Ceasefire Agreement and the Inter-Congolese Dialogues were born out of a desperate attempt to end the conflict in the DRC. They were signed by disparate participants, and have only partially been implemented and even reluctantly so. A permanent mechanism for security and defence cooperation between the Congo and its neighbours bolstered by good neighbour agreements has been forwarded as the only viable solution to guarantee that the DRC will not become a continuing source of destabilisation. Overall considerations of conflict termination, conflict resolution, settlement strategies and negotiations posit that the Lusaka Peace Agreement regrettably has throughout its reluctant implementation provided for very little peace and remarkably inadequate agreement to be confidently called a success. Peace brokered amidst the backdrop of continuing violence and turmoil can hardly qualify as peace that will bring lasting stability and security to a region that has found stability an illusive pipedream for far too long. If the conflict in the DRC is not brought to a swift and decisive end, the ominous reality that will remain with the innocent Congolese people will be one of violence and brutal retribution as opposed to securing a much needed peaceful resolution in what can be considered one of Africa's most brutal conflicts in the late 1990s and early 21st century. 🗿

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Grappling with the politics of identity,
state-making and conflict in the Sudan



BY GERRIE SWART & HUSSEIN SOLOMON

PEACE AND SECURITY

the Islamic Fundamentalist State of **Sudan**

Sudan is one of seven countries on the US State Department's list of state sponsors of terrorism and since 1989 has been a self-proclaimed Islamic republic. After Iran, Sudan is projected as the second most prominent supporter of terrorism. As a matter of fact the active role of Sudan as an agent of terrorism could be presented as an extension of Iran's involvement in terrorism in Africa. Iran regarded Sudan as a springboard into the Middle East and Africa, especially into Egypt. The latter is regarded as the main obstacle to Iran's hegemony in the Persian Gulf.¹

On 30 June 1989 the Sudanese parliamentary system collapsed for the third time in the country's independent history as a result of a successful military coup d'état. The coup, which toppled the civilian government of Prime Minister al-Sadiq al-Mahdi, was led by Brigadier Omar al-Bashir, who was later appointed president of the republic. The Sudanese gradually realised that the new regime

was either perpetrated or at least supported by the National Islamic Front (NIF, al-Jabha al-Qawmiyya al-Islamiyya) – the Islamist party that grew out of the Sudanese Muslim Brotherhood.²

Sudan has experienced a turbulent political history from the onset of its independence. An estimated two million people have died from war-related causes and famine. The Sudanese conflict has been dubbed Africa's longest running civil war, based on 19 years of protracted and violent struggle. The sources of the conflict are considered deeper and more complicated than many observers have claimed. Religion unmistakably has been a major factor based on the Islamic fundamentalist agenda of the current government, dominated by the mostly Muslim/Arab north. Southerners, who are primarily Christian, reject the 'Islamisation' of Sudan and favour a secular arrangement.³ Cultural, religious, ethnic and political diversity between North and South has been the driving factor that



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has severely disrupted peace in Sudan. The South sees itself as African, mainly Christian and a historically separate entity from the North, which sees itself as an Arab Muslim entity. In 1991 the war became particularly brutal, when the Revolutionary Command Council announced the imposition of Islamic law throughout the country and declared jihad against non-Muslims in Sudan.⁴ The NIF government in Khartoum views itself as the protector of Islam in Sudan. Political opponents are viewed as anti-Islam and the civil war in

southern Sudan is considered a jihad, or Holy War. For the Sudan People's Liberation Army (SPLA), the war is to free southerners from political domination and religious persecution.⁵

Sudan: The Islamic Fundamentalist capital of Africa?

The Sudanese government, controlled and manipulated by the National Islamic Front, attempts to project itself as an example (besides Iran) of an

Islamic state as a workable political system. Sudan spreads its interpretation of Islam on the African continent through military and religious training offered to foreigners, especially from African countries. During the 1990s militants were trained at Iranian-backed military camps and academic/theological institutions in Sudan; the latter play a central role in spreading this interpretation of Islam, and particularly militant tendencies, throughout the African continent. This relationship was established in December 1991 with the visit of Iranian President Ali Akbar Hashemi Rafsanjani, accompanied by Major General Mohsen Razai (commander of the Revolutionary Guards) and Brigadier General Ahmad Vahidi (the commander of the Quds Forces, a secret unit that exports the Islamic revolution). Besides the Iranian-backed military camps provided by the Revolutionary Guards in Sudan, reports indicate that the Palestinian Islamic Jihad as well as Hizballah have established training facilities in Sudan. Training was also provided to al-Jam'ah al Islamiyyah, an-Nahda (an outlawed Tunisian Islamic Group) and the Islamic Salvation Front.⁶ The Sudanese government's hard-line approach to Islamisation was again evident when General Al-Bashir stated, at a public gathering in southern Sudan during March 1995, that there would be no compromise with the rebel (largely Christian) Sudanese People's Liberation Army (SPLA) on the issue of Islamic Shari'a law. He remarked that negotiations on the issue of Shari'a would only be conducted through the barrel of a gun.

Sudan in 1999 continued to serve as a central hub for several international terrorist groups, including Osama Bin Laden's Al-Qaeda organisation. The Sudanese government also condoned Iran's assistance to terrorist and radical Islamist groups operating in and transiting through Sudan. Khartoum served as a meeting place, safe haven, and training hub for members of the Lebanese Hizballah, Egyptian Gama'at al-Islamiyya, al-Jihad, the Palestinian Islamic Jihad, Hamas, and the Abu Nidal organisation. Sudan's support to these groups included the provision of travel documentation, safe passage, and refuge. Most of the groups maintained offices and other forms of representation in the capital, using Sudan primarily as a secure base for organising terrorist operations and assisting compatriots elsewhere.

Sudan also continued to assist several Islamist and non-Islamist rebel groups based in East Africa. Nonetheless, Sudan's relations with its neighbours appeared to improve in 1999. Ethiopia renewed previously terminated air links, while Eritrea considered re-establishing diplomatic ties. Moreover, in early December, Sudan signed a peace accord with Uganda under which both nations agreed to halt all support for any rebel groups operating on each other's soil.

Despite the fact that Sudan condemned the acts of terrorism in the United States that even included the investigation and apprehension of extremists suspected of being involved in terrorist activities, the country still remain a designated state sponsor of terrorism. A number of international terrorist groups including al-Qaeda, the Egyptian Islamic Jihad, Egyptian al-Gama'a al-Islamiyya, the Palestine Islamic Jihad, and Hamas continued to use Sudan as a safe haven, primarily for conducting logistic and other support activities.

The US State Department in 1999 noted that Sudan "continued to serve as a central hub for several terrorist groups, including Osama Bin Laden's Al-Qaeda organization. The Sudanese government also condoned Iran's assistance to terrorist and radical Islamist groups operating in and transiting through Sudan."

According to the report, "Khartoum served as a meeting place, safehaven, and training hub for members of the Lebanese Hizballah, Egyptian Islamic Group, the Palestinian Islamic Jihad, HAMAS, and the Abu Nidal organization." The Department's 2000 report credited the NIF government with taking positive steps in the fight against terrorism. According to the report, by the end of 2000, "Sudan had signed all 12 international conventions for combating terrorism and had taken several other positive counter terrorism steps, including closing down the Popular Arab and Islamic Conference, which served as a forum for terrorists."⁷

Sudan has often been seen as a safe haven for

"Religion unmistakably has been a major factor based on the Islamic fundamentalist agenda of current government, dominated by mostly Muslim/Arab north.

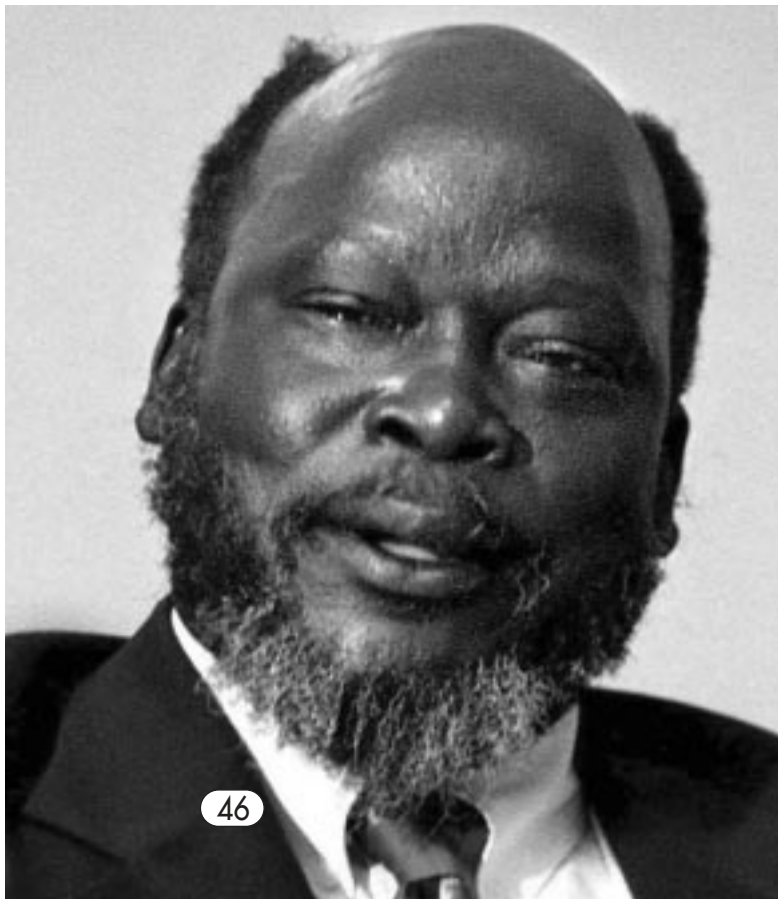


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major terrorist figures. A particularly noteworthy example is the Saudi-born Osama bin Laden. From 1991 until early 1996 Khartoum provided bin Laden with a support base. He used Sudan as a base of operations until he went to Afghanistan in mid 1996. Al-Qaeda is said to enjoy an unknown level of popular support within northern Sudanese society.⁸ To illustrate this: the radical Islamic leader Hassan Turabi, who sought for himself and the National Islamic Front government a leading international role on behalf of Political Islam, was detained for most of 2001, and demonstrations of support in northern Sudan on his behalf have been modest but persistent. In late 1999 President Omar Bashir broke with Turabi – Sudan’s religious leader and Bashir’s long-time ally in the National Islamic Front – and appeared to make significant attempts to normalise Sudan’s relations with the West and cleanse its reputation as a leading state sponsor of terrorism.⁹ Since moving against Turabi at the end of 2000, President Bashir has attempted to moderate his external image. He has however persistently pursued a hard-line Islamic rhetoric against his opponents, shown no proof of willingness to pursue a negotiated peace settlement to Sudan’s 19-year long civil war and persisted in aerial bombardments of civilian humanitarian sites in southern opposition areas.¹⁰

Islam vs. Christianity: The State and Society in uneasy juxtaposition

In addition to being an agent of terrorism Sudan has also been ravaged by a civil war since 1983, which has killed an estimated two million people, complicated by issues including oil, tribal affiliation and religion¹¹ The Sudanese civil war that has raged since 1983 between the Islamic government and Christian-animist southerners of the SPLA has continued to devastate the southern part of the country. The conflict also affects the Nuba Mountains, where dissident Muslim rebels are represented by both the NDA and the SPLA.¹² In working towards a peaceful settlement, the Machakos protocol was signed between government representatives and the SPLM delegation on 20 July 2002, followed by the Nairobi agreement between the government of Sudan and the



Southern Sudan Liberation Movement (SSLM). The main points of agreement between the government and the SPLA are as follows:

- ▲ Muslim Law (Shari'a) will be applied only in the north of the country;
- ▲ There will be a separation between church and state, at least in the south;
- ▲ The present Basic Law (Constitution) will be reviewed, and, where necessary, revised to accommodate these changes;
- ▲ There will be a sharing of political power between north and south;
- ▲ National revenues and wealth will be shared;
- ▲ Slavery will be banned;
- ▲ The parties will engage in talks to obtain a quick, national ceasefire;
- ▲ Present regional or local ceasefire agreements shall continue;
- ▲ The south will be given the right of self-determination, and after a period of six years, a vote will take place on the possibility of southern independence.

For the SPLA, the secular state is considered the best option since it includes a choice between an Islamic state or a secular democratic Sudan. As understood by the SPLA and other southern Sudanese forces, an Islamic state formula would mean that the Khartoum government would be continuously at war with those opposed to its philosophy. In other words, the separation of religion from state politics, as understood by the SPLA, is the precondition for a united Sudan.¹³ In mid-January 2003 the government of Sudan failed to send a delegation to the Intergovernmental Authority on Development (IGAD) talks that were held in Kenya, after the government asserted that the wrong agenda had been adopted.¹⁴ Sudan appears to be a country locked in a seemingly endless battle between politics and religion with no genuine resolution foreseeable and where the two central elements – politics and religion – cannot offer any salvation.

Sudan and 11 September 2001

Sudan's reactions to the 11 September terrorist attacks and US military actions against the Taliban and Al-Qaeda have been mixed. President Bashir condemned the terrorist attacks and expressed his

government's readiness to cooperate in fighting terrorism. He announced that Sudan had broken its links with Osama bin Laden and would cooperate in identifying those responsible for the attacks. US Secretary of State Colin Powell called on Sudanese Foreign Minister Mustapha Ismail several days after the terrorist attacks, the first high-level contact between US and Sudanese officials in several years. Powell noted that Sudanese officials offered to cooperate with the United States and appear eager to join the coalition. According to press reports, US officials confirmed that the government of Sudan has given US officials unrestricted access to files of suspected terrorists and suggested that they might be willing to hand over some of these individuals to US authorities.¹⁵ In early October 2001, however, Sudan issued a statement criticising the US military action against Afghanistan, after a cabinet meeting chaired by President Bashir. The National Assembly of Sudan also criticised the US military attacks on Afghanistan as "unjustified and lacking legitimacy". Meanwhile, anti-American demonstrations in Khartoum became more frequent. On 9 October 2001, Islamic clerics led several thousand protestors in an anti-American demonstration in Khartoum.¹⁶

Thus, relations have continued to see-saw. In April 2002, the US expressed concern over a speech by the Sudanese President in which he called for the establishment of camps to train militants for the Palestinian intifada, or uprising, against Israel. Washington was later informed by the Sudanese government that "there was no intention of setting up camps to train militants".¹⁷ According to Michael Rubin, if Khartoum was truly committed to the war against terrorism, then it would immediately have closed all terrorist training camps and opened up to inspection all *madrasas* or Islamic campuses, which may double as recruitment and training centres for militants.¹⁸ The United Nations Security Council in September 2002 lifted diplomatic sanctions against Sudan. On 21 October

"For the SPLA, the secular state is considered the best option since it includes a choice between an Islamic state or a secular democratic Sudan".




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2002 President George W Bush signed the Sudan Peace Act at a White House ceremony, declaring that: “The government of Sudan must choose between the path to peace and the path to continued war and destruction.” The government of Sudan, however, condemned the Sudan Peace Act, referring to it as “the Sudan War Act”.¹⁹ The future of relations, like most predictions for the future of this troubled region, is unclear. 

Both authors are members of the Department of Political Sciences, University of Pretoria. Hussein Solomon is also a Senior Associate of ACCORD.

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Military expenditure does not provide a stream of returns in the future, as does government expenditure on education and health



BY GEOFF HARRIS

PEACE AND SECURITY

the case for

demilitarising sub-Saharan Africa

For the purposes of this article, demilitarisation means a significant and sustained reduction in the power and influence of the military, as indicated by reductions in military expenditure, military personnel and force projection. In addition, it is a process of working towards a society which emphasises the non-violent resolution of conflicts and personal and social justice.

The Potential Benefits of the Military

A military has potential benefits to its society and a list of these is presented in Table 1. There is no doubt that these benefits have been experienced in some countries at different periods in time and that it is possible to organise a military in ways which increase such benefits. The fundamental

benefit which justifies having a military force is security from external attack; the other tasks it may perform must be regarded as non-core functions.

However, it is possible to argue an opposite case for many of these potential benefits, particularly the first three. The remaining benefits are subject to a different question. The military may indeed provide jobs, encourage modernisation and so on, but may do so at a high cost and/or at a lower level of effectiveness than another, alternative approach. It is crucial to compare the cost effectiveness of the military in achieving such benefits with that of alternative ways of achieving them.

Table 1: Potential benefits of the military

<i>Security benefits</i>	
1	Provides security from external attack
2	Provides security from internal attack
3	Reduces the likelihood of war
<i>Economic benefits</i>	
4	Provides an environment which will encourage investment, domestic and foreign, and thereby economic growth
5	Provides employment
<i>Attitudinal benefits</i>	
6	Encourages modernisation via training and building discipline
7	Builds national pride
<i>Broader social benefits</i>	
8	Provides civil defence and disaster relief functions
<i>International benefits</i>	
9	Provides capacity for international peacekeeping operations
10	Enhances international prestige

Seven reasons for demilitarisation in Sub-Saharan Africa

1. The nature of warfare has changed

Almost all armed conflicts now occur within countries rather than between them, typically between government forces and groups wishing to secede or take over government. This categorisation does not do justice to the diversity characteristic of recent armed conflicts within sub-Saharan Africa. These armed conflicts involve militias, armed civilians, and guerrillas as well as regular soldiers; small arms are the major cause of battle deaths; and as many as 90% of casualties are civilians, who die largely from the hunger and disease which occur as a result of armed conflict.

Mention should be made of the deterrent effect which underpins the first three benefits in Table 1. Undoubtedly, the presence of a strong military force has, at certain times and places, deterred a potential aggressor from attacking. The most often-cited evidence is the 'long post-war peace' between the USA and the USSR where the possession of nuclear arsenals, it is argued, restrained each side because of the fearful consequences of nuclear war. Such an argument, however, is too simplistic. As Robert Johansen has noted, "the historical evidence does not support the notion that either of the two superpowers intended deliberate, large-scale military aggression".¹ More broadly, he

concludes that "military buildups *decrease* international security because they underpin and legitimise an obsolescent, war-prone international system".

If a country has avoided armed conflict with a neighbour, as most sub-Saharan African countries have since independence, it may have little or nothing to do with the deterrence of a large military. In that case, it is much more likely to be due to a lack of disputes, a lack of capacity to mount an attack, or a lack of conflict management skills.

2. The meaning of security has changed

Related to the changed nature of wars, the traditional definition of security – focusing on protection against external military threats to nation states – has become increasingly less relevant. Proponents of a new way of thinking about security suggest that the type and source of threats now facing developing countries are much wider and more complex. For example, the United Nations Development Programme argues for a redefinition that focuses on human security, under which it identifies seven aspects – economic, food, health, environmental, personal, community and political security. It estimates that a person in a developing country is 33 times more likely to die as a result of structural violence or 'social neglect' (e.g. preventable disease and malnutrition) than as a result of an inter-country war. Our way of thinking about security, then, needs to move from an emphasis on territorial security based on a strong military towards broader human security, based on improving levels of human development.

3. Military expenditure retards economic growth and development

The key question for the economist is the net effect of military expenditure on economic growth. Early research on the relationship between military expenditure and economic growth in developing countries led Emile Benoitii to conclude that military expenditure promoted economic growth, principally by enhancing human capital. However, more sophisticated research has almost always reached the opposite conclusion. In economic terms, as Dumas explains, military expenditure has no value:

Whatever else can be said for it, military activity does not grow food, it does not produce clothing, it



does not build housing, and it does not keep people amused. Nor does it create the kind of machinery, equipment and facilities that can be used to [produce such goods and services]. Military activity may have other kinds of value, but it has no economic value because it does not directly contribute to material wellbeing...³

Military expenditure does not provide a stream of returns in the future, as does government expenditure on education, health and infrastructure. As such, it reduces government saving and thereby reduces the resources available for government investment; economic growth is thus retarded. This negative effect is generally so large as to completely overwhelm any positive effects.

A second way in which military expenditure may negatively affect economic growth is via government expenditure tradeoffs. While studies have often been inconclusive, it is obvious that military expenditure does lead to opportunity costs and may constrain more productive government expenditures. A third way in which military expen-

diture may hinder economic growth is via debt. In the 1970s and 1980s, military imports by developing countries were the equivalent of a quarter of new foreign debt incurred.

4. The military negatively affects human rights

The first way in which the military affects human rights relates to its negative effects on development, as just discussed. Second, there is the opposite side of the coin to the second benefit in Table 1, where government may use the military, or the military may take it on themselves, to attack those perceived to be opponents of the government. Among the many examples which could be cited are two from Nigeria reported by Human Rights Watch.⁴ The first occurred in November, 1999 in Bayelsa State following the murder of 12 policemen. Soldiers razed the entire town of Odi and killed as many as 2 000 civilians. A second and similar incident occurred in Benue State, following the killing of 19 soldiers in the area. More than 200 civilians were massacred in what Human Rights



Watch describes as “a well-planned military operation” carried out in reprisal. In neither case has there been action against the soldiers responsible or any a strong condemnation of the killings by the Nigerian government.

5. The military is ineffective in resolving conflicts

The military is often effective, in the short term, in winning wars but this normally does little to deal with the underlying reasons for the conflict, thus resulting in a likelihood of renewed warfare. In the words of Joan Bondurant, “Violent combat...has a strikingly low efficiency rating.”⁵ Consider four of the major international wars fought over the past two decades – the Iran-Iraq war of 1980-88, the UK-Argentine war over the Falklands (1980), the US-led actions against Iraq following the invasion of Kuwait (1991), and the NATO involvement in Kosovo (1999). The first ended in a stalemate after 500 000 military deaths. Military victories were won in the other three but ‘peace’ is maintained only by keeping large and extremely costly military forces in each region.

Ury, Brett and Goldberg compare three common ways of dealing with disputes – by power,

rights and reconciliation of interest – on a number of criteria which measure their effectiveness.⁶ In terms of costs, satisfaction with the outcome, the effect on the relationship between the parties and the likelihood of recurrence of the conflict, they find power to be the least effective and also the most costly method. It is interesting to note that, to the military, conflict resolution is often equated with peacekeeping. That is, the military focuses on stopping the fighting, with little or no thought of dealing with the underlying causes.

6. There are ethical, moral and spiritual reasons not to deal with disputes by force

At the level of the heart, humankind knows that the use of force or the threat to use force is not the appropriate way of dealing with disputes. In their better forms, all religions reject the demonisation of the enemy so as to make them appear less human and therefore psychologically easier to kill. A related concept is Gandhi’s insistence on the need to use moral means in order to achieve moral ends. If violence is used to achieve ‘peace’, its use will corrupt the victor so as to make meaningful peace unattainable.

7. There are cost effective alternatives to the military

The military is not the only way of achieving security and it is no longer a cost effective way of doing so, if it ever was. Eight alternative ways of achieving security were presented in an earlier article in this journal, each of which is likely to be more cost effective, it was argued, than the current military approach.⁷

Can the military be transformed?

A question which needs to be addressed is whether a military can be transformed. This is not, it must be emphasised, a matter of changes to mission statements and the like; it is all about whether the ethos of dealing with conflicts by force has changed. There are some who would argue that, given its very nature, the military is completely incompatible with democratic principles and cannot be transformed:

People do not ordinarily relish the idea of killing other people...Yet, stripped of the pomp and ceremony, of the uniforms and rituals, that is exactly what militaries are all about. Soldiers must be ready to kill or be killed or militaries cannot do what they have been designed to do. Military training...is very much a process of social and psychological conditioning, designed to take away their individuality and train them to do what they are told. There is no room for questioning authority, no place for free and open debate...It is difficult to see how militaries could be effective if they were not authoritarian organisations...It is therefore very difficult for truly democratic political systems to develop and prosper in militarised societies.⁸

To others, it is the type of military which matters, at least in terms of its economic impact. For Latin America, Thomas Scheetz argues that the negative economic impact of military expenditure is the result of a strategically offensive military posture. For medium-sized Latin American countries like Argentina, Scheetz shows that such a posture is “militarily impossible to sustain, economically ruinous, and diplomatically destructive of regional

stability”. He goes on to argue that there are alternative, lower cost strategies – particularly non-offensive defence – which may make the military a positive influence on economic growth.⁹

Some writers are optimistic that the military can be transformed, although they recognise the enormity of the task. “The long-term goal is the abolition of war as an institution, like the abolition of slavery and colonialism as institutions – an entirely realistic goal, but demanding, difficult – and absolutely necessary.”¹⁰ To others, like apartheid, the military is by definition inherently violent and incapable of transformation. 🗿

Geoff Harris is Professor of Economics at the University of Natal and Director of the university's Conflict Resolution and Peace Studies Programme

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Of Myths and Migration: Illegal Immigration into South Africa

by Hussein Solomon, published by UNISA Press, Pretoria, 2003 175 pp.



One of the challenges facing most developing states is that of huge population movements within and between states. Such population movements are a result of a number of factors which, for a very long time have been summarised into two famous concepts, the 'push' and the 'pull' factors. The movement of people within and between states has been one of the key manifestations of a variety of hardships and challenges that are faced by individuals and states in Africa alike. The fact that, among other things, specific countries and region on the continent of

Africa have experienced one conflict after another has contributed to instability within the continent. Such instability is reflected by the huge numbers of people moving across borders into other countries as a way of seeking sanctuary, peace and an attempt to re-build their lives. Such movement of people across borders has also been a cause of serious security challenges for both the countries from which these people originate as well as those in which they seek sanctuary.

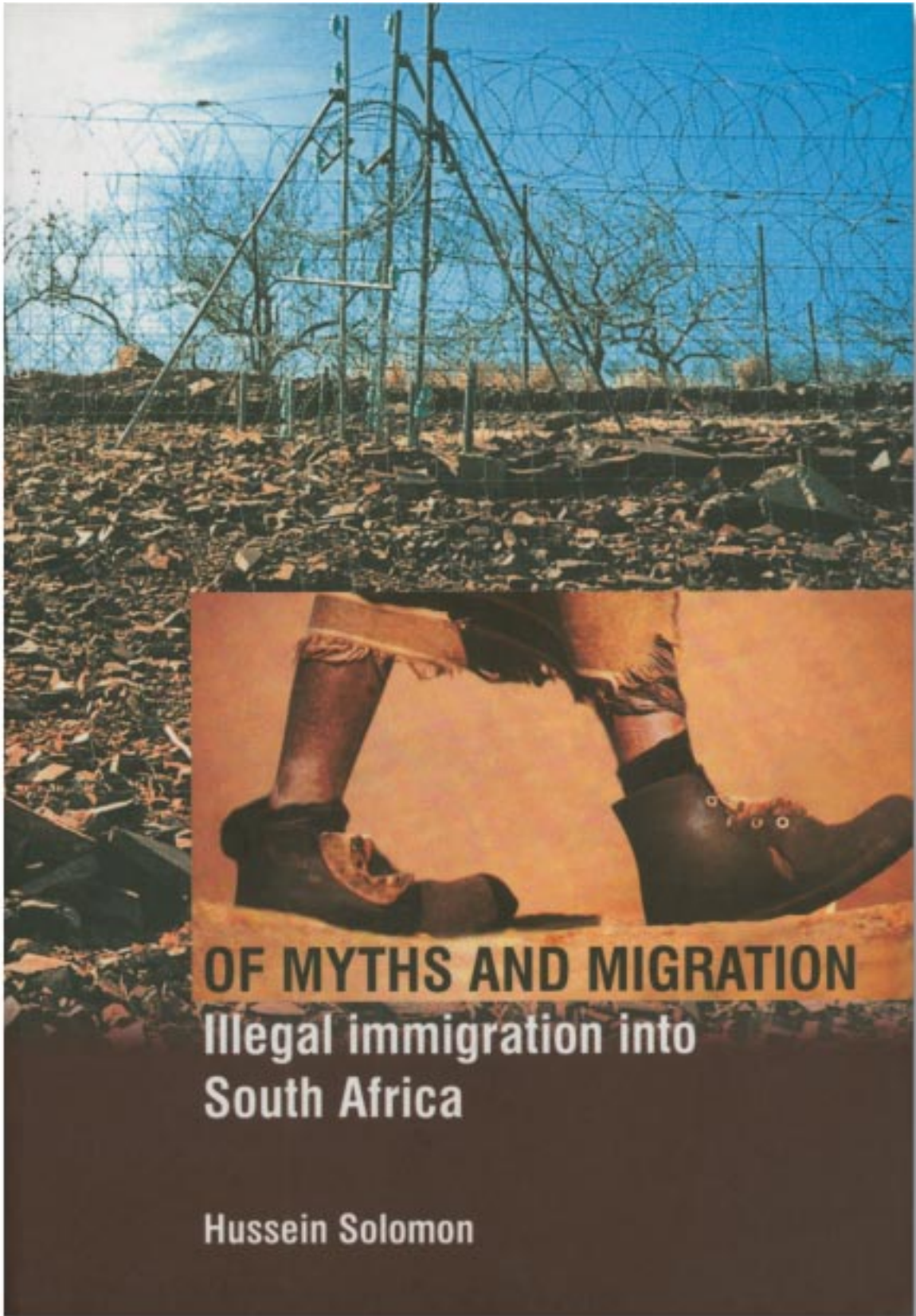
This book is about population movements in a specific context and situation. The context of these movements, and the focus of the book, is Southern Africa; it looks at the different dynamics within the sub-region that have propelled people to leave their countries of origin. The situation is how one country that has been at the receiving end of these movements has attempted to rise to the challenge and construct an appropriate response to this phenomenon. The book does this by specifically attempting to evaluate how South Africa has responded to the issue

of illegal immigrants (as a form of population movement) into the country. In attempting to fathom this challenge, the book sets the scene for trying to understand this issue by first looking at existing international regimes that govern the area of population movements. For instance, it looks at the definitions of what is a 'refugee' as opposed to an 'asylum seeker'. At the same time, the book also attempts to situate an understanding of migration within a turbulent Southern African region.

At another level, the author evaluates a number of theories that have been used to understand the phenomenon of population movements. For instance, the author discusses and critically evaluates the traditional theories of migration and their relevance to present-day challenges and the Southern African context. This is done to create insight into how migration has been understood hitherto by the various scholarly disciplines, and how such an understanding may have to change in order to suit the context within which the author wants to confront this subject. The key interests and indeed the focus of the book are to try and link the concept of migration with that of security. That is, is there a link, at least in Southern Africa, between security and migration? And if there is, to what extent has the whole region, and specifically, South Africa, become insecure as a result of migration and in this case, illegal migration? The central thesis of the book is that, to understand the phenomenon of migration in Southern Africa, our own understanding of security has to change. Instead of focusing on state security and a limited definition of sovereignty, there is a need to move towards an inclusive definition which embraces human security and broader understanding of sovereignty.

The subject of illegal immigrants into South Africa is not left at a theoretical level which only generates an understanding of the problem and what it means for the future of scholars interested

Among other things the book attempts to situate an understanding of migration with a turbulent southern African region.





will her vote count?

in the subject. Rather, the book does this and more. It also delves into how the problem has been understood within the South African state apparatus and how the relevant government ministries have tried to deal with the challenge. Having done that, the book goes on to look at the various strategic responses that have been implemented by the South African government in order to deal with this challenge. After such a thorough evaluation of this response, the author then focuses on the various policy options that could be considered, by Southern African states in general and the South African government in particular, in order to deal with the challenge.

The above point reveals one of the most crucial aspects of the book, that is, its attempt to construct out of theory policy-relevant research. The various issues challenges poised by illegal migration discussed throughout the book are neatly summarised at the end, when the book considers the options that are available to policy makers in dealing with the challenge of illegal migration.

However, one part that seemed out of place within the broader subject being covered is the section that focuses on 'Reconstructing Sovereignty in an Era of Human Security'. Other than that, the book is an excellent resource for a variety of people concerned with the subject of migration and security. It could be of use to students of international relations who are interested in the study of security; it could equally be of relevance to policy makers who seek to derive more policy options for an appropriate response to the issues of migration, and specifically illegal migration. 🗳️

ACCORD has trained over 16,000 people from numerous African countries over the past decade. This includes some 4,000 South African election monitors trained in 1994 and over 2000 Nigerian election monitors trained in 1999

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